

(Confirmed minutes)

(Translation)

Sai Kung District Council
Minutes of the Third Meeting in 2020

Date: 5 May 2020 (Tuesday)

Time: 9:30 a.m.

Venue: Conference Room of the Sai Kung District Council

<u>Present</u>	<u>From</u>	<u>To</u>
Mr CHUNG Kam-lun (Chairman)	9:30 a.m.	10:40 p.m.
Mr CHAU Yin-ming, Francis, BBS, MH (Vice-Chairman)	9:30 a.m.	10:40 p.m.
Ms CHAN Ka-lam, Debby	9:45 a.m.	10:40 p.m.
Mr CHAN Wai-lit	9:30 a.m.	10:40 p.m.
Mr CHAN Yiu-chor, Andrew	9:30 a.m.	10:40 p.m.
Mr CHENG Chung-man	9:35 a.m.	10:40 p.m.
Mr CHEUNG Chin-pang, Edwin	9:30 a.m.	10:40 p.m.
Mr CHEUNG Mei-hung, Chris	9:30 a.m.	10:40 p.m.
Mr CHEUNG Wai-chiu	9:30 a.m.	10:40 p.m.
Mr CHOI Ming-hei	9:30 a.m.	10:40 p.m.
Mr CHUN Hoi-shing	9:30 a.m.	10:40 p.m.
Mr FAN Kwok-wai, Gary	9:30 a.m.	10:40 p.m.
Ms FONG Kwok-shan, Christine	9:30 a.m.	10:40 p.m.
Mr FUNG Kwan-on	9:30 a.m.	10:40 p.m.
Mr HO Wai-hong, Stanley	9:45 a.m.	10:40 p.m.
Mr LAI Ming-chak	9:30 a.m.	10:40 p.m.
Mr LAI Wai-tong	9:30 a.m.	10:40 p.m.
Mr LAM Siu-chung, Frankie	9:30 a.m.	10:40 p.m.
Mr LAU Kai-hong	9:30 a.m.	12:35 p.m.
Mr LEE Ka-yui	9:34 a.m.	10:40 p.m.
Mr LEE Yin-ho, Ryan	9:33 a.m.	10:40 p.m.
Ms LEUNG Hin-yan	9:40 a.m.	10:40 p.m.
Mr LEUNG Li	9:30 a.m.	10:40 p.m.
Mr LUI Man-kwong	9:30 a.m.	10:40 p.m.
Mr LUK Ping-choi	9:35 a.m.	10:40 p.m.
Mr OR Yiu-lam, Ricky	9:33 a.m.	10:40 p.m.
Mr TSE Ching-fung	9:35 a.m.	10:40 p.m.
Ms WONG Cheuk-nga, Valerie	9:35 a.m.	10:40 p.m.
Mr WONG Shui-sang	9:30 a.m.	12:35 p.m.

Mr YIP Brandon Kenneth	9:30 a.m.	10:40 p.m.
Mr YU Tsun-ning	9:35 a.m.	10:40 p.m.
Miss LAU Tang, Moira (Secretary)	Senior Executive Officer (District Council), Sai Kung District Office	

