

Summary of Minutes of Meeting of Islands District Council

Date : 17 December 2012 (Monday)
Time : 2:00 p.m.
Venue : Conference Room, Islands District Council, 14/F., Harbour Building,
38 Pier Road, Central, Hong Kong.

I. Question on measures to alleviate poverty in Islands District

The Chairman said that the Development Bureau and the Labour and Welfare Bureau were not able to send representatives to the meeting, but had provided written replies.

A member said that the two bureaux did not respect the District Council and she expressed her regret over their decisions. She further said that the written replies were not comprehensive and lacked measures to improve employment opportunities for the grassroots and to ease housing problems faced by the elderly.

II. Question on scattering human ashes in Hong Kong Waters

The representative of the Food and Environmental Hygiene Department (FEHD) responded to the enquiry as follows:

- (a) The Government encouraged the scattering of cremated ashes of the deceased at sea or in Gardens of Remembrance, as this helped promote the disposal of cremated ashes of the deceased in a more sustainable way and was in line with some people's choice for returning cremated human ashes to the embrace of nature. Currently, there were three designated areas for scattering of cremated human ashes at sea, namely east of Tap Mun, east of Tung Lung Chau and south of West Lamma Channel. The above areas were selected in consultation with relevant government departments, including Marine Department, Environmental Protection Department, Agriculture, Fisheries and Conservation Department and Leisure and Cultural Services Department, etc. In selection of the above areas, the Administration had considered and assessed various factors in detail, with an aim to

minimizing the impact on the surrounding environment (including fish culture zones). The fisheries industry and Islands District Council (IDC) had also been consulted.

- (b) The FEHD had imposed stringent requirements on the scattering of cremated human ashes at sea and after consulting relevant departments, it had stipulated a set of conditions for approval which covered the specified time and location, as well as other requirements to be observed. The conditions clearly required that scattering of cremated human ashes should only take place in the approved areas and only the cremated ashes of the deceased and a handful of natural flower petals could be thrown into the sea. No food, ritual offerings or any other object should be thrown into the sea. At present, apart from taking the FEHD's free ferry services, the public could arrange their own vessels for scattering of cremated human ashes at sea with prior approval from the Department, while the conditions mentioned above applied all the same. The FEHD would conduct investigation if complaints were received. Relevant departments would also be informed to conduct supervision and take appropriate actions in relation to their respective duties.
- (c) Staff of the FEHD would be on board of its free ferries to ensure that no articles other than those allowed be thrown into the sea. Vessels were equipped with satellite-based navigation instrument and the FEHD staff on board would further determine the vessel's position by hand-held positioning system.
- (d) Due to seasonal climatic conditions, scattering of cremated human ashes would be conducted at the east of Tung Lung Chau only in summer. In winter, the rituals would be conducted at the south of West Lamma Channel. There would be four free ferry services per month in the following year to cater for the popular demand of the service.

A member was concerned that ash urn(s) had indeed been netted. She was also concerned about whether current supervision measures were effective and whether the FEHD had adequate manpower to conduct supervision.

The representative of the FEHD responded that about 85% of people scattering cremated human ashes would make use of free ferry services provided by the Department, and that there was adequate manpower on board to supervise the procedures. The Department would conduct investigation if reports of violation of requirements were received.

III. Question on not conducting consultation with District Councils on the issue of fare adjustment mechanism of MTR

The representative of the Transport Department said that review of the fare adjustment mechanism was being conducted with the Mass Transit Railway (MTR) and was expected to complete at the beginning of 2013. The new mechanism might hopefully be implemented in 2013. Public consultation on MTR fare adjustment mechanism was being conducted through various channels. So far, six District Councils or their Traffic and Transport Committees had held discussions on the subject, and representatives of the Transport Department had attended the meetings. The public generally held the view that the existing mechanism was not comprehensive enough. It failed to reflect the performance of MTR's services and profit level, and it did not adequately take into account affordability of the general public. The authorities hoped that the new mechanism would be a transparent and simple one based on objective indicators.

