

(Translation)

Minutes of Special Meeting of Islands District Council

Date : 30 July 2018 (Monday)
Time : 3:00 p.m.
Venue : Islands District Council Conference Room,
14/F, Harbour Building, 38 Pier Road, Central, Hong Kong.

Present

Chairman

Mr CHOW Yuk-tong, SBS

Members

Mr YUNG Chi-ming, BBS
Mr CHAN Lin-wai
Mr CHEUNG Fu
Mr WONG Hon-kuen, Ken
Mr FAN Chi-ping
Mr LOU Cheuk-wing
Mr WONG Man-hon
Ms YU Lai-fan
Ms LEE Kwai-chun
Ms YUNG Wing-sheung, Amy
Mr KWONG Koon-wan
Mr CHOW Ho-ding, Holden
Ms TSANG Sau-ho, Josephine
Mr KWOK Ping, Eric

In Attendance

Mr LI Ping-wai, Anthony, JP
Mr AU Sheung-man, Benjamin

District Officer (Islands), Islands District Office
Assistant District Officer (Islands)1, Islands District Office

Secretary

Ms Dora CHENG

Senior Executive Officer (District Council),
Islands District Office

Absent with Apology

Mr YU Hon-kwan, Randy, JP
Mr TANG Ka-piu, Bill, JP
Ms FU Hiu-lam, Sammi

Welcome remarks

The Chairman extended welcome to Members attending the Special Meeting.

2. Members noted that the Vice-Chairman Mr Randy YU and Members Mr Bill TANG and Ms Sammi FU were unable to attend the meeting due to other commitments.

I. Discussion on matters about provisional recommendations on boundaries and names of constituencies of Islands District for the 2019 District Council Ordinary Election

3. The Chairman said that following the provisional recommendations by the Electoral Affairs Commission (EAC) on 23 July on the boundaries and names of constituencies of Islands District for the 2019 District Council (DC) Ordinary Election, Mr Eric KWOK and Mr KWONG Koon-wan sent an email to Islands District Council (IDC) requesting to convene a special meeting for the above. The special meeting today was conducted at the request of Members. First, he invited Mr Eric KWOK to give his views.

4. Mr Eric KWOK expressed his views as follows:

- (a) According to the preliminary recommendations of EAC, Mun Tung Estate under construction and expected to accommodate around 12 000 people would fall into Yat Tung Estate South (T02), while Hong Yat House and Ching Yat House (with the population of 2 389 and 2 511 respectively, totaling around 5 000) in Yat Tung Estate South would fall into Yat Tung Estate North (T03). According to the estimate, Yat Tung Estate South and Yat Tung Estate North would have 23 475 and 24 798 residents respectively.
- (b) A few days ago, he enquired with the Housing Department (HD) and was told that keys would be handed over to tenants from late October to early November if things went well. The period coincided with Christmas, half-year examination and Chinese New Year, which would have much impacts on the population intake of Mun Tung Estate. He estimated that the peak intake would be between mid-March and early April and that the population intake of 70% (around 8 400) as projected by EAC was overestimated. If the above factors led to the intake down to 40-50%, e.g. slightly higher than 40%, there would only be around 4 800 residents in Mun Tung Estate which fell into Yat Tung Estate South. According to the information of HD, Yat Tung Estate South now had a population of 20 072. After transferring Hong Yat House and Ching Yat House (with around 5 000 residents) to Yat Tung Estate North, Yat Tung Estate South would only have 19 972 residents while Yat Tung Estate North would have 24 798 residents, resulting in a difference of 4 826 residents (almost 24.2%), which was the maximum range of deviation allowed under the standard population quota for a constituency. This not only

went against the principle put forward by Mr Justice Barnabas FUNG Wah, Chairman of EAC that the population should be as near the population quota as possible, but was also extremely unfair to the residents of the two estates. It undermined the integrity of Yat Tung Estate South, and also led to a substantial increase in the population of Yat Tung Estate North at the expense of the original residents of Yat Tung Estate North and the member of the constituency.

