

Summary of Minutes of Meeting of Islands District Council

Date : 23 June 2014 (Monday)
Time : 2:00 p.m.
Venue : Conference Room, Islands District Council, 14/F., Harbour Building,
38 Pier Road, Central, Hong Kong.

I. Visit of Director of Home Affairs to Islands District Council

The Director of Home Affairs briefed the meeting of the Home Affairs Department (HAD)'s new measures to enhance district administration implemented in the current term of District Councils, including the Signature Project Scheme, additional funding for promoting arts and cultural activities at the district level and enhancing support for district minor works. The Islands District Council (IDC) also participated in the management of some district facilities, and she was aware that it was conducting a pilot scheme to extend the opening hours of the two community halls to 10:00pm. HAD had advanced some special arrangements (eg. Copyrights arrangement) to facilitate users in making use of community halls' facilities.

A member said that the authorities of District Officers were limited. As District Officers did not have the authority to resume land, progress of district minor works was often delayed. Objections raised by small number of people would sometimes cause further delay and costs thus inflated. The annual funding of more than \$10 million was not adequate as Islands District was vast and there were many islands and areas. He proposed that HAD should delegate more authorities so that District Officers could determine whether to implement district works in accordance with local situation and needs of people's livelihood.

A member said that district minor works proposed by government departments were often implemented expeditiously, whereas those proposed by members were slow in implementation. He also said that the workload of the Liaison Officers grade were too heavy and he hoped that the HAD would increase its manpower.

Another member was appreciative of the Government's consideration of improving community facilities in allocating resources, rather than simply considering the population of the district. Members of the Council and staff of the District Office had been working hard to promote district work. She hoped that the Government would adopt opinions of the majority in handling the proposals of stakeholders. She gave the construction of cycle parking area at Yung Shue Wan, Lamma Island as an example. In planning community facilities, the Government should mainly base on statistics, rationale and legal justifications. In addition, she proposed the reconstruction of the ferry pier at Pak Kok Tsuen on Lamma Island on safety grounds.

A member complimented the Works Section of Islands District Office (ISDO) for expeditiously following up on flooding problem at various black spots on Cheung Chau. He proposed that polling hours of the 2015 Kaifong Representative Elections for Cheung Chau and Peng Chau be extended to 10:30pm. There were three villages on Cheung Chau, namely, Round Table Village, Lutheran Village and Self Help Care Village which were originally constructed by funding from social welfare agencies. As tenants were mostly elderlies and they did not own the properties, they could not apply for subsidies to maintain and repair the houses. He hoped that the HAD could assist the tenants to apply funding for building maintenance.

A member said that after its enactment, only minor adjustments were made to the Building Management Ordinance. As a result, the Ordinance was not totally satisfactory. She thus welcomed the Government's introducing the Property Management Services Bill to regulate property management companies and practitioners. She said that there were inadequacies in the consultation conducted by ISDO recently, as the results did not reflect the objections raised by a large number of people. She also said that there existed conflict of interest of some people who gave their opinions. She said that residents strongly opposed to the proposal of allowing tourists coaches entering Discovery Bay through Discovery Bay Tunnel. She hoped that government departments would be reminded of conflict of interest that might exist in future consultations conducted by the District Office.

A member said that the tourist industry was very important for Islands District but ancillary facilities were not adequate. She gave ferry services as an example. She said that relevant facilities could not tie in with the growth of tourism and population increase. She hoped that HAD would be concerned of the need of residents of the district.

The Director of Home Affairs responded as follows:

- (a) HAD was responsible for minor works that did not involve land resumption so that projects could be carried out flexibly. The introduction of District Minor Works programme was to enhance the role of District Councils in local management. The scale of these projects was relatively small and they were not complicated. It would allow expeditious implementation of projects and prompt improvement of local facilities. For public works projects involving land resumption, the time needed would be longer. Members of the public might not be aware that before the implementation of major projects and before funding application was submitted to the Legislative Council, much preliminary work had been conducted. If the time period for such preparation was to be counted in, district minor works was faster in its implementation than other public works projects. If local works were simple and could be handled by works section of various District Offices, then no consultant might be needed. Therefore, the introduction of consultants actually expedited the implementation of minor works in districts.
- (b) The Government would take into prudent consideration of opinions supporting and objecting works projects. District offices would also consult the District Councils, and its Works Sections would also provide assistance.
- (c) The ISDO, the Transport Department and the Marine Department would follow up on the safety issue of the ferry pier at Pak Kok Tsuen.
- (d) The Department would as soon as possible follow up on the proposal to improve the flooding at various black spots on Cheung Chau.
- (e) HAD had been allocated with funds to strengthen its manpower in the past decade. She understood that both the expectation of the public and the workload of staff were on the increase. Thus the Department would strive to enhance its staff strength, and she was appreciative of members' compliment on the performance of ISDO staff.
- (f) The current proposal for polling hours of the Kaifong Representative Elections for Cheung Chau and Peng Chau had been extended for two

hours. HAD would study the proposal for further extension of polling hours with the Electoral Affairs Commission after the registration of electors was completed.

- (g) HAD had conducted a review on the Building Management Ordinance in 2013. The Review Committee had submitted an interim report in the same year. If proposals did not involve amendment of legislations, HAD would follow up by implementing administrative measures. It had formulated two sets of guidelines to assist Owners' Corporations in handling problems they often confronted. Where legislative process was involved, study was being conducted on how to amend relevant legislations. The Review Committee had recently submitted its final report. HAD would take into account of the two reports and discuss relevant legislative and subsequent work with the Department of Justice. Public consultation would be conducted if necessary.
- (h) She was appreciative of members' concern of the property management companies and practitioners, and she welcomed more opinions.
- (i) ISDO would follow up on the case of Discovery Bay. Generally speaking, District Offices would consult all stakeholders in conducting consultation and all opinions collected would be related to departments concerned. In the future, District Offices would as far as possible remind departments of possible conflict of interests.
- (j) The provision of more ancillary facilities would be beneficial to releasing the potential of tourist industry in Islands District. ISDO would timely liaise with departments concerned to study measures in the short, medium and long term to develop the competitive edge of Islands District.

