

**Sai Kung District Council**  
**Housing, Planning and Environment Committee**  
**Minutes of the Sixth Meeting in 2022**

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Date: 15 November 2022 (Tuesday)

Time: 9:30 a.m.

Venue: Conference Room of the Sai Kung District Council

<b><u>Present</u></b>	<b><u>From</u></b>	<b><u>To</u></b>
Ms FONG Kwok-shan, Christine (Chairman)	9:30 a.m.	11:53 a.m.
Mr CHEUNG Chin-pang, Edwin (Vice-Chairman)	9:30 a.m.	11:53 a.m.
Mr CHAN Yiu-chor, Andrew	9:31 a.m.	11:53 a.m.
Mr CHAU Yin-ming, Francis, BBS, MH	9:30 a.m.	11:53 a.m.
Mr CHEUNG Mei-hung, Chris	9:37 a.m.	11:53 a.m.
Mr CHOI Ming-hei	9:35 a.m.	11:53 a.m.
Mr LAU Kai-hong	9:30 a.m.	11:53 a.m.
Mr WONG Shui-sang	9:30 a.m.	11:53 a.m.
Ms YU Hau-ling, Candy (Secretary)	Executive Assistant (District Council) 9, Sai Kung District Office	

**In Attendance**

Mr CHOW Tat-wing, Cyrus	Assistant District Officer (Sai Kung)1, Sai Kung District Office
Mr CHENG Chi-wing, Ken	Senior Liaison Officer (1), Sai Kung District Office
Ms LAM Yee-mang, Dawn	Senior Liaison Officer (2), Sai Kung District Office
Miss LEE Kit-ting, Katie	Liaison Officer i/c (Tseung Kwan O) South, Sai Kung District Office
Mr LING Wai-kit, Ricky	Senior Property Service Manager (Kowloon West & Sai Kung), Housing Department
Ms CHAN Wai-ming	Senior Estate Surveyor/Tseung Kwan O, District Lands Office, Sai Kung
Ms HO Wai-hung	Senior Town Planner/Tseung Kwan O, Planning Department
Mr CHAN Ka-leong	District Environmental Hygiene Superintendent (Sai Kung), Food and Environmental Hygiene Department
Ms HO Sau-ying	Chief Health Inspector (Sai Kung) 1, Food and Environmental Hygiene Department
Mr HO Yiu-ming	Chief Health Inspector (Sai Kung) 2, Food and Environmental Hygiene Department

Mr CHAN Chi-pun, Aaron	Deputy District Leisure Manager (Sai Kung) 2, Leisure and Cultural Services Department	
Miss WONG Ho-ying, Connie	Senior Environmental Protection Officer (Regional East) 4, Environmental Protection Department	
Ms LEUNG Pik-ki	Assistant Environmental Protection Officer (Regional East) 41, Environmental Protection Department	
Mr BOEDIHARDJO Johnathan, Ding-chian	Engineer/New Territories East (Distribution 3), Water Supplies Department	
Miss YUEN Ho-yan, Janet	Engineer/Special Duty 2, Drainage Services Department	
Mr YEUNG Ka-chun	Engineer/Sai Kung, Drainage Services Department	
Ms WONG Mei-lin	Senior Estate Surveyor/RD/H2 (Railway Development Section/Head Office), Lands Department	} For agenda item II(J)
Mr LEUNG King-fai, Calvin	Estate Surveyor/RD/H4 (Railway Development Section/Head Office), Lands Department	

### **Welcome Remarks**

The Chairman said a quorum was present and the meeting commenced officially.

2. The Chairman welcomed all Members and attendees to the meeting, particularly:

- Drainage Services Department
  - Miss Janet YUEN, Engineer/Special Duty 2
  - Mr YEUNG Ka-chun, Engineer/Sai Kung
- Lands Department
  - Ms WONG Mei-lin, Senior Estate Surveyor/RD/H2 (Railway Development Section/Head Office)
  - Mr Calvin LEUNG, Estate Surveyor/RD/H4 (Railway Development Section/Head Office)
- Environmental Protection Department
  - Ms LEUNG Pik-ki, Assistant Environmental Protection Officer (Regional East)41

3. The Chairman stated that the Secretariat had not received any Notification of Absence from Meeting submitted by Members before the meeting.

### **I. Confirmation of Minutes of the 5th Housing, Planning and Environment Committee (HPEC) meeting (2022) held on 20 September 2022**

4. The Chairman stated that the Secretariat had not received any proposed amendment

before the meeting. There being no other proposed amendment at the meeting, the Chairman declared that the above minutes were confirmed.

## **II. Matters Arising**

### (A) Statistics on Environmental Hygiene Service and Itinerant Hawkers in Sai Kung District

5. Members noted the environmental hygiene service report and statistics on prosecution actions against illegal hawkers submitted by the Food and Environmental Hygiene Department (FEHD) and Housing Department (HD), as well as the situation reports on illegal hawking and objects dropped from a height in public housing estates in Tseung Kwan O submitted by HD (SKDC(HPEC) Paper Nos. 88/22 to 91/22).

6. Mr HO Yiu-ming, Chief Health Inspector (Sai Kung) 2, FEHD, indicated that relevant statistics were already listed in the statistical reports, and Members' views were welcome.

7. The Chairman hoped that FEHD would provide supplementary information on "arrest" and "seizure of abandoned items" in Tseung Kwan O area as shown in SKDC(HPEC) Paper No. 89/22. Moreover, she noted that the Leisure and Cultural Services Department (LCSD) had suspended the mobile library services at Kin Ming Estate due to incidents of objects dropped from a height at the parking space for the library van. She enquired how HD would deal with dropping objects from a height incidents or whether it would enforce the Marking Scheme for Estate Management Enforcement in Public Housing Estates (the Marking Scheme) against such behaviour.