In Attendance

Mr CHIU Yin-wa, David, JP	District Officer (Sai Kung), Sai Kung District Office
Mr CHOW Tat-wing, Cyrus	Assistant District Officer (Sai Kung)1, Sai Kung District Office
Miss WONG Ching-hang, Joey	Assistant District Officer (Sai Kung)2, 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
Mr WU Wai-kwong, Wilson	Senior Liaison Officer (3), Sai Kung District Office
Ms TSOI Leung-leung, Teresa	Senior Executive Officer (District Council), Sai Kung District Office (Designate)
Mr LIU Chung-him, Michael	Executive Officer I (District Council), Sai Kung District Office
Ms TAM Yin-ping, Donna	District Planning Officer/Sai Kung & Islands, Planning Department
Ms LAM Shu-tsook, Kitty	Senior Town Planner/Tseung Kwan O, Planning Department
Ms LUI Siu-ying, Micy	District Social Welfare Officer (Wong Tai Sin/Sai Kung), Social Welfare Department
Mr Mark Ronald ANSTISS	District Commander (Tseung Kwan O), Hong Kong Police Force
Ms CHEUK Yuet-ching	Police Community Relations Officer (Tseung Kwan O), Hong Kong Police Force
Mr CHU Chung-yin	Patrol Sub-Unit Commander 3 (Tseung Kwan O), Hong Kong Police Force
Mr CHOI Tung-tsoi	District Commander (Wong Tai Sin), Hong Kong Police Force
Ms SHUM Pok-yu	Divisional Commander (Sai Kung), Hong Kong Police Force
Mr CHENG Chun-tung, Seann	Police Community Relations Officer (Wong Tai Sin), Hong Kong Police Force
Mr LO Sai-pak, Sunny	Chief Engineer/E1, Civil Engineering and Development Department
Ms LING Kuk-yi	Chief Manager/Management (Kowloon West and Sai Kung), Housing Department
Mr CHIU Ying-cheung	Senior Property Service Manager/Kowloon West and Sai Kung, Housing Department
Mr WONG Chak-kwan, Byon	Chief Transport Officer/Goods Vehicle, Transport Department
Ms KONG Po-yea, Alice	District Leisure Manager (Sai Kung), Leisure and Cultural Services Department
Mr NG Kwok-lun, Wilson	District Environmental Hygiene Superintendent (Sai Kung), Food and Environmental Hygiene Department
Mr MA Hon-yim, Francis	District Lands Officer/Sai Kung, District Lands Office, Sai Kung
Mr CHAN Yuk-cheung	Administrative Assistant/Lands, District Lands Office, Sai Kung

Dr CHUI Tak-yi, JP	Under Secretary for Food & Health, Food and Health Bureau	} For agenda item II (A)
Mr LAW Sun-on, Gilford	Principal Assistant Secretary for Food & Health (Food)2, Food and Health Bureau	
Ms HO Mei-chi, Maisie	Principal Assistant Secretary for Food & Health (Health)5, Food and Health Bureau	
Dr CHOI Yu-sze, Cissy	Head (PHO), Food and Health Bureau	
Mr LAM Chi-man, David	Principal Assistant Secretary (Planning & Lands)5, Development Bureau	
Miss LEUNG Tsz-ying, Almaz	Assistant Director (Market SD), Food and Environmental Hygiene Department	
Dr LEUNG Wai-man, Raymond	Senior Medical & Health Officer (Emergency Preparedness and District Relations)2, Department of Health	
Ms FOK Wai-yin, Emily	Senior Property Manager (Project Division)1, Government Property Agency	} For agenda item II (B)
Mr CHOI Yat-nang, George	Town Planner/Tseung Kwan O 2, Planning Department	
Mr MA Chi-hung, Daniel	Engineer/Pedestrian Improvements, Transport Department	
Mr NG Siu-lung	Director, LLA Consultancy Limited	
Ms Gigi LAU	Associate, LLA Consultancy Limited	

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

2. The Chairman welcomed all Members and attendees to the meeting, in particular –

- Ms Kitty LAM, Senior Town Planner/Tseung Kwan O, Planning Department (PlanD), who attended the meeting on behalf of Ms Donna TAM, District Planning Officer/Sai Kung & Islands, PlanD;
- Mr CHU Chung-yin, Patrol Sub-Unit Commander 3 (Tseung Kwan O), Hong Kong Police Force (HKPF);
- Ms Teresa TSOI, Senior Executive Officer (District Council), Sai Kung District Office (SKDO)(Designate), who would succeed Miss Moira LAU, Senior Executive Officer (District Council) on transfer.

3. The Chairman said Miss Moira LAU had served the Sai Kung District Council (SKDC) for nearly eight years since 2012. Over the years, Miss LAU had been providing SKDC, one of the District Councils (DCs) with the heaviest workload in Hong Kong, with professional assistance in a very careful manner when handling a multitude of matters. He expressed regret over the transfer of Miss LAU and wished her every success and lot of happiness in her future work and a harmonious family life.