II. Preliminary Ideas of Lantau Development

Question on construction of Lantau Circular Highway

Question on development of Lantau South

Representatives of the Development Bureau briefed the meeting of the background and work of the Lantau Development Advisory Committee, and the background, strategic positioning and broad development themes of Lantau

development.

A member said that there was often traffic congestion and recently many traffic accidents at Tung Chung Road. He thus proposed the construction of the Lantau Circular Highway.

A representative of the Development Bureau said that similar opinions were expressed at meetings of the Lantau Development Advisory Committee. He would relate the opinions to the Committee for its discussion.

A member requested the Bureau to explain how transportation links between South and West Lantau could be enhanced.

A member was concerned of the third strategic positioning, which was the construction of East Lantau Metropolis on an artificial island. She enquired the meaning of the four blue dotted arrows around Kau Yi Chau as shown on the map of Annex 2.1. She was sceptical of the cost effectiveness of building an artificial island in the middle of the sea. She said that there were commercial centres in other parts of Hong Kong, and she could not understand the need for another one which would involve substantial costs and had serious impacts on the environment and navigation channels. Infrastructural projects should be well prioritized and she concurred with previous members' proposal of improving road construction of Lantau Island. Road improvement works on Lantau involved less costs and would be more beneficial to the livelihood and the tourist industry. She also said that the progress of Mui Wo Facelift was too slow. She proposed the early implementation of these projects which would produce practical benefits to the people.

Another member said that the development of Lantau had not benefited the residents of Tung Chung rural area. He was not satisfied that residents could not use the Tung Chung Road without closed area permits. He criticized that current development of Tung Chung concentrated in the north and east and requested for a more balanced development for various areas on Lantau.

A member enquired what potential for tourism development East Lantau Metropolis would possess, as its north was situated in the Noise Exposure Forecast 25 contour area. He also enquired whether there would be traffic infrastructure linking the future artificial island to Hong Kong Island, Mui Wo, North Lantau Highway and the Airport. He was concerned whether the extension of Lantau North Country Park would affect the road network of Mui Wo to Tung Chung and that of Mui Wo to North

Lantau, and he was sceptical of the feasibility of the proposal. While he welcomed the creation of job opportunities through development, he was more concerned about the high prices of commodities in Tung Chung. He proposed the concept of “binary economy”, which was to maintain the local economy to provide markets, rural markets and night markets on the one hand, and to develop large scale projects on the other.

A representative of the Development Bureau responded as follows:

- (a) The Government recently launched public engagement on Enhancing Land Supply Strategy in order to increase the supply of land. There were less ecological resources in the central waters, and its location was close to Hong Kong Island. After the completion of the Hong Kong-Zhuhai-Macao Bridge, Lantau Island would be linked to development in West Pearl River Delta and New Territories West. Thus the Government proposed the construction of East Lantau Metropolis.
- (b) Kau Yi Chau could be developed as the third commercial centre because of its proximity to Hong Kong Island and could provide job opportunities of various levels for Lantau residents.
- (c) Lantau Development Advisory Committee had discussed the issue of transportation in South Lantau. The Development Bureau was also aware that the infrastructure of Lantau could not meet the needs of the development of the tourist industry. The Committee would continue to discuss the future development of Lantau, and endeavour to balance the local economy and the tourism economy.

Another representative of the Development Bureau supplemented as follows:

- (a) The supply of land in Hong Kong was limited and the population continued to grow. Creating land by means of reclamation had become more difficult with the enactment of Protection of the Harbour Ordinance.
- (b) Results of public engagement exercise recently conducted showed that most people accepted reclamation in the central waters. The project

would accommodate newly increased population and create a new commercial centre with job opportunities. It was hoped that the importance of developing the central waters and the necessity of reclamation would be understood.

- (c) Funding application for the strategic study of the feasibility of constructing an artificial island in the central waters had been submitted to the Legislative Council. Impacts on existing communities and future opportunities would also be studied. Public consultation would be conducted in regard of proposals for future developments. The Chairman and Vice-chairlady of IDC were members of the Lantau Development Advisory Committee, and a meeting between representatives of the Development Bureau and the four rural committees of Lantau had been arranged. Thus the Government attached great importance to local opinions.

A representative of the Transport Department responded on the transportation of Lantau as follows:

- (a) The Department was appreciative of the many proposals raised, and it had been concerned of the conditions of roads on Lantau all along. After the completion of works at Tung Chung Road in 2009, the Department had monitored its traffic flow. The requirement of closed road permits for vehicles travelling to Lantau South through Tung Chung Road had been an effective measure to control traffic flow. The flow of Tung Chung Road was 290 vehicles per hour at its peak, thus it was believed that the existing system was adequate.
- (b) The Transport Department had carried out road improvement works on Lantau Island all along. Regarding the suggestion of widening the road width to the standard of 7.3 metres, the scale of works was large, as South Lantau Road and Keung Shan Road were long. Works had become even more complicated as country park and conservation areas were involved. As such, unless there was sufficient justification or there were planning changes in Lantau South, the Department would not conduct major road improvement or construction project in the area for the meantime.