8. The Vice-Chairman suggested that FEHD make continuous comparison of the information on illegally displayed bills/posters/banners in SKDC(HPEC) Paper No. 88/22 to facilitate Members' understanding of the situation development.

9. Mr Andrew CHAN enquired the reason why FEHD had only issued two demand notes despite the removal of 361 bills/posters/banners as shown in SKDC(HPEC) Paper No. 88/22. He also enquired about the amount payable.

10. Mr Ricky LING, Senior Property Service Manager (Kowloon West & Sai Kung), HD, stated that the two incidents of dropping objects from a height took place at Ming Wik House and Kin Hei House of Kin Ming Estate respectively on 22 October. HD had already reported the incidents to the Police for follow up actions. It would continue to put up notices in the lobbies of the housing estate to disseminate the message, and arrange for special squads to investigate the incidents.

11. The Chairman hoped that HD would patrol relevant locations and enquired whether the Marking Scheme would be enforced.

12. Mr Ricky LING of HD stated that an incident of dropping objects from a height had occurred in Hau Tak Estate earlier, causing injuries to pedestrians. HD had instantly allotted penalty points to the public rental housing tenant involved. HD would proactively search for evidence relating to dropping objects from a height and allot penalty points to the tenant involved immediately.

13. The Chairman pointed out that dropping objects from a height was a criminal offence, and hoped that HD would launch direct investigation and refer relevant cases to the Police.

14. The Vice-Chairman believed that the problem of dropping objects from a height at Kin Ming Estate could not be resolved immediately, and hoped that HD would discuss with LCSD the provision of electricity supply at other appropriate locations in the estate for resumption of mobile library services. He also proposed tackling the problem of dropping objects from a height at other locations in the district, if any, in the same manner.

15. Mr HO Yiu-ming of FEHD said in support of the Government's territory-wide operations against illegal extension of business by shops, FEHD had fortified enforcement actions at Beverly Garden, one of the hygiene black spots in the district, from September to October this year, and hence an increase in relevant prosecution figures. In early November, FEHD had joined forces with the Police and Sai Kung District Office (SKDO) to step up operations and enforcement actions, issuing notices to shop operators who illegally extended business areas to request clearance of relevant areas within a specified time limit. If the shops concerned failed to do so, FEHD would take law enforcement actions.

16. Ms HO Sau-ying, Chief Health Inspector (Sai Kung) 1, FEHD, noted Members' views and would modify the presentation of the relevant paper at the next meeting. Furthermore, she pointed out that in 2003, the Lands Department (LandsD) had launched the Management Scheme for the Display of Roadside Non-commercial Publicity Materials (the Management Scheme), under which the display of any non-commercial publicity materials (NCPM) required prior application to LandsD. In the light of the Management Scheme, FEHD and the District Lands Office, Sai Kung (DLO/SK) would conduct regular joint departmental operations to remove unauthorised NCPM displayed on the streets. After removing publicity materials displayed in public places verified by LandsD as being unauthorised or non-compliant with the Implementation Guidelines on the Management Scheme pursuant to Section 104C of Cap. 132 Public Health and Municipal Services Ordinance, FEHD could recover the removal costs from the involved persons, and consider instituting prosecution against the involved persons. FEHD should first verify the particulars of the involved

persons who displayed or affixed publicity materials such as bills or posters, as well as the beneficiaries of those displayed (collectively referred to as the involved persons), then based on the cost of labour, duration, and transport etc. used in the operation, and recover the removal cost from the persons who had been benefited from the publicity materials displayed.

17. Mr Andrew CHAN enquired whether there was a substantial increase in the penalty for illegal display of bills/posters/banners recently, and whether FEHD would prosecute the persons involved in the 12 joint enforcement operations against marine hawkers mentioned in SKDC(HPEC) Paper No. 88/22.

18. Ms HO Sau-ying of FEHD responded that FEHD had not revised the calculation method of the removal costs. After each clearance operation, FEHD would calculate relevant removal cost based on the cost of labour, duration, transport, etc. used in the operation, and recover the removal cost from the persons who had been benefited from the publicity materials displayed.

[Post-meeting note from FEHD: With reference to Section 130 of the said Ordinance, the cost of removal to be recovered from FEHD included the cost of labour, transport or materials used and administrative cost, etc. The costs should be apportioned among the involved persons with each liable for his portion. In general, the sum payable by each of the involved persons comprised two parts: the apportioned part and non-apportioned part. The former included the cost incurred in each operation, which might vary with the time required for each operation, the amount of unauthorised publicity materials removed and the number of involved persons; the latter included the administrative fee and postage of the demand note issued, which was at fixed rate in the same financial year to each involved person.]

19. Mr HO Yiu-ming of FEHD responded that FEHD had conducted 12 joint enforcement operations with the Police and the Marine Department (MD) at Sai Kung waterfront and Wan Poon Path, Tseung Kwan O respectively in the past two months, during which no one was caught illegally hawking onshore or selling restricted foods on vessels without a licence. Since suspected breaches of relevant legislation occurred at the above locations from time to time, FEHD would continue to conduct joint departmental operations with the Police and MD thereat.

20. The Chairman believed that the reason why there had not been any irregularities found during all 12 enforcement operations was that the timing of joint operations was not the most suitable. She suggested that FEHD conduct joint operations again at an appropriate time. Besides, she asked FEHD to pay attention to the unlicensed hawking activities outside the entrance of the Fire Services Department Pak Shing Kok Married Quarters in Tseung Kwan O.