4. The Chairman said he had not received any Notification of Absence from Meeting from Members today.

5. Mr Gary FAN said he would move an extempore motion on the scandal of Mr Rupert DOVER, Assistant Commissioner of Police, HKPF, who was involved in a suspected offence of misconduct in public office, under Any Other Business. He enquired the Chairman of the agenda to facilitate the media present to plan their schedule. He also hoped that the representatives of HKPF could stay to discuss the motion concerned together.

6. The Chairman said extempore motions would be handled later and he hoped that the representatives of departments in attendance could participate in the whole meeting.

I. Confirmation of Minutes of the 2nd Special Meeting of Sai Kung District Council (SKDC) held on 11 February 2020 and the 2nd SKDC Meeting held on 3 March 2020

7. The Chairman noted that the Secretariat had not received any proposed amendment to the two minutes mentioned above before the meeting. There being no other proposed amendment at the meeting, the Chairman declared that the two above-mentioned minutes were confirmed.

8. Ms Christine FONG said the Chairman should have informed Members in advance of the information that representatives of the Food and Health Bureau (FHB) would attend the meeting today. She continued that she had only received a short message from the Chairman yesterday notifying her that Dr CHUI Tak-yi, the Under Secretary, would attend the meeting. She said she had attended the meeting today despite her illness because she really wanted to reflect the concerns of the community to FHB at the meeting. She enquired why Members in the minority were not notified of the visit of the Under Secretary in advance just like other Members. She hoped that the Chairman could treat all Members equally regarding information dissemination arrangement in the future.

9. The Chairman said he only learnt yestersay that Dr CHUI would attend the meeting. He had immediately informed all Members of this and made arrangements for them to raise questions on the epidemic situation of COVID-19 at the meeting in addition to discussing matters related to the joint-user complex.

10. Ms Christine FONG reiterated that she hoped that the Chairman could treat all Members equally in the future by informing all Members of the relevant arrangements in advance.

II. New Items

(A) Construction of a joint-user complex in Tseung Kwan O (SKDC(M) Paper No.85/20)
(SKDC(M) Paper No. 85/20)

11. The Chairman welcomed:

- Dr CHUI Tak-yi, Under Secretary for Food & Health, FHB;
- Mr Gilford LAW, Principal Assistant Secretary for Food & Health (Food)², FHB;
- Ms Maisie HO, Principal Assistant Secretary for Food & Health (Health)⁵, FHB;
- Dr Cissy CHOI, Head (PHO), FHB;
- Mr David LAM, Principal Assistant Secretary (Planning & Lands)⁵, Development Bureau (DEVB);
- Miss Almaz LEUNG, Assistant Director (Market SD), Food and Environmental Hygiene Department (FEHD);
- Dr Raymond LEUNG, Senior Medical & Health Officer (Emergency Preparedness and District Relations)², Department of Health (DH);
- Ms Emily FOK, Senior Property Manager (Project Division)¹, Government Property Agency
- Ms Micy LUI, District Social Welfare Officer (Wong Tai Sin/Sai Kung), Social Welfare Department (SWD)

12. The Chairman invited Dr CHUI Tak-yi, Under Secretary for Food & Health, FHB, to give a brief introduction.

13. Dr CHUI Tak-yi, Under Secretary for Food & Health, FHB, briefed Members on the captioned paper.

14. The Chairman said Members might put forward their views on the Joint-user Complex and the anti-epidemic work of the Government. He suggested making reference to the speaking arrangement adopted during Heads of Departments' visits to SKDC, i.e. every Member would take turn to have two minutes to speak. Aware of the limited time Dr CHUI would attend the meeting and the relatively large number of Agenda items to be discussed, he would decide, after Members had finished speaking and the Bureau had given the responses, whether a second round of speaking could be arranged.