The representative of the MTR said that the corporation was aware of the public's views of the fare adjustment mechanism. The corporation believed that it would be constructive to review the mechanism regularly, and it would conduct the review jointly with the Government.

A member said that MTR fare was a big issue for residents of remote areas. He queried the authorities of not visiting and consulting the IDC on the issue during the consultation period. The residents were very dissatisfied that fares were raised despite the corporation attaining a high level of profits. He opined that an upper limit of profits should be set for the MTR, i.e., fares would not be allowed to rise further if a certain level of profit was attained, and that the Executive Council should be responsible for the matter. He named several aspects of services where improvements should be made.

Another member was disappointed at the MTR for not formally consulting the IDC. He hoped that the MTR would take into account members' opinions expressed at the Traffic and Transport Committee meeting held on 26 November 2012. He hoped that fare per mileage of Tung Chung Line would be lowered to the level of other MTR lines. He also said that profits from other non-railway businesses should be taken into account to holistically reflect the MTR's profits.

The representative of the Transport Department said that the Traffic and Transport Committee of all District Councils had been invited to give their views. Some gave written replies, while some held meetings to discuss the matter. Representatives of the Transport Department were present at meetings to listen to the views expressed.

The Vice-chairlady was disappointed at the absence of representative from the policy bureau responsible, i.e. the Transport and Housing Bureau. She further hoped that the MTR would respond to the opinions expressed at the Traffic and Transport Committee meeting held on 26 November 2012.

Two members were not satisfied of the authorities in not directly consulting the District Council. Members giving their opinions at the Transport Panel of the Legislative Council did so in their personal capacity, and should not be treated as the equivalent of directly consulting the District Council.

IV. Question on provision of government-managed commercial facilities in areas near Yat Tung Estate

The representative of FEHD responded to the enquiry as below:

- (a) In establishing a public market, various factors had to be taken into account, such as population of the district and its composition, the needs of the community, number of markets and food retailers in the area and their location etc. The Director of Audit had pointed out in the past that operability of the facility had to be carefully assessed before establishing a public market as the costs involved were very high.
- (b) The purpose of establishing a municipal market in the past was mainly to relocate hawkers on the streets, so as to improve environmental

hygiene, and provide shopping facilities for residents nearby. To maintain a reasonable price level of commodities was not one of its aims. -

- (c) The number of markets and food outlets in Tung Chung and their accessibility were currently adequate.
- (d) Establishment of a market involved holistic planning of the area and internal discussion within the Government. The FEHD did not have any plan to establish a municipal market in Tung Chung at the current stage.

A member said that the plan of the authorities to establish a market in Tung Chung Area 39 as late as 2018 would not be adequate to meet the need of the community. He said that the Government should establish commercial facilities in areas where there were many Link properties, and that Tung Chung was a classic example.

The Vice-chairlady said that residents were resentful of markets being monopolized in Tung Chung. She queried about the disparity of responses from the Transport and Housing Bureau and the FEHD respectively on the establishment of a market in Tung Chung Area 39.

The representative of FEHD said that further response would be provided in due course.

V. Question on a fire in Cheung Chau Typhoon shelter

The representative of the Fire Services Department (FSD) responded to enquiry as follows:

- (a) Details of responses of the FSD upon receiving the emergency, such as the time of actions and fireboats, were given.
- (b) There was no standard response time to fires at sea in Hong Kong as situations would be very different from those on land. The Number 3

Fireboat at issue was not able to respond as a result of mechanical failure.

(c) Equipment on fireboats would be checked upon change of duty staff. The equipment of the fireboat at issue was checked as usual at 9:00am that morning and no irregularities were found. The Government Dockyard would conduct a detailed examination of each fireboat annually. If any problem was found in the fireboat's daily operation, the Government Dockyard would be informed.