(B) Enquiry made to the Agriculture, Fisheries and Conservation Department about the progress of the pilot scheme on the feeding of contraceptives to wild pigeons (Paragraphs 14 to 17 of the minutes of the last meeting)

21. Members noted the written reply from the Agriculture, Fisheries and Conservation Department (AFCD) (SKDC(HPEC) Paper No. 92/22).

22. The Vice-Chairman suggested that HPEC write to AFCD, requesting the submission of periodic reports and anticipated outcomes of the scheme.

23. Mr Andrew CHAN hoped that AFCD would submit the interim research report on the scheme as soon as possible.

24. Mr Francis CHAU enquired if FEHD had stepped up prosecution actions at Hang Hau MTR Station. He also suggested that FEHD institute prosecutions against involved persons, in addition to taking out summons action. He would further follow up the progress of the above scheme when meeting with the Director of Agriculture, Fisheries and Conservation on 19 December.

25. The Chairman suggested retaining the item and asked the Secretariat to write to AFCD, requesting it to urge the City University of Hong Kong to expedite its research work, submit the interim research report to HPEC as soon as possible, and account for the current situation of wild pigeon contraception. The Chairman also stated that HPEC would write to request FEHD to consider expanding the scope of prosecution against fouling of public places due to wild bird feeding under the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance to include wild bird feeding by household members on the bay windows of residential units as an offence thereunder.

(C) Request the Transport and Housing Bureau to shelve the proposal for transitional housing in Area 8, Tseung Kwan O or to create a win-win situation by returning the site used for transitional housing development to villagers after five years for immediate construction of small houses (Paragraphs 18 to 31 of the minutes of the last meeting)

26. Members noted the written reply from the Housing Bureau (SKDC(HPEC) Paper No. 93/22).

27. Mr LAU Kai-hong pointed out that relevant departments still had not explicitly promised to return the sites concerned to villagers after completion of the five-year transitional housing project. He hoped that the relevant departments would process the

applications for building small houses while taking forward the transitional housing project.

28. The Chairman suggested retaining the item and deleting it only after a concrete timetable was available.

(D) Issues related to the operation of Temporary Fill Bank at Tseung Kwan O Area 137 and the South East New Territories Landfill  
(Paragraphs 32 to 39 of the minutes of the last meeting)

29. Members noted the written replies from the Civil Engineering and Development Department (CEDD) and Environmental Protection Department (EPD) (SKDC(HPEC) Paper Nos. 94/22 to 96/22).

30. The Chairman hoped that the CEDD representatives would attend every meeting and respond to Members' enquiries on the operation of the fill bank in Tseung Kwan O Area 137. She also asked the Secretariat to continue to invite CEDD representatives to the next meeting. The Chairman hoped that FEHD, CEDD and EPD would discuss and co-ordinate the timing for washing Wan Po Road, and provide supplementary information on whether the sections of Wan Po Road washed by various departments overlapped.

31. Miss Connie WONG, Senior Environmental Protection Officer (Regional East) 4, EPD, responded that although EPD, FEHD and CEDD washed Wan Po Road at different time slots, some of the road sections washed were overlapped. EPD would vacuum and sweep the road section from the South East New Territories Landfill (SENT Landfill) to Chiu Shun Road roundabout. EPD had relayed the Chairman's request for a joint meeting to CEDD and was awaiting its reply.

32. Ms HO Sau-ying of FEHD responded that EPD, FEHD, and CEDD provided cleansing services on Wan Po Road at different time slots every day to maintain environmental hygiene. She agreed to hold a joint departmental meeting with EPD and CEDD to discuss the issues of street washing services on Wan Po Road.

33. Mr Francis CHAU said that after the commissioning of the Tseung Kwan O – Lam Tin Tunnel (TKO-LT Tunnel) and Cross Bay Link (CBL), many vehicles would enter Tseung Kwan O Area 137 via the above roads. Therefore, he suggested inviting the representatives of CEDD and the Transport Department (TD), which were responsible for managing TKO-LT Tunnel and CBL, as well as the management firm of TKO-LT Tunnel, i.e. Chun Wo Tunnel Management Limited, to the next meeting and respond to how the cleanliness and hygiene problems of TKO-LT Tunnel and CBL would be tackled.

34. The Chairman indicated that HPEC had already invited CEDD representatives to this meeting, but had not received any reply. She expected that the commissioning of TKO-LT Tunnel and CBL would aggravate the problem of debris on the road due to unstable loading on heavy vehicles. Therefore, she hoped that relevant departments would attend the meeting to give an account of the management of the above roads. She suggested writing to CEDD to request the addition of publicity and promotional banners along the way to the fill bank in Tseung Kwan O Area 137 so as to persuade heavy vehicle drivers to use the slow lane to head to the fill bank.

35. Miss Connie WONG of EPD responded that heavy vehicles should not travel on the fast lane. She would ask the Police to step up patrol of the above road sections after the meeting and enquire whether CEDD would hold regular meetings with heavy vehicle drivers' associations. EPD had printed publicity and educational leaflets to advise drivers of heavy vehicles to properly cover loads in the truck bed and not to overload their vehicles. If necessary, EPD could print additional publicity leaflets for CEDD's distribution to heavy vehicle drivers.

36. The Chairman asked EPD to strengthen publicity, and enquired how it would deal with the problems of damaged truck bed or unstable loading of dump trucks.