15. Mr Edwin CHEUNG expressed his concern over the water seepage problem of buildings in Tseung Kwan O and enquired when the New Territories East Regional Joint Office Investigation of Water Seepage Complaints, the establishment of which was originally scheduled in the 2020 to 2021 financial year, would be completed. Moreover, he considered

that the existing water seepage inspection procedures had set up two hurdles which made the public feeling helpless. He pointed out that upon receipt of water seepage complaint from a resident for the first time, the Food and Environmental Hygiene Department (FEHD) would set a time with the flat above that of the complainant for conducting colour test to find the source of seepage. However, if the occupant of the flat above refused to let the staff concerned into the flat, the complaint could not go on. If FEHD finally entered the flat suspected to be involved but could not find the source of water seepage, it would refer the case to the Joint Offices, which would fix a time with the occupant of the flat again. If the occupant refused to let the staff concerned into the flat, this would be the second hurdle. He said, under the existing legislation, a warrant could be sought from the court for authorisation to enter the flat involved. He enquired whether FHB had any statistics on the application for warrants and the time needed for making those applications. He said some residents had reflected to him that the water seepage problems remained unsolved for many years because of those two hurdles. As for the Joint-user Complex, he considered the setting up of public market in the complex conducive to resisting the dominance of the Link Asset Management Limited (the Link), but he also enquired how the Government would enhance the hygienic level of public market.

16. Ms Christine FONG said she was happy that the Government had set the implementation timetable for the Joint-user Complex and would provide a large-scale public market in Tseung Kwan O. She continued that many residents hoped for increasing the car parking spaces in the Joint-user Complex. Moreover, she suggested the Government to consider providing child care services and a day care centre for the elderly instead of a kindergarten. She also suggested FHB to provide tenants with different tenancy agreements to increase the turnover of tenants for introducing competition. Besides, understanding that many residents were highly concerned about the epidemic notification mechanism during the recent epidemic, she suggested FHB to provide the management offices of the buildings or estates concerned with the information related to the confirmed cases as soon as possible to facilitate them to make early arrangement for disinfection and cleaning work after being informed of the floor(s) on which the patient(s) lived.

17. Mr Chris CHEUNG welcomed the provision of a public market in Tseung Kwan O by Government, which he considered could reduce the prices of goods and benefit the residents. However, he would also like to know the criteria on selecting the site of public market. Professional Power had suggested the development of municipal services complexes or multi-storey public facilities in different locations, for example, the LOHAS Park, Wan Po Road or the Government, Institution and Community (G/IC) site on Shek Kok Road in the past. However, the development plan for a data centre at Wan Po Road had been finalised; while Area 85 at Shek Kok Road was earmarked for the proposed Government Laboratory building instead. As the incumbent DC Member of LOHAS Park, he considered FHB's

planning unfair. While facilities beneficial to the residents could be built in Tseung Kwan O town centre, a laboratory had to be built on Shek Kok Road in LOHAS Park. Considering that the laboratory building could bring very limited benefits to the development of the community, he strongly opposed the provision of a laboratory building on Shek kok Road and hoped that the site could be rezoned for a modernised public market or other facilities on the basic necessity of the residents. Moreover, he said given the large number of young couples in Tseung Kwan O, there was certain demand on child care services. He hoped that FHB could further elaborate the relevant child care services and the respective quotas. Lastly, he considered the service quota of 90 for the day care centre for the elderly not sufficient.

18. Mr LUK Ping-choi said the provision of facilities like maternal and child health centre and market of FEHD inside the Joint-user Complex indicated that the views of SKDC of the previous terms were adopted. He said given that there was only one maternal and child health centre in Hang Hau of Tseung Kwan O, many newly married couples would be happy to see the provision of such facilities in Area 67. Regarding markets, he said all major markets in Tseung Kwan O were under the Link, which had been raising the rents through renovation. The rents of market of FEHD were relatively cheaper, but he was worried about the hygienic condition of the market at the same time and requested FHB to handle the issue properly.

19. Mr Ricky OR said different facilities, including medical and social welfare facilities, were mentioned in the proposal. He doubted whether all the facilities could be completed in the end given the limited space and resources. He also pointed out that the medical facilities had caused concern of residents who worried about the risk of transmission of diseases by the clinic. He suggested enhancing the transparency so that residents living in nearby areas or different stakeholders could receive more government information in this aspect.