- (c) While it was difficult to conduct road improvement works in Lantau South, the Department would as far as possible bring improvements to existing roads in the area, such as widening of bends. In the long run, the Department would formulate corresponding strategies and network in accordance with the traffic conditions and development of Lantau Island.

A member was not satisfied with the response of the Transport Department. While he supported the increase of land supply to provide housing, the most urgent issue in developing Lantau Island was to improve transportation facilities and widening of roads. He foresaw that there would be a substantial increase in traffic flow, but Transport Department had not taken any concrete action. He thus urged the Government to conduct improvements to roads on Lantau as soon as possible.

A member enquired whether the Development Bureau and government departments concerned had initially assessed the impact on residents of the many development projects to be conducted at Tung Chung North.

The Vice-chairlady said that the authorities should give a clear explanation of the four strategic positioning, so that members of the public would be able to understand that the development of Lantau did not involve levelling of hills or making use of country park areas. She said that there should be development plans in the short, medium and long terms to implement the strategic positioning. Preparations should be done to tie in with the opening of the Hong Kong-Zhuhai-Macao Bridge. She concurred with previous members' opinions that the road network on Lantau Island should be improved expeditiously. She agreed with the proposal of East Lantau Metropolis as a means of increasing land supply in the long run.

A member said that the issue of road network on Lantau was longstanding. South Lantau Road might be adequate on weekdays, but not on holidays. Thus improvement to road network should be conducted expeditiously. Residents opined that the Lantau Development Advisory Committee should include representatives of the four rural committees. He said that proposals would be worth studying if they could benefit the development of Lantau Island and Hong Kong as a whole. The feasibility study of East Lantau Metropolis should include the population it could accommodate and its age distribution, the housing needs, public transportation network, the onward flow of travellers from Hong Kong-Zhuhai-Macao Bridge, Western Corridor and the third airport runway, types of commercial activities and local employment, etc. The study could then determine whether the development plan

would be able to meet the needs of the community and whether it would be beneficial to Hong Kong. The Bureau could publicize the results of the study, such as the area of reclamation to be conducted in the central waters, whether it would be adequate to meet the actual needs, and the ancillary facilities, etc. He stressed that measures to tie in should be taken into account at the same time when the feasibility study was being conducted, not after its conclusion.

A member concurred with the previous member's opinions and said the issues of transportation and ancillary facilities would remain, regardless of the area of reclamation. The need to improve transportation network on Lantau was more urgent and should be dealt with first. She said that Lamma Island was a better option for reclamation because of its proximity to Hong Kong Island. She requested for better transparency for the project of East Lantau Metropolis and stressed her objection to this strategic positioning.

A member said that no response had been provided to the issue of high prices of commodities in Tung Chung, which was caused by improper planning. He said that the establishment of "binary economy" would provide various kinds of markets for residents, who would have an opportunity to set up their own business. He was also concerned of the inconsistencies in charging bridge and tunnel tolls. It would be unfair if bridges and tunnels in other districts were toll-free but not those for Lantau.

The Vice-chairlady clarified that she supported the development of Lantau Island in the long term and agreed that the construction of artificial islands would help boost land reserve. She had doubts only on the term "East Lantau".

A member disagreed with the Transport Department's saying that roads on Lantau were adequate to meet demand and he gave figures of the bus company to support his views.

Another member criticized that there had been no progress over the years on the proposal to improve bends along South Lantau Road.

A representative of the Development Bureau responded as follows:

- (a) The future development of Lantau would involve many government departments, and the Lantau Development Advisory Committee was a working group comprised of representatives of various policy bureaux.

The Government hoped that through the platform, opinions from all sides would be heard, and short, medium and long term plans would be formulated. The Committee would set up task force to explore feasible options to improve Lantau in the short term. The Bureau was aware that there were abundant tourism resources on Lantau and that some transport ancillary facilities might not tie in with them. He hoped that members would give opinions and explore solutions together.

- (b) “East Lantau” was a general concept and the term was provisional. In the study conducted more than two decades before, the east of Lantau was planned to be used for the container industry. However, the usage was later altered as a result of changes of the industry. The current proposal was raised in order to diversify the industries and employment of Lantau, and that commerce would develop towards the high-end and multifarious.
- (c) The Bureau had arranged a meeting with representatives of the four rural committees of Lantau and it would continue to disseminate relevant information to members in the future. The Bureau would consult the District Council on any proposals which were related to the community.
- (d) Under existing mechanisms, environment and project assessments conducted by the Bureau were accumulative, i.e. assessment would cover major projects being implemented in the area.

Another representative of the Development Bureau supplemented that the Bureau was conducting non-statutory cumulative impact assessment of projects being implemented in the area. The aim was to study the impact of simultaneous implementation of various major projects on the environment and the ecology, in order to determine the scale and priority of projects to be carried out. When individual project was to be implemented in the future, statutory assessment would still have to be conducted in accordance with the Environmental Impact Assessment Ordinance. In addition, cumulative impact on traffic, and impact on existing traffic of the implementation of various major projects at the same time had to be assessed, as well as ways to reduce impact on residents. It was estimated that Hong Kong International Airport and the Hong Kong-Zhuhai-Macao Bridge would bring Mainland’s economic activities to Hong Kong. The blue arrows as shown on the map in Annex 2.1 were major transportation infrastructure that might be constructed in accordance with the

East Lantau Metropolis concept, which would connect Lantau Island, Hong Kong Island and Kowloon.

A representative of the Transport Department said that the Department understood members' expectation of improving the transportation of Lantau. The extension of the road network of Lantau involved various factors, such as the principle of sustainable development planning, traffic needs, conservation of nature and resources, etc. The Transport Department would conduct review and planning in accordance with future changes in development. The Department had completed the improvement of seven bends at Keung Shan Road and South Lantau Road. The remaining improvement projects of bends would be conducted upon the completion of ecological assessment.