(d) Before the Chinese New Year and during fish moratoria, fire drills would be conducted at typhoon shelters and fire prevention publicity would be stepped up.

The Assistant District Officer, Islands gave information about fire prevention publicity programmes and talks to be conducted in early 2013.

A member urged the Department to consider formulating a performance pledge for particular water area such as typhoon shelters. He also requested the FSD to brief local people and fishermen of the procedures the firemen would take upon receiving an emergency call.

A member was disappointed at the repeated failures of fireboats. She hoped the FSD would learn from experiences and be able to provide stable services.

A member agreed that a performance pledge in respect of typhoon shelters should be formulated.

The representative of the FSD said that opinions given by members would be followed up, and that the Department would endeavour to meet the demand of services by deploying resources.

VI. Question on licence fees for Urban and New Territories food businesses

The representative of the FEHD said that licence fees for food businesses were determined by the former Urban Services Department (USD) and the former Regional Services Department (RSD), according to costs incurred. The two former

departments operated independently, thus there were differences of costs calculations. In 1998, the USD decided to lower the licence fees by 30% due to prevailing economic downturn then and the RSD on the other hand decided to freeze the fees. It was as such that there were greater differences in existing licence fees for food businesses in New Territories and the urban areas. The FEHD had decided that fees of the two areas should be unified and study was being conducted.

A member enquired whether there was a timetable for the review of licence fees for food businesses.

The representative of the FEHD said that a review was being conducted but there was no timetable as yet, but the District Council would be reported of the progress.

The Chairman said that he supported member's views and hoped that the review would be conducted as soon as possible.

VII. Question on setting up a police station in Discovery Bay

The representative of Hong Kong Police Force (HKPF) said that Discovery Bay had become much more accessible after the opening of the Discovery Bay Tunnel and that the area was patrolled around the clock by the Police. He said that the setting up of a police station was not directly linked to the law and order situation and the number of traffic accidents. Quite the contrary, suitable deployment of the Police Force was more important. He explained that the operation of a police station would require considerable amount of resources and the Police had to make efficient use of the limited resources available. He gave some figures to show that there was no deterioration of the law and order situation in Discovery Bay and that the Police currently had no plan to set up a police station there.

A member said that she understood that the Police had to make efficient use of resources. She explained why she was concerned about the traffic situation in Discovery Bay. She gave her experience of accompanying residents to report cases to the Police in Tung Chung to illustrate that it was very time-consuming. She further enquired why there was a police station in Hong Kong Disneyland but not in Discovery Bay.

The representative of HKPF said that he was not involved in the setting up of the police station in Hong Kong Disneyland, but he would give response based on his experience. It was impossible for the police to set up a station in every area. And being an American theme park, Disneyland might face a greater risk of terrorist attack. For traffic situation to improve, driving attitude of residents would be very important. The Police would continue to handle traffic problems in Discovery Bay by suitably deploying resources.

VIII. Question on a fatal traffic accident occurred at Cheung Tung Road

The representative of HKPF said that two fatal traffic accidents had occurred at Cheung Tung Road since January 2012. Investigation of the first revealed that careless driving caused the accident and investigation of the second was being conducted. There was light rain and traffic was not heavy in both cases. As to whether Cheung Tung Road should be classified as a traffic accident black spot (TABSSs), the Police would discuss with the Transport Department (TD) further.

The representative of the TD said that in terms of design, such as visibility and curving etc., Cheung Tung Road was up to standard. The TD would follow up on the investigation results of the Police. He went on to explain that the criteria of classifying TABSSs were applicable to all of Hong Kong, and that they would not be altered for a single spot.

A member said that Cheung Tung Road was a service road, according to a reply issued by the TD many years before. She pointed out that Cheung Tung Road was a “double yellow line” road and was frequently used by heavy vehicles. She hoped that the TD would conduct field visit with her to have a better understanding of the situation.