37. Miss Connie WONG of EPD responded that on discovery of unstable loading on dump trucks, EPD would record information of the vehicles concerned. Dump truck drivers must possess a "Chit for Disposal of Construction Waste" in order to enter the fill bank or landfill. EPD could also conduct spot checks according to the information on construction sites shown on the "Chit for Disposal of Construction Waste". If it was found that dusty materials on a dump truck had not been covered up properly before it left the construction site, EPD might initiate prosecution. Moreover, CEDD also had relevant penalty mechanisms for offenders. It was uncommon for dump trucks travelling into and out of the SENT Landfill to render the road dirty due to unstable loading. Upon discovery of such problem, EPD would inform CEDD immediately for follow-up actions.

38. Mr LAU Kai-hong commented that the problem of road cleanness was mainly related to dump trucks unstable loading. It was often originated from drivers' improper covering of truck beds or speeding. He hoped that in addition to advising dump truck drivers to pay extra attention, relevant departments would also mount inter-departmental joint operations to handle the matter. Furthermore, he believed that after the opening of TKO-LT Tunnel and CBL, the problem of speeding or unstable loading of dump trucks would become more prevalent, and therefore hoped that the departments would step up law enforcement.

39. The Chairman asked relevant departments about the penalty for fouling the road due to

speeding or unstable loading by dump trucks.

40. Ms HO Sau-ying of FEHD said that she would give supplementary information on the penalty for littering from vehicles after the meeting.

[Post-meeting note from FEHD: Pursuant to Section 9A of Cap. 132BK Public Cleansing and Prevention of Nuisances Regulation, any person littering from any specified vehicle should be guilty of an offence, and might be liable to a maximum fine of \$25,000 and imprisonment for up to six months.]

41. Miss Connie WONG of EPD stated that at present, two pieces of legislation in Hong Kong could be invoked to deal with the above problem. FEHD would give supplementary information on the penalty for littering from vehicles, while the Police could invoke the Road Traffic (Traffic Control) Regulations to prosecute drivers for offences such as overloading and unstable loading, etc.

42. The Chairman hoped that EPD would enhance monitoring of the cleanliness of the dump trucks travelling into and out of the landfill, and asked the Secretariat to write to (i) request the representatives of CEDD and cleansing contractors to attend HPEC meetings on a regular basis to respond to Members' enquiries on the operation of the fill bank in Tseung Kwan O Area 137; (ii) request CEDD to provide more publicity and educational banners along the route to the fill bank in Tseung Kwan O Area 137 to advise drivers of heavy vehicles to use the slow lane on their way to the fill bank; (iii) request CEDD and TD, which were responsible for the management of TKO-LT Tunnel and CBL, to arrange for department representatives and TKO-LT Tunnel's management firm (i.e. Chun Wo Tunnel Management Limited) to attend the next HPEC meeting and answer how the cleanliness and hygiene problems of TKO-LT Tunnel and CBL would be tackled; and (iv) request EPD, FEHD and the Hong Kong Police Force to step up joint enforcement operations with a view to combating fouling of Wan Po Road by dump trucks due to unstable loading.

- (E) Request the Development Bureau to cease the study on relocation of the concrete batching plant in Yau Tong to Area 137, Tseung Kwan O for protecting the health and living environment of Tseung Kwan O residents in view of the Environmental Protection Department's rejection of the licence renewal application for the concrete batching plant due to its failure to comply with the Air Pollution Control Ordinance  
(Paragraphs 32 to 39 of the minutes of the last meeting)

43. There being no other comments from Members, the Chairman suggested deleting the item at the next meeting.

- (F) Strongly oppose the reprovisioning of concrete batching plant in Area 137, Tseung Kwan O  
(Paragraphs 32 to 39 of the minutes of the last meeting)

44. There being no other comments from Members, the Chairman suggested deleting the item at the next meeting.

- (G) Request government departments to monitor the developers and relevant parties and urge them to expedite construction of the footbridge connecting The Beaumont II and Manor Hill in order to cater for residents' needs  
(Paragraphs 49 to 59 of the minutes of the last meeting)

45. There being no other comments from Members, the Chairman suggested deleting the item at the next meeting.

- (H) Urge the Planning Department, District Lands Office and relevant departments to promptly assist in resolving issues regarding the lease conditions of Manor Hill and the seven-month delay in handing over properties therein to owners, as well as to simplify the procedures and give top priority to the intake by minority owners  
(Paragraphs 85 to 124 of the minutes of the last meeting)

46. Members noted the written reply from DLO/SK (SKDC(HPEC) Paper No. 97/22).

47. Ms CHAN Wai-ming, Senior Estate Surveyor/Tseung Kwan O, DLO/SK, said that DLO/SK had issued a "Certificate of Compliance" to the grantee of Manor Hill on 28 October this year. It was understood from the grantee that they were informing the buyers in batches to complete the transactions and take possession of the flats.

48. The Chairman reflected local residents' grave concern over the commissioning date of the footbridge at the above location, and enquired how the grantee and its parent company could guarantee the completion of the footbridge across Shek Kok Road on or before 30 April 2024.

49. Ms CHAN Wai-ming of DLO/SK responded that the grantee had submitted an undertaking with a bank bond to DLO/SK for each of the two footbridges in accordance with the prevailing mechanism, undertaking to continue the construction of the two footbridges after DLO/SK's issuance of the Certificate of Compliance and to complete the footbridges across Wan Po Road and Shek Kok Road on or before 28 February 2023 and 30 April 2024 respectively. DLO/SK had consulted relevant departments according to the established

procedures, and the relevant departments had no objection to the above arrangements and the issuance of Certificate of Compliance to the grantee.

50. The Chairman understood that the grantee was carrying out the relevant footbridge construction works, and enquired whether DLO/SK had any measures to provide the grantee with an incentive to complete the footbridge construction works early before the deadline.