20. Mr CHAN Wai-lit said the residents had different views on the identified site of the market. He pointed out that there were some private markets in Tseung Kwan O Town Centre but only one market under the Link in Tiu Keng Leng, and suggested FHB to provide a public market in the open space near Chui Ling Road, with sufficient local consultation prior to the implementation of the public market development. Besides, he was pleased that the provision of a District Health Centre inside the Joint-user Complex was confirmed. He hoped that FHB could provide primary care facilities of the scale comparable to that of Kwai Tsing District Health Centre in the long run and set out the timetable. As for dermatology outpatient service, he said he had strived for the provision of more service quotas in the government offices next to the Joint-user Complex to triage the specialist medical services provided by the Tseung Kwan O Hospital. At the same time, he also hoped that FHB would consider providing other out-patient consultation services not yet available in Tseung Kwan O, for example, specialist mental health services for children and adolescents in the Joint-user

Complex.

21. Mr FUNG Kwan-on said the existing services of Parents' Support Centre were only to talk with parents the difficulties they encountered and how to handle them, he suggested providing actual support such as meal delivery services to parents who were occupied with taking care of their families or assisting the parents and their children in seeking employment. He also enquired whether the proposed dermatological clinic would receive cases of the clinic in Tseung Kwan O, those referred by the Kowloon East Cluster, or cases that could not be absorbed territory-wide. He considered the demand on dermatology service huge and proposed increasing the number of health care personnel. As for water seepage problem, he said the outsourced contractors had not given any reply to the cases they took up after almost half a year and hoped that FEHD could strengthen the manpower to solve the problem.

22. Mr LEUNG Li considered the provision of a public market in Tseung Kwan O conducive to resisting the monopoly of the Link. He suggested FHB to consider putting the market in Tiu Keng Leng given that there was currently only one wet market under the Link there. He also requested the Government to provide the timetable for the market development after the location of the identified site was confirmed. He welcomed the inclusion of the place-making element mentioned in FHB's paper and hoped that it could communicate more with the local community and the Community Building and Social Innovation Committee (CBSIC) to enable more residents to participate in the plan. Moreover, as the facilities of District Health Centre were relatively new, he hoped FHB could elaborate how it would publicise District Health Centre with a view to informing the public of the purposes of the facilities and encourage the public to use them. Lastly, given that the Police had mentioned that people who gathered for the same purpose had violated the prohibition on group gathering even if they kept a distance of 1.5 metres from each other, while FHB mentioned that two groups of people who were 1.5 metres apart had not violated the prohibition on group gathering, he hoped FHB could clarify in this aspect.

23. Mr LUI Man-kwong said some residents suggested setting up a cooked food centre in the market. He also enquired how the Government could ensure a fall in prices of goods after introducing the public market and how the possible ventilation problems arising from the Joint-user Complex development could be resolved. He said as set out in the paper on the Immigration Department (ImmD) complex, the building height restriction was 75 metres and no building was proposed to be built in the vacant area in front of the civic centre due to ventilation problem. In addition, he said some residents hoped that rest area, and childminding and child care services would be provided in the Joint-user Complex. He also hoped that FHB could give a detailed explanation on the new mode of operation and the concept of "place-making" as mentioned in the paper, and how the hygienic problem of the market would be addressed. He also considered it necessary for FHB to examine other

possible locations and to provide SKDC with such information to facilitate discussion on the suitable location. Besides, he pointed out that some Owners' Committees reflected that they did not receive any consultation paper on this plan. He proposed FHB to carry out large-scaled district consultation to collect the views of different stakeholders in housing estates nearby. He also suggested FHB to consider a joint development of the Joint-user Complex and civic centre, so as to reduce the building height and the number of offices of government departments and storeys inside the Complex.