Another member said that many professional drivers had reflected to him that Cheung Tung Road was fraught with risks, especially from construction vehicles and bicycles. He urged the TD to thoroughly improve the safety of the road.

The representative of the TD expressed appreciation to the member for providing useful information and many photographs of Cheung Tung Road. He said that the issue had been discussed at the Traffic and Transport Committee meeting held in September of the current year, and he reiterated that the design of the road was safe.

Many accidents were caused by human errors. Investigation conducted by the Police on the first accident had shown that careless driving was the cause, and that result of the investigation on the second was pending. The TD would collaborate with the Police once the results were available.

A member asked whether the environment of Cheung Tung Road would easily lead drivers to speeding. He said that speed enforcement cameras were more effective than laser speed guns in correcting drivers' attitude. The Government should also conduct a review on the types of vehicles that should be allowed to use Cheung Tung Road.

A member did not agree with the TD's view that Cheung Tung Road was a standard road. She urged the Department to conduct improvements there as more and more heavy vehicles would use the road.

The representative of the TD believed that laser speed guns would be more effective in the case of Cheung Tung Road. The Department was considering setting double white lines at certain spots of the road to prevent overtaking. The proposal of cycling track would be studied in "Planning and Engineering Study on the Remaining Development in Tung Chung".

IX. Visit of Postmaster General to Islands District Council

The Postmaster General briefly introduced the work of the Post Office and its partnership with Islands District.

Members gave their views and raised enquiries as follows:

- (a) A member hoped that counter services of Tung Chung Post Office could be enhanced during festive periods, and he enquired whether services for Islands District would be affected with the operation of the new mail processing centre.
- (b) A member appreciated the assistance of the Post Office in the delivery of a mailed article with faulty address.
- (c) A member enquired whether lapse time of collecting from counter of

mail unsuccessfully delivered could be shortened.

- (d) A member reflected the wish of becoming civil servants of the contract staff at the airport, and their wish of being compensated by allowances rather than leaves for overtime work.
- (e) A member enquired whether the declaration in circular mail required of District Council members could be exempted to give more space on envelopes.
- (f) A member proposed that spaces vacated by various government departments in Peng Chau Municipal Services Building be used to enhance postal services.

The Postmaster General responded as below:

- (a) Services of Tung Chung Post Office would be monitored and appropriate arrangements would be made if necessary. Services for Islands District would not be affected by the operation of the new mail processing centre in Kowloon Bay.
- (b) Staff concerned would return mail to the collection counter as soon as possible, but a certain amount of time would be required.
- (c) Contract staff would be welcome to compete for civil service vacancies. As for employment arrangements and contract terms of non-civil servant contract staff, requirements laid down by the Civil services Bureau had to be adhered to. Existing requirements stipulated that overtime work would be compensated by leaves rather than allowances.
- (d) The declaration on circular mail served the function of informing members of the public of their right of not collecting this kind of mail if they should decide not to.
- (e) Peng Chau Municipal Services Building was managed by Government Property Agency and there was currently adequate space for Peng Chau Post Office to meet its operational needs.

A member said that as mail from District Council members would be exempted from rejection of circular mail, he thus queried the necessity of the declaration.

The Postmaster General said that the member's opinion of the declaration on circular mail would be studied.

X. Ground Investigation Work at 3.5 km South-west of Lamma Island

A representative of the Hong Kong Electric Company Limited (HK Electric) briefed the meeting of the ground investigation work conducted by the company for the offshore wind farm in the waters southwest of Lamma Island.

A member enquired about the cost of the facilities and whether they would be reflected in the charges levied in the future.

Another representative of the HK Electric said that feasibility of the project was being studied. Data of wind power and soil were being gathered, and both of which would have impact on the costs of the project. Thus at the current stage, the costs of the wind farm could not be determined yet. The wind farm would have a positive effect on the air quality and would also be beneficial to the economy of Lamma Island.