- (c) While accepting resignedly the incorporation of Mun Tung Estate into Yat Tung Estate South, he proposed incorporating Hong Yat House into Yat Tung Estate North only as Hong Yat House was included in Yat Tung Estate North in the 2011 DC Election. Taking into account the impacts of the traditional holidays and school examinations, etc., he forecast that the intake of Mun Tung Estate would be slightly higher than 40%. If his projection was accurate, the population of the two estates would be more balanced, each with approximately 24 000 residents. This would be fairer to the DC members as well as the residents of Yat Tung Estate North and Yat Tung Estate South. He hoped the Chairman and District Officer (Islands) would listen to his point of view and relay it to Mr Justice Barnabas FUNG Wah, Chairman of EAC. He would send a letter to EAC separately, setting out the logical proposal with tradition and statistical reasoning as well as reference to the school examination schedule, traditional holidays, long vacation of decoration workers during Chinese New Year and the requirement for at least 2 years for 90% completion of population intake.

5. The Chairman then asked Mr KWONG Koon-wan to give his views.

6. Mr KWONG Koon-wan disagreed to the demarcation of boundaries for the coming DC election. Cheung Chau was among the ten most congested and populous islands in the world. Despite the increasing residential units and population in recent years, EAC however predicted that the population of Cheung Chau would drop by about 4.6%. He doubted the authenticity of the statistics of the 2016 Population By-census as only 10% of the population was surveyed, and the media discovered some data collectors faked data in the survey. Cheung Chau was large in area. With a total area of about 2.5 square kilometres, it was bigger than Wanchai. One could not imagine how it was only allocated 1 DC member. In Islands District, each DC member was required to serve more than 18 900 people while the DC members of other districts each served just 13 000-14 000 people on average. The DC members of Islands got the same amount of remuneration but served 40-50% more people. This was an outrageous deprivation. The number of seats for Cheung Chau constituency were now reduced from 2 to 1 to fill the shortfall in Tung Chung, as the DC members of Tung Chung had to serve residents more than the population quota by 40%. Tung Chung should have an addition of 2-3 seats, so should the other regions in Islands District. The Government was treating Cheung Chau poorly, and the Home Affairs Bureau and the Constitutional and Mainland Affairs Bureau too. He was puzzling over how other districts could get 3 or 4 additional seats. While Islands District was facing major

challenges, e.g. Hong Kong 2030+, Lantau Island development, the commissioning of HZMB and Shek Kwu Chau Integrated Waste Management Facilities, etc. and there was manpower increase in every government departments, the number of elected seats for Islands District was reduced.

7. Mr WONG Man-hon read out the written opinion of the Vice-Chairman Mr Randy YU (see annex 1).

8. Mr KWONG Koon-wan read out the written opinion of Ms Sammi FU (see annex 2).

9. Mr YUNG Chi-ming was dissatisfied with the consultation exercise of EAC. Cheung Chau was large in area and split into the northern and southern parts, and Scenic Garden was a long way away from Sai Wan. According to the record of New World First Ferry, the number of work and school commuters was almost 20 000 per day. Therefore the estimation that it had a population of 20 000-odd was inaccurate. For the proposal of reducing the seats for Cheung Chau from 2 to 1, the 2 DC members were already finding it hard to cope given the geographical condition of Cheung Chau and the heavy workload, and it would be impossible to manage with 1 seat left. Cheung Chau was different from urban district. In urban areas, a building might accommodate several thousand to ten thousand people and they could be brought together and had communication, while thirty thousand people in Cheung Chau might be widely scattered from the north to the south and it would be difficult to get to them. He hoped the Chairman of EAC would conduct a site visit to Cheung Chau in person and not merely do paperwork.

10. Mr Holden CHOW remarked that the boundary demarcation by EAC was unrealistic without taking into consideration the general characteristics and actual situation of Islands District. At the Legislative Council (LegCo) Panel on Constitutional Affairs meeting in July 2017, he had pointed out that the population of the entire Islands District would increase significantly, and the paper presented by the Government also stated that the growth of population of Islands District would exceed the population quota by 0.5%. Generally speaking, an extra seat should be allocated when the number was rounded off but EAC insisted that the total number of seats for Islands District should remain unchanged, hence the problem now facing us. With the rapid growth of population in Tung Chung, there should be additional seats to cater to the new population. Without increasing the total number of seats, Tung Chung had 1 more seat, resulting in Cheung Chau being reduced to 1 seat. EAC had not taken into consideration the actual situation in Islands District, e.g. difference in traffic condition from urban areas. It was inappropriate to proceed with the planning simply from the perspective of urban areas, and the residents were at a loss of what to do with Ying Tung Estate being demarcated from his constituency.