24. Mr LAU Kai-hong pointed out that the capacities of the services mentioned in the paper were relatively small, and hoped that FHB would consider increasing the service capacities. Besides, he enquired about the number of car parking spaces in the Joint-user Complex given that most of the residents in rural areas would drive their own cars or take the elderly out and back to home by driving. He also pointed out that residents in rural areas could reach the Joint-user Complex directly with only one mode of transport, and suggested the Government to consider improving the ancillary transport facilities concerned.

25. Mr WONG Shui-sang said he had no comment on the paper.

26. Mr Gary FAN said he and other Members were also notified by the Chairman that Dr CHUI of FHB would attend the SKDC meeting lately in the afternoon of the day before. He requested Ms Christine FONG not to attack SKDC, the Secretariat and the Chairman and indiscriminately accuse the Chairman of being unfair when chairing the meeting. Concerning the epidemic, he pointed out that the first confirmed case of COVID-19 in the territory was in the period from 16 January to 24 January this year. When SKDC discussed two papers related to the questions on the spreading of COVID-19 in the community at the meeting held on 16 January, FHB had not sent any representatives to attend the meeting despite SKDC's invitation. He hoped that FHB could speed up the progress of the anti-epidemic work. As for the facilities in the Joint-user Complex, he said the public generally agreed with the planning of setting up District Health Centre and maternal and child health centre, but they would have different views on the public market. He hoped FHB would promote wider community participation and adopt the planning proposal suggested by the community during the course of consultation, and provide more facilities for vehicle drop-off and parking. Regarding the identified sites, he considered that the adjacent cultural area should be considered together before the identified site of the market was confirmed.

27. Mr LAI Wai-tong enquired how the Government would solve the various problems arising from public and private markets, like the poor management, high vacancy rate of public market, the environmental hygiene and kerbside loading and unloading problems at private markets in Tseung Kwan O including the markets of Beverly Garden and Bauhinia Garden. Besides, he suggested holding consultation and district forums to discuss the

identified site and facilities of the Joint-user Complex; realising planning proposal suggested by the community and developing the remaining scarce G/IC sites in Tseung Kwan O prudently. Lastly, he hoped FHB could relocate the proposed underground car park of the Town Park in Area 66, Tseung Kwan O to Area 67 to resolve the community controversies.

28. Mr LAI Ming-chak pointed out that Members had been striving for the facilities in the Joint-user Complex for a long time and he supported the motion. However, he considered the provision of additional facilities by Government some ten years after the residents had moved in instead of a comprehensive planning at the beginning, which caused substantial changes to the environment expected by the residents when they moved in, had created dissatisfaction among the residents. Moreover, he considered the construction of the footbridge a must. There would be huge demand on barrier-free access arising from the provision of District Support Centre for Persons with Disabilities, Office Base of On-site Pre-school Rehabilitation Services, kindergarten and day activity centre in the Joint-user Complex. Besides, he recalled that it was mentioned in a paper that the location of the Joint-user Complex would be used for developing a sitting-out area. He suggested the Government provide a sitting-out area on the roof of the Joint-user Complex as a compensation for the residents. Furthermore, he mentioned that the improvement of the epidemic situation was the result of closure of border control points and compulsory quarantine. He also opposed the Government's proposal for relaxing the relevant policy so that businessmen did not have to undergo compulsory quarantine. Lastly, he said more than four people were protesting outside the building where the meeting was held today. However, the representative of the Police replied that had not violated the prohibition on group gathering because they came from different organisations; while the Labour Party and Alliance of Social Democrats were fined for violation of the prohibition on group gathering on 1 May. He hoped that FHB could explain the implementation of the prohibition on group gathering.

29. Ms LEUNG Hin-yan enquired about the detail of the concept of place-making mentioned in the consultation paper. Besides, she hoped FHB would consider providing environmental friendly recycling facilities in the Joint-user Complex given the large quantities of recyclable items, such as styrofoam boxes, foam fruit wrappers and carton boxes in the market. She also suggested the provision of indoor rest area in the Joint-user Complex given the shortage of indoor public places in the district. Concerning isolation camps or anti-epidemic issues, she made the following enquiries: firstly, whether the waste in the quarantine centres, isolation camps and additional units of the temporary accommodation would be handled by licensed clinical waste collectors or the contract cleansing service provider of FEHD; secondly, how would the Government compensate the residents affected by the provision of quarantine centre in the district; thirdly, for confirmed patients already sent to hospital for treatment, whether the domestic waste, which were contaminated, would be sent

to the procession centres of domestic waste by FEHD or to the treatment centre of clinical waste by dedicated vehicles.