III. Brief on Kowloon West Cluster Annual Plan 2014/15 and Progress Report on North Lantau Hospital

The representative of the Hospital Authority briefed the meeting of the contents of the paper.

A member was appreciative of the Hospital Authority's fulfilling the pledge of providing 24-hour Accident and Emergency services (A&E services) and implementation of other services in North Lantau Hospital (NLTH). The paper said that the quota of general out-patient services would be increased in the coming year. He asked whether quota for North Lantau Community Health Centre out-patient services would be increased and by how many, if the answer was affirmative.

A member enquired the average waiting time of A&E services of NLTH. He also asked whether the Hospital Authority had assessed the waiting time after the extension of A&E services to 24 hours, and how it would compare with the waiting time of other hospitals in the Kowloon West Cluster (KWC). He asked whether the quota for North Lantau Community Health Centre out-patient services would be increased, and enquired about the opening hours of the dispensary after the extension of A&E services to 24 hours. He also enquired the progress of providing minibuss service connecting NLTH.

Another member was appreciative of NLTH's high transparency and fulfilment of performance pledges from its planning to commission of service. She complimented the implementation of services as planned, particularly under the strain

of resources. She enquired when the second stage of service, i.e. the service of private hospital would be implemented.

A member was also appreciative of the work of the NLTH team. The residents' feedback was positive after the commission of its service. He also enquired whether the quota for North Lantau Community Health Centre out-patient services would be increased, and whether opening hours of the dispensary would be adjusted so that residents would be able to collect medicine immediately after consultation. He further enquired whether there was time-table for the implementation of the second stage of NLTH development.

The Vice-chairlady complimented the work of the NLTH team. She advised that the forty existing hospital beds be flexibly arranged between acute and convalescent/rehabilitation purposes. Residents often reflected that out-patient services were always full and that the telephone appointment booking system was not satisfactory. She proposed the deployment of specialist doctors to out-patient services, if possible. She also proposed organizing talks for residents so that they would understand the specialist services of the KWC, which would be supporting NLTH in specialist services.

The representative of the Hospital Authority responded as follows:

- (a) The waiting time of A&E services in NLTH currently met the service target. However, it would not be able to assess the waiting time when A&E services would be extended, as the demand for hospital services were always on the increase. To provide for more comprehensive care, there would be in-patient service in NLTH starting from 8am on September 24 of the current year, and 24-hour A&E services would begin at 0001 hours on September 25.
- (b) It was planned that starting from 2015, the dispensary would provide service from 9:00am to 10:00pm from Monday to Friday, and from 9:00am to 1:00pm on Saturdays and Sundays. NLTH would strive for more resources in order to extend services.
- (c) He hoped that members would assist in the introduction of minibuss service connecting NLTH.

- (d) While Hospital Authority might not be able to increase the quota for North Lantau Community Health Centre out-patient services in 2014/15, various measures would be taken to provide more quota whenever possible. One example would be flexible deployment of doctors from other hospitals to NLTH to provide extra manpower. Other services would also be arranged flexibly in order to increase quota for out-patients whenever possible.
- (e) Land had been set aside for second stage development. The Food and Health Bureau would determine the time for its implementation taking into consideration Tung Chung's future development.
- (f) The forty beds were located within the same ward, and the Hospital would be able to deploy their usage flexibly.
- (g) To illustrate the efficient use of support services, an example of an out-patient showing psychiatric symptoms being referred to a psychiatrist was given. The out-patient quota resulted could then be made available for others, so that resources could be deployed flexibly.

IV. Setting up a Chinese Medicine Clinic in Tung Chung

The Chief of Chinese Medicine Department of Hospital Authority briefed the meeting of the contents of the paper.

The Vice-chairlady was appreciative of the commission of service of Yan Oi Tong-University of Hong Kong Clinical Centre for Teaching and Research in Chinese Medicine (Tung Chung) (the Chinese Medicine Centre) in July. She hoped that the Transport Department would provide more transport services for Lantau residents to commute to the Hospital.

Chief of Chinese Medicine Department of Hospital Authority said that the Chinese Medicine Centre provide medical services, teaching and research, and was operated by Yan Oi Tong, University of Hong Kong and Hospital Authority on a partnership basis. Hospital Authority and some other universities were studying options for co-operation with the community in provision of relevant services. The Chinese Medicine Centre had to be self-financed and thus its fee charges were higher than other out-patient services of Hospital Authority. Generally speaking, the

consultation fee for out-patient service was \$120, with two doses of Chinese medicines included. Fee for acupuncture was usually between \$150 and \$200.

V. Public Consultation on Enhanced Measures against Shop Front Extensions

The representative of HAD said that the Food and Environmental Hygiene Department (FEHD), the Lands Department (Lands D), Hong Kong Police Force (HKPF), the Buildings Department (BD) and the HAD had begun a four-month public consultation on enhanced measures against shop front extensions (SFEs) on March 14. Apart from District Councils, sectors affected would be consulted and opinions of the public would be collected through various channels.

A member asked whether other obstructions such as placing easy-mount frames on streets would be included in the current consultation. He said that the public loathed those commercial promotional activities more than SFEs. If the answer was negative, it would be unfair for hawkers and food stalls.

A member said that he supported the Government in stepping up enforcement actions against SFEs, and proposed that the amount of fine be determined according to the area of extension. He also proposed the establishment of a mechanism for shops to apply for extending its area of operation for 2 to 3 square metres, and that District Council member(s) of the area concerned should be consulted in handling the application. Existing procedures for food shops to apply for extension of operation area were complicated and should be simplified.