51. Ms CHAN Wai-ming of DLO/SK responded that the grantee had originally undertaken to complete the footbridge across Wan Po Road on or before 31 March 2023. Since relevant departments and the public hoped the footbridge would be completed as soon as possible, after our liaison with the grantee, the grantee had finally undertaken to complete the footbridge on or before 28 February 2023. DLO/SK would continue to follow up the construction of the footbridge with relevant departments and urge the grantee to complete the works so as to open the footbridge for public use as soon as possible.

52. The Chairman enquired about the current progress of the footbridge across Shek Kok Road. In addition, she suggested that DLO/SK specify in future lease conditions that government departments would be responsible for the construction of all public facilities so as to avoid cumbersome vetting and approval procedures and enhance work efficiency of various departments.

53. Ms CHAN Wai-ming of DLO/SK responded that relevant plans of the footbridge at Shek Kok Road, construction of which was undertaken by Manor Hill's developer, had been approved by the Buildings Department (BD). As for the footbridge linking The Beaumont II and Manor Hill, the building plans of the footbridge supports and connections, which was to be constructed by The Beaumont II, were pending BD's approval. According to the information provided by the developer, the construction procedure of the footbridge at Shek Kok Road was rather complicated as works and measures such as excavation, piling and road closure etc. would be involved.

54. The Chairman asked the Secretariat to request BD in writing to expedite the vetting and approval of plans of the connecting and supporting structures of the footbridge linking The Beaumont II and Manor Hill; and write to request DLO/SK to urge the grantee to complete the two footbridges connecting Manor Hill as soon as possible and open them for public use at the earliest possible time.

55. Ms HO Wai-hung, Senior Town Planning/Tseung Kwan O, Planning Department (PlanD), in responding to the Chairman's question, added that relevant departments had been closely communicating with each other regarding the construction of the above footbridges with a view to expediting the completion of relevant works. The approval conditions of

the footbridges were mainly imposed to ensure that the Government had adequate mechanism to monitor the grantee's construction of footbridges so that it would be carried out in accordance with relevant departments' requirements. Currently, the grantee had provided an undertaking under the land lease, and there was a mechanism for the Government to ensure the grantee's compliance with the planning requirements under the approval conditions imposed. PlanD would continue to urge the grantee to complete the footbridge construction works as soon as possible.

56. The Chairman suggested retaining the item and asked relevant departments to report any works progress to HPEC.

- (I) Suggest expediting the installation of sewerage systems for all villages in Hang Hau and Sai Kung so as to improve environmental hygiene problems in rural areas  
(Paragraphs 60 to 67 of the minutes of the last meeting)

57. Members noted the joint written reply from EPD and the Drainage Services Department (DSD) (SKDC(HPEC) Paper No. 98/22).

58. Mr LAU Kai-hong stated that although the departments had listed many names of villages in the reply, most of them were actually referring to the works of the same village. For example, Sam Long Village, Tan Shan Village, Pak Shek Wo Village and Pik Uk Au were the sub-villages of Tseng Lan Shue Village. He hoped to know when the departments would carry out sewerage works for the following villages, including Pan Long Wan, Ng Fai Tin, Sheung Yeung Village, the four sub-villages of Ha Yeung Village (Siu Hang Hau Village, Mau Po, Ha Yeung San Tsuen and Leung Fai Tin), Sheung Sze Wan Village, Tai Hang Hau Village, Tai Wan Tau Village and Tai Au Mun Village.

59. Mr WONG Shui-sang said that 30 villages or so in Sai Kung Heung were not included in the Port Shelter Sewerage Master Plan (Port Shelter SMP) yet. He hoped that the departments would speed up the inclusion of the relevant villages in the Port Shelter SMP.

60. Miss Janet YUEN, Engineer/Special Duty 2, DSD, responded that some of the villages mentioned by Members were included in Stage 4 of the Port Shelter SMP. DSD and EPD were responsible for different areas of work. While EPD determined the priorities in including villages in the public works of the Port Shelter SMP, DSD was in charge of the implementation of works projects. DSD would liaise with the representatives of EPD overseeing the relevant projects after the meeting. Those villages mentioned by Members which were originally covered by Stage 4 of the Port Shelter SMP would be bought up and enlisted in the public works projects as soon as possible.

61. Mr LAU Kai-hong hoped that the departments would report the latest progress of the Port Shelter SMP to HPEC next year. He pointed out that the current performance of some contractors was unsatisfactory in implementing the drainage works, and their service quality varied. Some works contractors realised they lacked relevant techniques in pipe laying only after carrying out excavation works, and resorted to using plastic sheets to cover the potholes temporarily, resulting in citizens falling into the potholes by accident and sustaining injuries. If necessary, he could provide information about the relevant works contractors to DSD after the meeting. He asked the departments to step up monitoring of the contractors' performance.

62. The Chairman said that she had received reports from the citizens that they had fallen into the potholes accidentally and were injured. Therefore, she suggested that Members provide information about the relevant contractors to DSD after the meeting. She pointed out that the novel coronavirus could be transmitted through sewage, so she hoped that EPD and DSD would speed up the process of improving the drainage conditions in villages.

63. Miss Connie WONG of EPD said that if DSD had sufficient manpower resources to handle all the sewerage projects in the villages of Sai Kung district, EPD could cooperate and include all the villages under Stage 4 of the Port Shelter SMP in the Public Works Programme as soon as possible.

64. Miss Janet YUEN of DSD said that she would liaise with EPD after the meeting on the priorities in including the villages concerned in the Public Works Programme.