30. Mr CHEUNG Wai-chiu welcomed the provision of a public market in Tseung Kwan O. He expressed the following concerns over the planning of the market: Firstly, he suggested adjusting the arrangement of the stalls to improve the hygienic condition. Taking the market of Beverly Garden as an example, he said the arrangement of wet goods stall at the entrance of the market had made the floor wet and slippery, which not only affected the users' entering and leaving the market, but also caused loosening of floor tiles. Secondly, he suggested designating bicycle parking spaces with safety devices at suitable locations in the market to provide convenience to residents nearby and stall owners in the market.

31. Mr LEE Ka-yui pointed out that residents would welcome a public market in the Joint-user Complex. He pointed out there were several housing estates in the vicinity of the crossroad of Sheung Tak Estate, including Sheung Tak Estate, Kwong Ming Court, Po Ming Court and Beverly Garden, with tens of thousands of residents, there was no refuse container nearby but only large orange rubbish bags tied on the railings. During the epidemic, with an increased awareness of hygiene, the residents were concerned about the quality of rubbish bags, they were worried that if sharp objects were thrown into the bags, the bags would break easily; while the opening of the bags, which were tied on the railings, would be narrowed as the bags were flying with the wind, thus causing inconvenience to the users. He hoped that the Government would respond why it had removed the refuse containers on the streets.

32. The Chairman said even the refuse containers on Yan King Road had been removed.

33. Mr TSE Ching-fung said SKDC had been striving for the provision of public markets in the district over the last decade, he hoped that FHB would implement the plan as soon as possible and that it would not be the same as the indoor heated-swimming pool, i.e. making no progress after the plan was discussed. He also put forward the following views: firstly, FHB should further explain the application of the place-making concept in the market, how to manage the market properly and solve the hygienic problem to remove the worries of residents of nearby housing estates; secondly, consideration should be given to providing goods vehicle parking spaces in the basement car park in the Joint-user Complex to address the shortage of car parking spaces in Tseung Kwan O South. He pointed out that many goods vehicles, concrete mixers and dump trucks were parking illegally during mid-night or lunch time at present. He hoped that the government departments concerned would pay more attention to the problem. Thirdly, under the existing mechanism on home confinement and confirmed cases, the floors on which the confirmed patients lived would not be disclosed, which made it difficult for the management companies of the housing estates to carry out anti-epidemic work. He hoped that FHB would improve the mechanism. Fourthly, he

suggested providing childminding service and a district elderly community centre (DECC) in the Joint-user Complex.

34. Mr Andrew CHAN said residents in Tseung Kwan O would welcome the plan because they had been striving for the provision of public markets all along. He considered that market was not necessarily dirty and of poor environment, the crucial factors were the design and management of the market. He hoped that FHB would manage the market effectively to solve the hygienic problem of the market. Moreover, the setting up of District Health Centre and dermatological clinic both met the needs of the residents. He said some residents reflected that there was no public clinic that opened on Sunday in the whole Sai Kung district, for residents who were injured and needed to have their dressing replaced, they had to travel to clinics in other districts like Kwun Tong, Sha Tin. He suggested FHB to inject resources to employ sufficient health care personnel and to ensure that appropriate medical service would continue to be provided on holidays, and that there would be enough medical service quota for the residents every day.