A member enquired what criteria would be adopted in deciding whether to apply the fixed penalty system or to use other legislations already in place.

A member supported the strengthening of enforcement against SFEs, but the criteria for enforcement should be clear. He said that the Government should review whether some legislations were already outdated and if they were, amendments should be made. He proposed a graded system of fines according to the area of public space taken up. He was also concerned that mechanism of exemption would lead to uncertainty. Shop operators and the government should try to co-operate to arrive at solutions. In most cases, shop operators were willing to make improvements. For stalls selling items other than food, he proposed the mode of operation of stalls in Tung Choi Street and Sai Yeung Choi Street be used as reference. He was appreciative

of the efforts of various government departments in solving the issue of SFEs on Cheung Chau.

The representative of HAD responded as follows:

- (a) Currently there were six ordinances dealing with various situations of SFEs, and the fixed penalty system being proposed was an extra measure. The fixed penalty system would not replace other enforcement tools already in place. It had been clearly stipulated in the consultation paper that regardless of the result of the consultation exercise, the Government would continue its enforcement in accordance with existing legislations, and would step up its actions. Various enforcement systems already in place would also be improved.
- (b) Despite efforts made, the problem of SFEs had persisted and worsened. As such, there was a need to step up enforcement. For other commercial promotional activities not mentioned in the paper, relevant enforcement departments would deal with the issues in accordance with relevant ordinances.
- (c) The proposal of determining the amount of fine according to the area of obstruction would have difficulty in implementation, as the area of obstruction might not be measured accurately, and the offender might also disagree. The fixed penalty system was thus less controversial and easier to implement. Another proposal of incremental fines would be difficult to implement as the law enforcing officer would have to confirm the number of previous offences, which the offender might also contest. However, the Government would continue to collect opinions in regard of the fixed penalty system before making decisions.
- (d) If the fixed penalty system being proposed was widely supported, the Government would proceed to amend relevant ordinances. Relevant enforcement departments would formulate clear guidelines, including situations to issue notice of fixed penalty, and situations to take other enforcement actions. Some people said that a fine of \$1500 was too insignificant to produce a deterrent effect. He gave the example of illegal parking to illustrate that enforcement actions could continue if no rectification was effected within a reasonable period of time after the issuance of a notice of fixed penalty. With the possibility of “many

notices per day” plus a suitable amount of fine imposed, a deterrent effect should be produced. For very serious violations, summons could be issued and a court of law would determine the suitable amount of fine.

- (e) There were currently six ordinances dealing with various situations of SFEs. Where illegal structures were involved, LandsD could take enforcement actions in accordance with Land (Miscellaneous Provisions) Ordinance. Notice could be given for removal of illegal structures within a period of time, which would be a more appropriate way to handle the situation. The enforcement departments concerned would conduct review of the ordinances if necessary.
- (f) As mentioned in paragraph 4.4 of the paper, one criterion for determining the priority of enforcement against SFEs was district characteristics. Members were welcome to give their opinions. And as mentioned in paragraph 4.5 of the paper, SFEs that constituted a distinct characteristic and contributed to the vibrancy of the district might either be assigned lower priorities or even tolerated, subject to the conditions that the SFEs did not cause any imminent danger to pedestrians and traffic, and that the shop operators could exercise self-discipline by adhering to a level of extension agreed with the enforcement departments.
- (g) Applications related to operation of alfresco dining areas were handled by FEHD and Lands Office of the district. The proposal of setting up a mechanism for extension of operation area for non-food shops would be related to relevant enforcement departments.

The representative of FEHD said that the current consultation mainly focused on SFEs, FEHD would take enforcement action in regard of easy-mount frames in accordance with existing departmental guidelines.

The Vice-chairlady said that members would find it difficult to co-operate if the consultation only targeted SFEs. She also criticized the Government of shifting the responsibility of handling SFEs to District Councils, and that the proposals as contained in the consultation paper would put District Council members and the public on opposing sides.

A member said that the consultation paper only asked the District Councils to provide opinions on the priority of enforcement, but there were no measures to assist the shops. He therefore proposed the establishment of a mechanism for non-food shops to apply for extension of operation area. If the Government was to take enforcement actions against all SFEs, shops would find it difficult to survive. If the Government asked District Councils to provide black spots of SFEs, it should also provide measures to assist relevant shops. He gave Fa Yuen Street and Tung Choi Street as examples, and hoped that mechanism would be established to solve the issue of SFEs before stepping up enforcement. He stressed that he was not against enhanced enforcement. However, there was a practical need for the establishment of an extra mechanism for shops to apply for extend of operation area, and it would be unfair if only food premises were allowed to apply for such permissions.

A member said that the enforcement actions taken by FEHD against SFEs had been effective. She opined that it would not be appropriate for members to propose black spots for enforcement. To tackle the issue, inter-departmental co-operation was necessary. She proposed that the Government should give a standard definition of obstruction and then take enforcement actions.

Another member also said that members should not be asked to provide the black spots of SFEs, and that relevant government departments should know better as they were the enforcement agencies. The issue of SFEs involved many departments and these departments should co-ordinate their efforts in accordance with the authorities stipulated by existing legislations to tackle the problem. He said that HAD was not the lead department in dealing with SFEs, thus he queried the placing of HAD's logo in the paper ahead of all other departments' logos. He expressed appreciation of various government departments for their efforts in dealing with SFEs on Cheung Chau.

A member said that many shops on Cheung Chau sub-let their premises and some goods were placed outside the shops, resulting in SFEs. The phenomenon was common throughout Hong Kong and he asked how the departments would conduct enforcement.