11. Ms LEE Kwai-chun objected to the merger of two constituencies in Cheung Chau. EAC had not conducted consultation beforehand. It simply made inferences from the inaccurate findings of the by-census and put forward an unreasonable suggestion. Merging of 2 constituencies would affect directly the standard of district service of DC members and she would raise an objection and submit a representation after the meeting. Cheung Chau was a popular tourist destination and was packed with visitors in summer holidays or public holidays. According to police statistics, the number of cases reported during holidays rose to over 100. If there was a cut of seats, many issues could not be tackled.

12. Ms Amy YUNG said that a characteristic of Islands District was that there were 8 ex-officio members who were serving on the rural committees in different parts of the district, e.g. Cheung Chau South and Cheung Chau North, Lamma North and Lamma South as well as Peng Chau and Hei Ling Chau (T08) where 2 ex-officio seats were reserved. While Yat Tung Estate South (T02) had over 20 000 residents, Lamma and Po Toi had a population of 6 000-odd and it had 1 elected member plus 2 ex-officio members, i.e. 3 DC members. Its elected member and ex-officio members each served just about 2 000 people on average, about one-tenth of Tung Chung's workload. She asked how the calculations were made and there was no mention about that in the recommendation of EAC.

13. Mr YUNG Chi-ming corrected that there was only 1 ex-officio seat for Cheung Chau Rural Committee.

14. Mr KWONG Koon-wan added that when EAC consulted LegCo in 2017, the LegCo members strongly requested an addition of seats to Islands District but EAC, in spite of everything, made no changes to the number of seats in the consultation document. Was the current consultation genuine or not? To call Mr Justice FUNG liar amounted to an attack on his integrity. If, after the deliberation today, Mr Justice FUNG made no changes and continued to cut the seats of Cheung Chau from 2 to 1 and made no addition of seats to Islands District, then the consultation was anything but genuine.

15. Mr Eric KWOK said that Mr Justice FUNG told the media the other day that the current population of Yat Tung Estate was already enough for an addition of 3 seats. If the population intake of Mun Tung Estate was slightly higher than 40% and Hong Yat House and Ching Yat House were incorporated into Yat Tung Estate North, Yat Tung Estate South would have 19 972 residents and Yat Tung Estate North would have 24 798 residents. In other words, their population would be 20.3% and 49.4% higher than the population quota respectively. As Mr Justice FUNG said earlier, the population level, if deviated greatly from the standard population quota, would be intolerable. The arrangement now was in fact contradictory to what he said. If it was not possible for increasing seats for Islands District for the coming election, he hoped the new-term Chairman and District Officer (Islands) would strive to get more seats, otherwise public sentiments could not be stemmed, and the Hong Kong SAR Government would get a taste of its own medicine.

16. Ms YU Lai-fan said that of the 18 districts, Islands District was the largest in area with islands scattering widely. Although the total population was growing continuously since 2007, the number of elected seats remained at 10. The Chairman and Vice-Chairman of IDC as well as District Officer (Islands) had reflected the growing population in the district and its unique geographical situation. The two legislative councillors Mr Holden CHOW and Mr LAU Kwok-fan also requested strongly for more seats, but EAC eventually decided against addition of seats to Islands District. Mr Justice WOO Kwok-hing had visited Lamma Island in the 1980s. When the ferry berthed, he remarked before disembarking the largeness of Lamma Island, which was taken into consideration during the demarcation of boundaries. In the past, the Government had suggested the merger of Lamma and Peng Chau or Lamma and Southern District. It should know that although the Islands District was not populous, it covered a large area and Members found it inconvenient to discharge duties and reach out to people due to a lack of transportation link. It would be unreasonable to transfer the seat from Cheung Chau to Tung Chung. The demarcation of boundaries randomly would end up breaking up IDC instead of promoting social harmony. She hoped that EAC would review the delineation of boundaries and seat allocation this time rather than waiting until 2024.