A member enquired whether the wind farm could only save 1 to 2% of power. She also enquired whether HK Electric would extend the pollution-free power generation project if the wind farm was successful.

The representative of the HK Electric said that the project of wind farm was a measure to tie in with the Government's policy of having 1 to 2% of power generated by renewable energy. The company would determine whether the project would be extended after the wind farm was put into operation.

A member enquired if the wind farm project was unsuccessful, would the cost of the preliminary ground investigation be counted as part of the assets, resulting in a higher electricity charge in the future. And if the project was successful, what would be the asset value of the wind farm. Compared with conventional means of

power generation, would wind farm cost higher or lower.

The representative of the HK Electric said that power generated by renewable energy accounted for only 1 to 2% of all power generated by the company. However, with the advance in technology, wind farms would become more economically efficient. The costs incurred would be taken on charge in many years, and thus the pressure on electricity charge would be minimal. It was not possible to give an accurate estimation of the cost of the wind farm at the current stage, but preliminary data collected suggested that the wind resources at the site selected were better than initially projected.

A member enquired whether the ground investigation work would have any impact on the practice of scattering of human ashes in the nearby waters.

A representative of the HK Electric said that application for the ground investigation work had been submitted to the District Lands Office, Islands and relevant departments, and no objection had been received so far. The company would be mindful of the situations mentioned by members.

A member advised that fisherfolk and other stakeholders be informed before work was to be conducted.

A representative of the HK Electric said that application for permit of work had been submitted to Marine Department, which would inform the fisherfolk if the application was successful.

A member proposed that the work be conducted during the fish moratorium.

The representative of the HK Electric said that the procedure would not have any effect on the water and fishery industry, but the company would still follow up on the opinions given by members.

XI. Planning and Engineering Study on Future Land Use at the Ex-Lamma Quarry Area at Sok Kwu Wan, Lamma Island – Feasibility Study : Stage 1 Community Engagement

The Chairman said that he supported the development plan, and that residents of Lamma Island should be consulted on the options and details of

arrangement. The Planning Department should discuss the options with the two Rural Committees on Lamma, and the consultant should maintain communication with environmentalists so that environmental protection and community construction could be achieved in a balanced manner.

A member said that the plan would be beneficial to the development of Lamma South, and both Option 1 and 2 would boost the population on the island. He hoped that the development would not be monopolized by syndicates and that the public could indeed enjoy the facilities.

A member did not support the construction of public housing in the project. He said that merits of both options should be incorporated into one option and that the artificial lake should be retained and plot ratio be increased. And if the plot ratio could be increased, he enquired whether it would be possible to include a resort hotel into the plan.

A member said that the demand for public housing of Lamma Island residents should be determined before the construction of public housing. He also said that the development should not be monopolized by syndicates. He said that characteristics of Lamma Island should be preserved and public spaces could indeed be enjoyed by members of the public.

A member said that the initial options were not circumspect and that the Government should gather opinions widely. A balance between development and preservation should be maintained. There would be a greater demand for medical services when the development materialized and the Government should provide for the services. She also hoped that the objection of environmentalists would not hamper the development plan.

The Vice-chairlady was supportive of the plan in principle. She said that the plan should be improved and re-formulated after consulting the local people. She gave the example of Tung Chung to illustrate the need of holistic planning.

The representative of the Planning Department was appreciative of the support of members. The Government would continue to discuss with the two Rural Committees and the local people and to gather their opinions. She gave the following responses to member's enquiries:

- (a) The theme of Option 1 was housing development and that of Option 2 was tourism. Both were based on the concept of people-oriented development. –The establishment of holiday facilities would attract local and overseas tourists.
- (b) Lamma Island was nearest to the city centre among the islands and was suitable for housing development. Various types of housing could be built and there had yet been a final decision.
- (c) Option 1b would require giving up half of the artificial lake but would be able to house a greater number of residents.
- (d) Community facilities and transport facilities would be determined by the population level.
- (e) The land was owned by the Government currently.