65. The Chairman said that every village in Sai Kung district should be included in the Port Shelter SMP, and hoped that the departments would handle the issue as soon as possible. In addition, she discovered that there was odour leakage from the sewers during an earlier inspection of Hiram's Highway Improvement Works and when passing by the public toilets at the entrance of Ho Chung Village. She hoped that DSD would give reasons for the situation.

66. Mr YEUNG Ka-chun, Engineer/Sai Kung, DSD, responded that the existing sewerage facilities were equipped with traps to block the odour emanated from sewage. The reasons odour was released were probably because a large amount of sewage had accumulated in the sewer manholes, or the manhole covers had not been closed properly. When DSD found a considerable amount of garbage in the sewers, it would arrange for contractors to conduct clearance works to prevent accumulation of sewage.

67. Mr LAU Kai-hong said the villagers of Ma Yau Tong Village had reflected that the quality of the sewer gully traps adjacent to the houses was unsatisfactory and they were ineffective in blocking foul smell. He hoped that DSD and the contractor would pay more

attention to the issue and prioritise the replacement of sewers in proximity to residential areas.

68. Mr WONG Shui-sang said that the septic tanks of some villages were dilapidated with wastewater overflowing from time to time. For some village houses, the sewerage facilities were improperly connected and thus produced a stench. He hoped that the departments would expedite the installation of and improvement on sewerage facilities in the villages concerned. Moreover, he said villagers had reflected that PlanD had rejected their applications for the provision of livelihood facilities because the surroundings of the villages were conservation areas. He hoped that PlanD would keep up with the times in formulating planning measures to better cater for residents' daily needs.

69. The Chairman suggested that Members inform EPD about the locations of sewage seepage after the meeting.

70. Miss Connie WONG of EPD added that upon discovery of sewers being connected to public storm-water drains, EPD would gather evidence and initiate prosecution against the offenders. In the event that a septic tank was overflowing with wastewater, FEHD would regulate the nuisance caused in accordance with relevant regulations. If necessary, she could contact Members and the representatives of FEHD after the meeting to tackle the issue together.

71. Mr WONG Shui-sang said that he had already discussed with the households involved regarding the issue, and would ask EPD and FEHD to assist in handling the matter if necessary.

72. The Chairman understood that the units of a three-storey village house might be owned by different owners. However, since there was only one septic tank, all owners bore the obligation to follow up when sewage overflowed. She asked FEHD and DSD to provide supplementary information on how to follow up the issue of sewage overflowing the septic tanks.

73. Ms HO Sau-ying of FEHD said that regarding the issue of septic tanks involved the remits of different departments. If necessary, FEHD would participate in joint operations to follow up the issue.

[Post-meeting note from FEHD: Currently, EPD, FEHD and LandsD handled complaints about improper sewerage facilities of village houses in the New Territories in accordance with the Water Pollution Control Ordinance, the Public Health and Municipal Services Ordinance and the land lease provisions respectively.]

74. Mr YEUNG Ka-chun of DSD responded that upon receipt of complaints or referral of cases, even though the septic tank and the terminal foul manhole in question were under private management and maintenance, DSD would first handle the overflow of sewage at once and disinfect the area, and then seek assistance from relevant departments in referring the cases to the owners concerned to follow up.

75. The Chairman commended DSD for its immediate handling of the pipelines in need of emergency repair in the district. She also asked DSD to note Members' views and continue to assist in the replacement of defective pipelines which failed to block odour. She asked EPD and DSD to accelerate the inclusion of more villages in the Port Shelter SMP, and invited the representatives of DSD to attend the next meeting and report the progress.

(J) Release of reserved school sites left idle in Tseung Kwan O Area 86 (LOHAS Park) for provision of other ancillary livelihood facilities  
(Paragraphs 68 to 84 of the minutes of the last meeting)

76. Members noted the written reply from the Railway Development Section of LandsD (SKDC(HPEC) Paper No. 99/22).

77. Ms WONG Mei-lin, Senior Estate Surveyor/RD/H2 (Railway Development Section/Head Office), LandsD, said that the land lease of LOHAS Park was entered into in 2002, of which Special Condition No. (17)(a)(x) stipulated that the grantee must complete the construction of three schools before 30 June 2024, including three primary schools and two secondary schools. The provisions also specified the schools' areas and standards. If the Government did not notify the grantee by the end of this year that it was no longer required to build those schools, the grantee should commence the construction of the schools concerned.

78. The Chairman said that due to the issue of school places in the district, EDB had not confirmed the construction of schools at the above locations. She asked whether LandsD would update the relevant land lease conditions if the construction of the said schools could not be completed before 30 June 2024.

79. Ms WONG Mei-lin of LandsD responded that if EDB proposed modifying or extending the time requirement that the grantee must complete the construction of three schools before 30 June 2024 as specified in the land lease, LandsD would cooperate and modify the land lease conditions accordingly.

80. The Chairman said quite a few school sponsoring bodies had reflected to her that they hoped to build schools at the above locations. She asked PlanD to provide a response on the

feasibility of releasing the reserved school sites left idle in Tseung Kwan O Area 86 (LOHAS Park) for provision of other ancillary livelihood facilities.

81. Ms HO Wai-hung of PlanD responded that regarding the above issue, PlanD had kept liaising with EDB on whether it would continue to reserve the relevant sites for school development. If PlanD was notified by EDB that the sites could be released, PlanD would review the concerned land uses taking into account the needs of the community.