The representative of HAD responded as follows:

- (a) The enforcement measures contained in the consultation paper targeted all shops, not only food premises. The six existing ordinances dealt with various situations of SFEs.

- (b) He clarified and stressed that the Government was not handing over the authority of enforcement to the District Councils. District councils were consulted because of the local knowledge they possessed. The consultation being conducted was two-way. Enforcement departments would consult District Councils on black spots of SFEs and the priority of enforcement actions. On the other hand, District Council members could relate to departments situation of SFEs in the area, their expectations and residents' opinions. Enforcement departments would be responsible for making decisions related to the planning and implementation of actions, and their consequences as well.
- (c) With regard to period of notice, different ordinances would be applied in different scenarios. When illegal structures were involved, the LandsD would apply the Land (Miscellaneous Provisions) Ordinance to order removal of the structures. The time period for such actions tended to be longer. If obstruction in public places caused inconvenience or risk, FEHD and HKPF could take prosecution action without giving notice by apply the Summary Offences Ordinance.
- (d) The issue of SFEs had been sufficiently discussed at the Steering Committee on District Administration. Despite efforts made, the problem had persisted and as such, there was a need to step up the strength to deal with SFEs. After discussions held among HAD, FEHD, LandsD, HKPF and BD, the consultation paper was prepared. Representatives of the five departments mentioned were also included in the inter-departmental public consultation group of SFEs. The positioning of the logos of the departments on the consultation paper did not have any special implication. The logo of HAD was placed first simply because the Chairman of the Steering Committee on District Administration was the Permanent Secretary for Home Affairs.
- (e) There were eight spots in five districts which were assigned lower priorities in enforcement. These shops were not limited to food premises and a certain extension of area was tolerated. The issue of whether a lower priority in enforcement should be accorded was determined by the public in their agreeing or not that the SFEs constituted a distinct characteristic and contributed to the vibrancy of the district, and that certain conditions of extensions were met.

Enforcement departments might consult the District Councils concerned in respect of certain spots. On the other hand, District Councils could also raise discussions with departments.

The representative of HAD said that the proposal of setting up a mechanism for non-food shops to apply for extensions would be related to enforcement departments. Upon the conclusion of the consultation, HAD would collate all opinions gathered and submit a report to the Steering Committee on District Administration.

VI. Draft Luk Wu and Keung Shan Outline Zoning Plan No. S/I-LWKS/B

A member said that with regard to Draft Luk Wu and Keung Shan Outline Zoning Plan (OZP), Tai O Rural Committee hoped that there would be no changes of the original villages, and that private lands, farmlands and lands for small houses would not be included into green zones or country park areas, so that residents could use them for farming. Existing houses should be kept and allowed to be maintained. In the indigenous village of Keung Shan, there were more than ten villagers who were eligible for small houses, and there were more than twenty who would become eligible in the coming ten years. He hoped that adequate land would be set aside for small houses. He also said that certain species would appear only when farming was being done, and they would not appear on abandoned farmland.

A member also said that there would not be adequate land for building small houses and hoped that the Planning Department would set aside land for the purpose. Some abandoned and uninhabited land was included into country park area and he queried that ownership of private land was not protected. He said that ownership of private land should not be deprived of, until the formulation of a comprehensive conservation policy.

The representative of the Planning Department said that apart from the demand of small houses, the actual local environment and factors such as catchment areas had to be taken into account as well. Thus in the preparation of the OZP, Water Supplies Department and Agriculture, Fisheries and Conservation Department (AFCD) had also been consulted. Departments concerned requested the Planning Department to carefully consider the effects of village type development on the quality of water. Information of the demand for small houses provided by the LandsD would also be taken into account. He clarified that no new land, nor any private land, had been

included in the country park area in the draft plan being discussed. He said that farming was one of the uses always permitted. Should owners desire to alter the usage of land, application could be submitted to the Town Planning Board (TPB), and the Planning Department would try to provide assistance as far as possible.

VII. Question on progress of the Hong Kong-Zhuhai-Macao Bridge

The Chairman said that the Highways Department was not able to attend the meeting and a written reply had been provided.

The member who raised the enquiry regretted that the Highways Department was not able to attend the meeting. He was concerned that there was a shortage of manpower in the construction industry. If one project in the construction of the Hong Kong-Zhuhai-Macao Bridge was delayed, he worried that other projects might be affected as a result.

VIII. Question on progress of the Phase 2 Reclamation on Lamma Island

The representative of the Planning Department said that planning procedures for Phase 2 Reclamation on Lamma Island had been completed, and the project had been included in the Lamma Island OZP. The Department received many opinions in the implementation of the project. The Civil Engineering and Development Department (CEDD), the Planning Department and ISDO would continue to listen and take into account the opinions from the public, and conduct review on the implementation of the project.

The representative of CEDD said that the Department and the Environmental Protection Department received many opinions against the project and they were analyzing these opinions.

A member enquired when the OZP was prepared.

A member said that the project was very important for residents. However, it had been delayed for a very long time since it was first proposed. He hoped that the authorities concerned would respect opinions of local residents, and not to delay the project because of opposition from elsewhere.

The representative of the Planning Department said that the OZP, with the Phase 2 Reclamation on Lamma Island incorporated in it, had been approved by Chief Executive in Council in 2004. As such, the planning procedure had then been completed.

The representative of CEDD said that in the process of conducting environmental impact assessment in the beginning of 2011, the Department received many opinions. As the department responsible for implementing the project, CEDD had to take into account the opinions received. CEDD had all along discussed with departments concerned and conducted review as necessary.