XII. Draft Yi O Development Permission Area Plan No.DPA/I-YO/1

The Vice-chairlady said that villagers of Yi O Tsuen were strongly against the Draft Development Permission Area (DPA) Plan. Many villagers had planned to rehabilitate the agricultural land in recent years, but the Government had suddenly planned most of land in the village as conservation zone. She hoped that the Planning Department would consult the Tai O Rural Committee and the villagers again. She proposed that the 23 hectares of non-designated usage land be planned as community or green zone, instead of conservation zone.

A member said that the Tai O Rural Committee objected to the development plan. The Rural Committee held the view that the planning and gazetting of Yi O without consulting the villagers were not reasonable, and that they violated the rights of the indigenous inhabitants. The area for village use was too little for the indigenous to build small houses. He also said that planning was not well-done, as there was no transportation facilities provided.

A member said that the Government had learnt of the rehabilitation of agricultural land, but did not take the villagers' views into consideration. The development plan did not reflect the needs of villagers. He said that the boundary of

land for village-type development set by the Planning Department was not suitable. He proposed postponing the consultation period so that stakeholders could be consulted.

The representative of the Planning Department responded as follows:

- (a) The DPA Plan was transitional in nature. The aim of the Plan was to provide a planning guide for the development of Yi O, and to assist the authorities in regulating development. The Plan would be replaced by Outline Zoning Plan in three years' time and most of land temporarily belonged to non-designated usage. In formulating the Outline Zoning Plan, District Council members, the Rural Committee and other stakeholders would be consulted. At the same time, relevant government departments would also be consulted of the restrictions in development, so as to arrive at a suitable decision on the usage of the land.
- (b) The boundary of land for village-type development was temporary. The Planning Department would consult villagers, various stakeholders and relevant government departments in three years' time. The demand for small houses would be studied and review would then be conducted.
- (c) For rehabilitation of agricultural land, the DPA Plan had clearly stipulated that agriculture was a normal usage. However, excavation of land or change of river course would require application submitted to the Town Planning Board. Thus the formulation of the DPA Plan would not deprive villagers of their usage of land for agricultural purposes.
- (d) The two-month consultation period was a statutory procedure and had to be adhered to. However, the Planning Department would relate members' views, as well as written submissions received, to the Town Planning Board. The Board would also invite all those who had submitted representations to attend hearings.

A member said that the boundary of the village should be amended to reflect the actual needs of villagers.

A member said that he objected to the DPA Plan. He queried that the in haste formulation of the Plan was a response to the complaints lodged by environmentalists. As a result, villagers' right of small houses was deprived. He stressed that the land involved was private property of the indigenous inhabitants and planning should not be imposed unless compensation would be given.

A member asked, referring to the Tong Fok area, if the layout plan was not a statutory plan, why then the Planning Department had the authority to reject application for the construction of small houses. He hoped that the Department would handle all applications with the same yardstick.

The representative of the Planning Department further responded as follows:

- (a) The DPA Plan of Yi O was formulated in accordance with the Government's policy to regulate land adjacent to country parks, rather than in response to complaints lodged by environmentalists.
- (b) As Yi O Old Village had been incorporated into the country park area, all applications of its land usage had to be submitted to the Country and Marine Parks Authority.
- (c) Application for building a road to connect the old and new villages of Yi O should also be submitted to the Country and Marine Parks Authority. As far as the planning of the draft plan was concerned, Government's initiatives to build roads were one of the permitted usages and would not be affected by the DPA Plan.
- (d) For the case of Tong Fok, the Planning Department understood that layout plans formulated in earlier years might require amendments. Thus the Government and Heung Yee Kuk had set up a mechanism to handle these matters.

The Chairman concluded that the Islands District Council objected to the Draft Yi O Development Permission Area Plan.

Islands District Council Secretariat
February 2013