17. Ms Josephine TSANG enquired whether the consultation this time was fake or not. EAC had already made a decision and it would be pointless to conduct a consultation. She opined that EAC had not taken into consideration the situation of Islands District. Apart from the newly developed Mun Tung Estate and Ying Tung Estate, there were two new private developments, namely the Century Link and the Visionary in Tung Chung. EAC made no move to increase the number of seats to cater for the growing population. To the contrary, it reduced the seats for Cheung Chau from 2 to 1 to fill the shortfall in Tung Chung. She agreed with Mr Eric KWOK that deletion of some constituency areas would be unfair to him as years of efforts devoted to serve the residents would be wasted. Moreover, he had to serve the new residents in Mun Tung Estate, which meant he had less time serving Yat Tung Estate South. On the other hand, if the population intake did not reach 70% as assumed by HD, the delineation method used would be inappropriate. Cheung Chau was large in area and cycling from south to north would take more than 10 minutes. If there were only 1 elected member and 1 ex-officio member, how were they going to serve so many people? She opined that the way in which EAC addressed the matter this time was unfair to Tung Chung and Islands District as a whole.

18. Ms Amy YUNG remarked that the Chairman and Vice-Chairman of IDC always attended the district council chairmen and vice-chairmen meeting and matters concerning addition of seats had been discussed but the IDC Chairman and Vice-Chairman did not brief IDC afterwards. She had seen a document and learned that the Chairman had expressed opinions in his capacity as the chairman of rural committee. She then issued a document addressed to the Chairman, stating that elected members and not ex-officio members would be most affected. The Chairman should bear the responsibility for the current delineation as he should have reported to IDC after the meeting. He should not issue the letter in his capacity as the chairman of the rural

committee. Instead, he should consult all Members of IDC, especially the elected members. It was wrong of him to do so and she felt sorry about that.

19. The Chairman said Ms YUNG had misunderstood him. He and the chairmen of 8 rural committees wrote jointly to make their demand, so could any organisations and individuals. He could produce the relevant letter to prove that efforts had been made to reflect views and Members could have a look if necessary. As to the Government did not consult the 18 districts, he felt frustrated and it was not for him to decide.

20. Mr LOU Cheuk-wing raised objection and disagreed to the delineation of boundaries and seat allocation by EAC. Special consideration should be given to Islands District and Lantau due to their uniqueness. They were not comparable to urban areas. The total population of Hong Kong had been growing continuously, therefore seats should be added rather than reduced especially in Tung Chung where new seats should be provided in line with population growth. For other regions in Islands District, the number of seats should not be decided on population alone. For instance, a member of Lantau District represented 4 villages. Without good transport infrastructure, even if there was no meeting, a visit to all 4 villages once a week was already exhausting. There was no transport link on Lamma South and North and one had to travel on foot. It was unreasonable to have only 1 elected member. Therefore the boundaries of Islands District and Lantau should not be delineated basing on population alone. Consideration should also be given to the unique features. He did not support the proposed delineation of boundaries and reduction of seats.

21. Mr CHAN Lin-wai corrected Ms Amy YUNG, saying that the chairmen of 8 rural committees also served the people and were concerned about the delineation of boundaries. If he heard about merging of Peng Chau and Lamma, he would discuss with others and write to the relevant departments promptly to raise objection. Members of Islands District were concerned about the various areas within the district and would not shift responsibility and make 1 of them responsible. Members were in the same boat and should help each other.

22. Mr KWONG Koon-wan suggested IDC members write to EAC jointly to reflect their opinions after consolidation by the Secretariat.

23. The Chairman said the Secretariat would put down the opinions raised at today's meeting and then relay to EAC. In the past, Members had participated actively and signed jointly to reflect their opinions in this respect. He had reflected that the number of seats for Islands District should be increased but EAC turned a deaf ear. In fact efforts had been made by Members in this respect. Mr Holden CHOW, for instance, had made many suggestions in the LegCo. He fully understood the difficulties Mr KWONG was facing, and held the same opinion as Mr KWOK. However, DCs played a consultative role and had little power. Members could only reflect to the Government their views and if they were ignored, there was no alternatives. He hoped Members would understand.

24. Mr Eric KWOK said the data he produced at the meeting had been included in his representation. He hoped the representation would be forwarded to the Secretariat which after consolidation of Members' opinions, would submit it to the Chairman of EAC.

25. Ms LEE Kwai-chun agreed that a letter be sent to the Chairman of EAC in the name of IDC to reflect Members' opinions.

26. The Chairman said Members could attend the public consultation fora held on 1 August and 3 August by EAC if they had any opinions.