The Chairman said that there was a genuine need for the implementation of the project on Lamma Island. He hoped that departments concerned would be able to take a balance of pros and cons, and implement the project the earliest possible.

IX. Question on incidents of men bitten by dogs on Lamma Island

A representative of AFCD said that it was difficult to generalize on the question whether the dog owner would be guilty if his or her dog bit someone. Staff of AFCD would conduct an investigation at the scene and gather evidence. The law stipulated that if a dog was not under proper control when it bit someone, AFCD could prosecute the dog owner. Staff of AFCD would endeavour to have a comprehensive understanding of the matter, including whether the incident occurred in a public or private area, whether the dog was under proper control of the dog owner, and whether the dog was provoked. Generally speaking, if the dog had been vaccinated against rabies, AFCD would conduct a risk assessment on its health condition and based on past records of whether there were previous incidents of biting men, and determine whether the dog concerned would be caught and brought into an animal management centre for observation. AFCD would endeavour to follow up within seven days of an incident.

A member enquired why the dog owner would not have to be responsible if the dog was not under proper control when it bit someone, and why did AFCD not take prosecution action. He also enquired whether there were any cases of successful prosecution.

A member said that as dogs were allowed to roam freely in the countryside where there were children, the possibility of dog bit men thus increased. She enquired whether existing legislations had prescribed on the maximum number of dogs a person could take onto the streets. She was concerned of the increasing number of incidents of dog bit men and worsening of the problem of dog fouling on Lamma Island. She said that AFCD and the police were not given adequate authority by existing legislations and proposed that a review should be conducted.

The Chairman urged departments concerned to follow up on the advice given by members.

The representative of AFCD said that the Department received 21 cases of dog bit men on Lamma Island in 2013. In 6 of the 21 cases, the dog owners were successfully prosecuted. In other cases, prosecution could not be made as the victims were not willing to provide information, or stray dogs were involved. AFCD had set up the Development Division to conduct publicity and education so that dog owners would understand their responsibilities. Two major publicity events and exhibitions would be held on Lamma Island in August and December of the current year, with proper control of dogs and vaccinations and applying licenses for dogs as the themes. Besides, the Department would distribute publicity leaflets and erect banners of similar themes at various places on the island.

A member enquired how AFCD would tackle the issue of illegal feeding of wild dogs.

The representative of AFCD said that illegal feeding of wild dogs indirectly boosted their breeding. The Department would catch wild dogs at these spots and the issue would also be related to FEHD for follow up.

A member asked whether dogs weighing below 20 kilograms had to wear muzzles on the streets and how many dogs an owner could take onto streets.

The representative of HKPF said that AFCD was the lead department in dealing with incidents of dog bit men and the police had been working with it all along to educate dog owners and catch wild dogs. HKPF had also stepped up patrol at black spots on Lamma Island. Members of the public might report to the police in case of dog bit men, or when they felt unsafe in relevant situations.

The representative of AFCD said that under existing legislations, dogs weighing below 20 kilograms did not need to wear muzzles or to be on a leash, but they had to be controlled properly. However, the law did not clearly elaborate on what it meant by proper control.

X. Motion on objection to Draft Tai Ho Development Permission Area Plan

The Chairman asked members to vote on the motion by show of hands, as no amendment was proposed. Fourteen members voted in support of, none voted against and two abstained on the motion. Thus the following motion was adopted by IDC:

“Islands District Council objected to Planning Department’s planning of Draft Tai Ho Development Permission Area Plan No. DPA/I-TH/1.”

XI. Question on birds in Hong Kong Disneyland Restaurant

The Chairman said that Hong Kong Disneyland was not able to attend the meeting, and had provided a written reply.

The member who raised the enquiry said that Hong Kong Disneyland had pledged to make improvements, which included the provision of guidelines and stepping up cleansing. She had no further comment.

XII. Question on noise, water and air quality control of Hong Kong International Airport

A representative of the Airport Authority briefed the meeting of the most recent progress of the three runway system and a representative of the consultant briefed the meeting through powerpoint presentation of the contents of the environmental impact assessment in noise, water and air quality. The latter said that by implementing effective remedial measures, the impact on noise, water and air quality was assessed to be acceptable.

A member was concerned about the air quality of Tung Chung, and she was skeptical of the assessment of air quality after the construction of the third runway. She welcomed the arrangement of using the third runway in the north as much as

possible at night to reduce the noise impact on residents of north Lantau. She was also skeptical of Airport Authority's saying that the decision to use runway would be determined by the number of flights, because she understood it that it would be determined by wind direction. She enquired whether Terminal 2 needed to be extended after the commission of the three runway system.

A member was concerned about water quality of Tung Chung, and he asked for more information in that regard.

The representative of the Airport Authority responded as follows:

- (a) The emissions of the airport had limited impact on the air quality of Tung Chung. Thus regardless of the implementation of the three runway system or not, the air quality of Tung Chung would be more or less the same.
- (b) Generally speaking, aircrafts took off and landed into the wind. If wind force and wind speed allowed, the Airport Authority would hope that aircrafts took off and landed to and from the west of the airport. The Airport Authority and the Civil Aviation Department had confirmed that the plan mentioned above was feasible.
- (c) Terminal 2 would be extended to the size of Terminal 1. Comprehensive services would then be provided and Terminals 1 and 2 and the new runway concourse would be connected by means of Automated People Mover.
- (d) Water quality would not be affected in both the construction and operation stages as remedial measures would be adopted. Details could be found in the environmental impact assessment report.

A member enquired about measures to conserve Chinese white dolphins.