82. The Chairman pointed out that EDB mentioned before that the pitch/court of the school site near The Capitol and Hemera of LOHAS Park would be released to LCSD for the construction of a five-a-side soccer pitch. The operation and management of the venue concerned could be discussed later. Moreover, it was specified in the sales brochure of LOHAS Park Phase 11 that government departments would notify the grantee by the end of the year whether it was still required to build schools. She asked whether the above provision had been stipulated in the land lease conditions.

83. Ms WONG Mei-lin of LandsD said that LOHAS Park Phase 11 had been designated as a residential site, and the land lease of the corresponding phase did not include the requirement for the construction of shopping malls or schools.

84. The Chairman asked whether the requirement that the grantee must complete the construction of three schools before 30 June 2024 had been stipulated in the Deed of Mutual Covenant (DMC) for the lot of LOHAS Park.

85. Ms WONG Mei-lin of LandsD said that she did not have any relevant information about the DMC concerned for the time being.

86. Mr Calvin LEUNG, Estate Surveyor/RD/H4 (Railway Development Section/Head Office), LandsD, said Special Condition No. (17)(a)(x) stipulated that the grantee must complete the construction of three schools before 30 June 2024, and government departments must notify the grantee by the end of this year whether it was still required to build those schools. The request for the modification or extension of the time requirement stipulated in the land lease conditions should be raised by EDB to LandsD.

87. The Chairman asked whether Special Condition No. (17)(a)(x) would be stated in the DMC for the lot of LOHAS Park.

88. Mr Calvin LEUNG of LandsD said that he did not have any relevant information about the DMC concerned for the time being.

89. The Chairman asked the Secretariat to write to EDB (i) to enquire whether it would submit a request to LandsD for the modification or extension of the land lease's time requirement, which stated that the grantee must complete the construction of three schools before 30 June 2024; (ii) to enquire whether it would, apart from the construction of primary and secondary schools, consider the construction of post-secondary colleges and international schools, or the release of the sites concerned for the provision of ancillary livelihood and community facilities, and to write to the Railway Development Section of LandsD, asking it to note Members' views raised at the meeting and to continue to follow up matters relating to the reserved school sites left idle in Tseung Kwan O Area 86 (LOHAS Park).

90. Mr Francis CHAU said that even if EDB could release the above school sites for other purposes, they should only be designated for the provision of ancillary livelihood facilities.

(K) Request that joint operations in Sai Kung District and Tseung Kwan O area on tackling hygiene black spots be stepped up, and urge that relevant legislative amendments be made to prevent the black spots from relapsing  
(Paragraphs 125 to 135 of the minutes of the last meeting)

91. Members noted the written reply from the Department of Health (DH) (SKDC(HPEC) Paper No. 100/22).

92. The Chairman said that she noticed an increase in the number of smokers at public housing estates and construction sites, and hoped that HD and DH would follow up with enhanced efforts.

93. There being no other comments from Members, the Chairman proposed deleting the item at the next meeting.

### **III. Motions Raised by Members**

(A) The 1 motion raised by Members

(1) Request the Government to give an account of the proposed reclamation extent and land uses; implement the use of various Government, Institution or Community (GIC) sites for the construction of ancillary livelihood facilities in the district first; shelve the reclamation in Tseung Kwan O (including the waters off Ocean Shores in Tiu Keng Leng, LOHAS Park and InnoPark); provide an implementation timetable for the North Island Line; study the adoption of caisson method in constructing the Tseung Kwan O Line Southern Extension and its cross-harbour link

with the Island Line; and construct a road harbour crossing or cross-harbour bridge connecting Area 137 and LOHAS Park with Hong Kong Island, so as to tie in with the residential development of 50 000 households in Area 137

(SKDC(HPEC) Paper No. 101/22)

94. The Chairman said that the motion was moved by her and seconded by Messrs Francis CHAU, WONG Shui-sang, LAU Kai-hong, Andrew CHAN and CHOI Ming-hei. The Chairman asked the departmental representative to respond to the above motion.

95. Ms HO Wai-hung of PlanD said that Tseung Kwan O Area 137 would be developed into a new community primarily for residential use with appropriate facilities to meet the needs of the community. She believed that the Transport and Logistics Bureau had taken note of Members' views, as well as their request for the Tseung Kwan O Line (TKOL) Southern Extension.

96. The Chairman enquired about the reclamation extent off InnoPark at Tseung Kwan O Area 137, and suggested that government departments utilise the Government, Institution or Community sites (GIC sites) on Wan O Road and Shek Kok Road first to reduce the reclamation extent.

97. Ms HO Wai-hung of PlanD said that the land to be reclaimed under the study would be primarily used for the construction of transport infrastructure facilities. PlanD noted Members' views, and would utilise the reserved GIC sites in the district for the provision of community facilities as far as applicable.

98. Mr Chris CHEUNG said quite a number of residents reflected that they did not wish reclamation works to be carried out. The Development Bureau (DEVB) suggested reclaiming the area off LOHAS Park, which was only about 40 metres away from residential areas. It would cause pollution to the surrounding environment and affect residents' quality of life. In addition, he hoped that the department would also present other alternative proposals during the public consultation on reclamation to be held at the end of this year.

99. Ms HO Wai-hung of PlanD said that the relevant planning and engineering study was still underway. She noted the views from Members and the residents, and said that upon completion of the study by end of this year, concrete suggestions on the proposed development would be announced for public consultation.

100. Mr Francis CHAU pointed out that the content of the extempore motion passed at the sixth full council meeting this year was similar to that of above motion. The Secretariat had

written to the Chief Executive's Office regarding the extempore motion to express SKDC's views, and was awaiting a written reply from departments. He said it was specified in the results of the "Feasibility Study for Further Development of Tseung Kwan O" conducted about a decade ago that no further reclamation works would be carried out in Tseung Kwan O. Therefore, he opined that it was not ideal to revisit the reclamation proposal to increase GIC sites. He suggested that government departments consider other alternative proposals, including the measures stated in the above motion, and provide more choices in the study report for consultation at the end of this year.