27. There being no other business, the meeting was adjourned at 3:55 p.m.

-End-

Views on Provisional Recommendations on Boundaries and Names of Constituencies for 2019 Islands District Council Ordinary Election

I, Randy YU, apologise for not being able to attend the special meeting as I will be officiating in the opening ceremony of the Islands District Youth Camp. I hereby entrust Mr WONG Man-hon to read out my views on “Provisional Recommendations on Boundaries and Names of Constituencies for 2019 Islands District Council (DC) Ordinary Election” (“Provisional Recommendations”).

I consider the “Provisional Recommendations” put forward by the Electoral Affairs Commission (EAC) very undesirable for the Islands District and that the arrangement is improper.

Islands District is now under rapid development where various major works and projects have been confirmed and are about to be launched, which include the Integrated Waste Management Facilities on Shek Kwu Chau, the Airport Three Runway System and Tung Chung New Town Extension, etc., coupled with the Sustainable Lantau Blueprint announced by the Government last year and the imminent commissioning of the Hong Kong-Zhuhai-Macao Bridge, various government departments have increased manpower and resources to face up the challenge. Along with the rapid population growth, there will be a significant change in the demographic structure and the new population will inevitably bring problems to the community. Since members of the Islands District Council (IDC) serve as an important bridge of communication between the district and the Government, it is indeed necessary to increase the number of DC members to cope with the population and community changes. Unfortunately, things do not turn out as expected.

In fact, a number of public rental housing estates, Home Ownership Scheme estates and private estates in the Islands District have been completed and started resident intake one after another, resulting in a significant population growth. However, the number of seats for Islands District remained at 10 with no increase in the “Provisional Recommendations”. After reading the public consultation paper on the abovementioned “Provisional Recommendations”, I find that the population of the constituency area of over 80% of the IDC members departs from the population quota with some higher than the population quota by 20% to 40%. For example, the population of constituency areas T01, T02 and T03 exceeds the population quota by as much as over 40%, topping the other districts.

Under such circumstances, the workload of IDC members will substantially increase and thus the residents may not get the attention they deserve. The recommendations of the Government are not well thought. Moreover, with no increase in the number of seats, the two existing seats for Cheung Chau are to merge into one, which is undesirable. I consider that it is reasonable and fair that the two seats for Cheung Chau be retained given the complex condition and geographic location of the area and hope that the authority concerned will take into account the above factors. I beseech EAC to keep the two seats for Cheung Chau and increase the total number of seats for Islands District.

Moreover, I opine that the constituency boundaries of Yat Tung Estate North and Yat Tung Estate South do not tie in with the resident intake of Mun Tung Estate which will take place in stages, and EAC has failed to give due consideration to the delineation of boundaries.

Lastly, as the Chairman of EAC, Mr Justice Barnabas FUNG Wah, earlier said, “according to the law, apart from taking into account the projected population, the EAC must also have regard to the other statutory factors, including community identities, preservation of local ties and physical features of the areas concerned”, I urge the authority concerned to consider seriously the demand and need of the Islands District and take into account the well-being of Islands District residents, community identities, local ties and physical features of the areas concerned in delineating the constituency boundaries, as well as increase the total number of seats for the Islands District.

My constituency T04 consists of 3 housing estates: Caribbean Coast, Coastal Skyline and Seaview Crescent. Under the 2019 District Council (DC) constituency delineation recently released, La Mer, Phase 5 of Caribbean Coast and Seaview Crescent in my constituency now fall into the constituencies T06 and T05 respectively. Phase 5 of Caribbean Coast will be separated from the other 3 phases, and the housing estate will be served by 2 DC members.

The above 3 housing estates are very close geographically and have been part of the constituency T04. In 2011, it was suggested to transfer Seaview Crescent to constituency T05 as it was part of the development project as Tung Chung Crescent in T05 and both were managed by MTRCL, and the population of T04 and T05 would also become more balanced. The proposal was rejected by Electoral Affairs Commission (EAC) partially because the 2 housing estates were separated by North Lantau Highway geographically and were therefore deemed undesirable to be incorporated into the same constituency. Now, 8 years later, EAC refuted its own account and incorporated them into the same constituency (T05) in order to make the population more balanced.

Although a constituency with smaller population means a decreasing workload for a DC member, I have become close with a number of residents and established a good relationship with them so many residents were surprised at this change. Some even felt unhappy and asked me the reasons for it. We hope EAC will take into account the views of residents and Members apart from the population factor before making the decision on delineation.

FU Hiu-lam, Sammi
30 July 2018