The representative of the Airport Authority said that the main remedial measure to conserve Chinese white dolphins would be the establishment of a marine park, linking the Brothers Islands Marine Park being planned, the future marine exclusion zone near the airport and the existing Sha Chau and Lung Kwu Chau Marine Park. The measure, which would create a marine park of 2400 hectares in area, would create synergy to enhance the conservation of Chinese white dolphins.

During construction, a series of measures, which had been deemed effective by dolphin experts, would be adopted to further protect the Chinese white dolphins.

The Chairman said that he supported the expeditious implementation of the construction of the third runway, in order to avoid increase in costs.

XIII. Question on installation of JETCO ATM outside Cheung Chau Pier

The member who raised the enquiry said that as the Government Property Agency and Rating and Valuation Department had indicated in their respective replies that they would conduct review on the case, he thus had no further comment.

XIV. Question on refuse in Cheung Chau Typhoon Shelter

The representative of the Marine Department said that the Department had deployed two boats to clear refuse in Cheung Chau Typhoon Shelter. However, as the area near the bund was shallow and narrow and many boats buoyed nearby, clearing refuse there was a bit tricky. The Department was exploring with the contractor about effective methods to be adopted to clear refuse at the spot, including deploying a smaller boat for the purpose.

XV. Question on meeting between residents of Discovery Bay and Under Secretary for Transport and Housing, Mr Yau Shing Mu

The representative of the Transport Department said that the Transport and Housing Bureau (THB) had given a written reply, and that the Transport Department would respond to enquiries on behalf of THB at the meeting.

The member who raised the enquiry said that the Under Secretary for Transport and Housing was invited to attend the meeting because there was chaos at the Passenger Liaison Meeting held on March 27, 2014, and the police was called after the meeting.

The representative of the Transport Department said that THB had given a written reply, and he had nothing to supplement.

The member who raised the enquiry said that the written reply provided by THB did not address her enquiry. She requested the Under Secretary for Transport and Housing to clarify his speech. She was critical of operation of the Bureau and requested the Secretary for Transport and Housing to arrange a meeting with members of IDC as soon as possible.

XVI. Question on MTR Tung Chung Line service and train frequency

The representative of the MTR Corporation Limited (MTR) gave some figures to illustrate that MTR's railway network was on the whole reliable. As the system was very complex, some delays would be inevitable. Train frequencies of Tung Chung Line had been increased since 2012. During the morning peak hours, the occupancy rate of the busiest section of Tung Chung Line (i.e. between Sunny Bay and Kowloon Station) was 84% and he believed that the service being provided was adequate to meet passengers' overall needs.

A member criticized MTR for just giving figures as response, and he asked the representative of MTR whether he himself actually took Tung Chung Line trains during the morning peak hours and on holidays.

The representative of MTR said that he had taken Tung Chung Line trains from the city to Tsing Yi during peak hours.

A member said that with the increase of population in Tung Chung, existing mode of operation of Tung Chung Line would not be able to meet demand. He proposed increase in train frequencies and extension of platform to accommodate more train carriages.

A member said that he had requested at the previous Traffic and Transport Committee meeting a written reply from MTR to respond to the demand of increasing the train frequencies of Tung Chung Line, but he had yet received a response. He disagreed that existing service of Tung Chung Line was adequate to meet demand. As the population of Tung Chung was bound to increase, he enquired MTR what infrastructure it had planned in the long run to increase its capacity. He enquired what technical difficulties MTR had encountered in increasing its train frequencies, and what the solutions were. As infrastructure would take time to complete, he urged the MTR to plan ahead.

The representative of MTR said that the 84% he had mentioned earlier was the hourly figure of the busiest section at the busiest hours. Thus the capacity of non-peak hours was adequate. In order to increase its capacity, MTR would upgrade its signal systems in stages. Upgrading of signal systems of urban lines was anticipated to be completed in 2022. After that, upgrading of signal system of Tung Chung Line would follow. MTR would continue to monitor the service of Tung Chung Line and would make special arrangements when necessary.

XVII. Question on access from Tung Chung Health Centre to the four schools in Fu Tung Estate

The representative of the Housing Department said that there were currently two surface channels for draining at the access and the Department had a plan to make improvements. Works had been incorporated into the maintenance programme of 2014-2015, and actual work would begin at the end of the current month and was anticipated to be completed by August. During construction, the management agency would monitor the draining situation.

A member hoped that similar works would be prioritized in the future.

The Vice-chairlady said that improvement works of housing estates were the responsibility of the Housing Department. She asked the Department to be mindful of problems existed in public areas and conduct regular maintenance.

XVIII. Annual District Plan 2014-2015 - Planning

A member enquired the reason for the paper not containing the results of IDC meeting's voting on April 28 concerning Draft Tai Ho Development Permission Area Plan, in which 16 members voted against the Draft Plan.

The representative of the Planning Department said that the paper mainly set out the work plan of the Department in the year. Opinions gathered in the current and previous meetings would be truthfully reflected to TPB.

A member enquired about the contents of the amendments of Mui Wo Fringe OZP.

The representative of the Planning Department said that the amendment was about land planning of Home Ownership Scheme of the Housing Department.

A member enquired how he could obtain minutes of meetings of TPB.

The representative of the Planning Department said that the audio recordings and minutes of meetings of TPB were uploaded onto TPB's website, and papers of its open meetings were also available for public viewing.

XIX. Transport Department Traffic and Transport Working Plan 2014-2015

A member was appreciative of the Transport Department's endeavours' in handling affairs of Lantau Island. He said that the scale of works to improve the bends of Keung Shan Road was too small. Some parts of the works at South Lantau Road (near Shan Shek Wan) had been completed. He urged the Transport Department to apply funding expeditiously so that improvement could begin, as frequent rains had caused many accidents at the road recently.

Islands District Council Secretariat
September 2014