101. Mr Chris CHEUNG hoped that when the Government gauged public views at the end of this year, it would not only offer two options, which was either supporting or opposing the reclamation project, but provide various alternative proposals for the public to choose from.

102. Mr CHOI Ming-hei said different facilities had been constructed in Tseung Kwan O South over the years, including landfill, fill bank, cement plant, etc. The environmental pollution and public grievance arising from reclamation might affect social stability. He pointed out that quite a number of residents of LOHAS Park worried that the reclamation project would affect the values of their properties. In the long run, he feared that the Government's unfriendly measures would not be effective in retaining local middle-class talents and encourage them to stay in Hong Kong for development.

103. The Chairman said that she had expressed her views on the reclamation project at the land supply forum in 2012, and assisted the departments in finalising the development of Tseung Kwan O Areas 131 and 137. She said with the efforts of Members and the public, the reclamation project in Tseung Kwan O had been shelved at last. She said that the Secretariat had written to the departments to enquire about the extempore motion passed at the full council meeting, in the hope that DEVB and CEDD would respond to the question on the extent of the proposed reclamation project. She suggested that the Government implement the construction of ancillary livelihood facilities on various GIC sites in the district first, and adopt other alternative proposals to extend the railway. Moreover, the Chairman said that she had appointed experts to study the adoption of caisson method in constructing TKOL Southern Extension and its cross-harbour link with the Island Line.

104. There being no objection from Members, the Chairman declared that the above motion was passed.

[Post-meeting note: The Chairman asked the Secretariat after the meeting to write to: (i) request the Highways Department and the management firm of TKO-LT Tunnel (i.e. Chun Wo Tunnel Management Limited) to send representatives to attend meetings regularly and report to HPEC matters relating to the operation of TKO-LT Tunnel and CBL to facilitate

follow-up by HPEC on the development of Tseung Kwan O Area 137; (ii) request the Water Supplies Department and consultancy companies to send representatives to attend meetings regularly and report to HPEC the progress on the works of the desalination plant and the management of its construction sites to facilitate follow-up by HPEC on the development of Tseung Kwan O Area 137; and (iii) invite the representatives of the MTR Corporation Limited to attend HPEC meetings and give an account of the feasibility of the adoption of caisson method in constructing TKOL Southern Extension and its cross-harbour link with the Island Line.]

#### **IV. Any Other Business**

105. The Chairman asked whether Members would like to raise any other business.

106. Mr Andrew CHAN pointed out that HD held 20% of the ownership of Tsui Lam Estate. He asked why HD, despite being the majority owner and suggested that the owners' corporation use "Smart Tender" to invite tenders for the large-scale repair works at the housing estate, and yet cast an abstention vote at the owners' corporation meeting on 2 November. A lot of owners had reported to the Police after the meeting that someone falsely claimed to be their authorised proxies. Unfortunately, the existing Building Management Ordinance (Cap. 344) was not effective in preventing fraudulent proxy voting. He also said that there was a large number of management committees in Hong Kong taking advantage of the loopholes in Cap. 344 in the management of housing estate affairs, including procurement, convening general meetings, collecting and rejecting proxy votes, etc. However, there had not been any cases of prosecution against owners for casting fraudulent proxy votes. Furthermore, the Government said in March 2017 that it would amend Cap. 344, but no actions had been taken thus far. Therefore, he appealed to HD and SKDO to endeavour to assist minority owners in tackling the problems concerned.

107. The Chairman considered the independence of both owners' corporations and owners' committees essential. In addition, she opined that it would be more appropriate for housing estates to adopt "Smart Tender" for the repair works to avoid bid-rigging. She said that as the majority owner of the estates under the Tenants Purchase Scheme in the district, HD should reject any unjustifiable tender invitation at the management committee meetings in order to avoid bid-rigging and to protect the interests of minority owners. The Chairman asked the departments to provide supplementary information regarding the above issue.

108. Mr Ricky LING of HD said that he would elaborate after the meeting on the reasons for the representatives of HD to abstain from voting at the management committee meeting held by Tsui Lam Estate Owners' Corporation.

109. Mr Cyrus CHOW, Assistant District Officer (Sai Kung)1, SKDO, said that the Home

Affairs Department promoted and encouraged owners to manage their housing estates by forming appropriate residents' organisations, such as owners' committees or owners' corporations. He noted Members' views on Cap. 344 and pointed out that SKDO had all along encouraged owners to attend meetings of owners' corporations. Owners could also handle the proxy authorisation documents in accordance with the guidelines stipulated in the relevant Schedule to the Building Management Ordinance. If owners had doubts about the validity of the legal instrument, they were advised to seek legal advice or report to the Police for assistance.

110. There being no objection from Members, the Chairman asked the Secretariat to write to (i) request HD to explain why the departmental representatives, who suggested the owners' corporation use "Smart Tender" to invite tenders for the large-scale repair works at the housing estate, while had casted an abstention vote at the management committee meeting held by Tsui Lam Estate Owners' Corporation; (ii) request the Property Management Services Authority to send representatives to attend the meetings of owners' corporations in the district, with a view to providing professional advice and improving the problem of bid-rigging.

111. There was no further business raised by Members.

#### **V. Date of Next Meeting**

112. The next meeting would be held on 17 January 2023 (Tuesday) at 9:30 a.m. The meeting ended at 11:53 a.m.

Sai Kung District Council Secretariat  
December 2022