35. Ms Valerie WONG said Hau Tak Market was one of the markets in the territory where the prices of goods were most expensive, but it was located in a public housing estate and its target customers were not residents of Hau Tak area. She hoped that the public market to be provided in the future would help reduce the prices of goods. Besides, she said SKDC was discussing the designated clinics for COVID-19 earlier, however, the Government did not respond to the issue. Although there was improvement in the epidemic at present and it might not be necessary to activate the designated clinic for COVID-19, she still would like to enquire why the identified site of the clinic was in close proximity to residential buildings. She continued that the Government had announced the designated COVID-19 clinics in the 18 districts, but without any detail on their operation, it only said the details would be announced as soon as possible after the activation of the clinics. She considered this extremely irresponsible. She enquired about the mechanism under which the identified sites of designated clinics for COVID-19 were selected. In addition, the 1/F of the COVID-19 clinic in Hang Hau was a maternal and child health centre, she hoped that the Under Secretary would explain how the maternal and child health centre could provide normal service after the activation of the designated clinic.

36. Mr Ryan LEE welcomed the provision of a public market in Tseung Kwan O, but he suggested the Government to provide a refined option with better car parking spaces and ancillary transport facilities. Besides, he enquired why the Government had to put a designated COVID-19 clinic in a place in close proximity to residential buildings. He considered the Government being indifferent to the lives of those who were not infected.

37. Mr CHENG Chung-man criticised the Government for ignoring the invitation from SKDC during the epidemic from January to March and did not attend its meeting until May. Besides, he considered that the Government had by not responding to enquiries of Members ignored public's lives given the close proximity of COVID-19 clinic in Hang Hau to residential buildings, and that the maternal and child health centre was just one floor above it. Moreover, he enquired about the details on setting up the designated clinic for COVID-19, and hoped that FHB would consider the feeling of the local residents when setting up medical facilities focused on highly infectious diseases in the future. He also suggested the Governemnt to communicate with the residents on the identified site and to explore a more suitable location for the clinic.

38. Mr Stanley HO said he welcomed the plan because the public market concerned could introduce competition to Tseung Kwan O. Regarding the services for persons with disabilities in the Joint-user Complex, he enquired about the number of car parking spaces and the planning details of the barrier-free facilities. He also suggested the Government to provide childminding service. Besides, he said many residents in the district and he himself were dissatisfied with the incomplete information on the epidemic, he hoped that Dr CHUI would apologise to the residents of Pak Sha Wan for this. He pointed out that as announced by Dr CHUANG Shuk-kwan, the patients of cases 145 and 475 were French who lived in Pak Sha Wan of Sai Kung. However, his assistant and he himself learned from FEHD, after investigating for several days, that the information announced was wrong. He said the villagers and elderly of Pak Sha Wan went into panic because of the incorrect information provided by the Government. Lastly, he said he was fined a penalty of \$2,000 for having violated the prohibition on group gathering on 1 May. Given that two groups of protesters were staging protests outside the building where the meeting was held today simultaneously, he enquired whether the Government would take any enforcement action against them.

39. Mr YU Tsun-ning praised the concept of "place-making" mentioned in the paper and suggested introducing into the market the concept of busking in markets of overseas countries. He pointed out the shortage of indoor gathering place in Tseung Kwan O and suggested providing rest place for residents in the Joint-user Complex. In addition, he also suggested the Government to devise a set of cleaning standard for owners of stalls to facilitate the owners to clean the stalls on their own. Lastly, he said residents in rural areas would drive to the market and suggested the Government to make proper planning on car parking spaces.

40. Ms Debby CHAN considered that FHB should make use of the opportunity of implementing the Joint-user Complex to review the needs of residents of Sai Kung and Tseung Kwan O. She pointed out that the existing Integrated Community Centre for Mental Wellness for Tseung Kwan O South was located on Tsui Ping Road of Kwun Tong, and suggested the Government to include the service in the Joint-user Complex for the

convenience of residents in the district. She considered that before providing new welfare services, there should be a review of the division of service districts, for example, restructuring the Wong Tai Sin and Sai Kung District into Tseung Kwan O and Sai Kung District. She suggested the Government to carry out the restructuring work together with other departments. Besides, she considered that the overall anti-epidemic policy of the Government had not taken into consideration the rural areas. There were five confirmed cases in her constituency, when the Government disseminated the information of the first confirmed case, it had made a mistake in the information of the address of the confirmed patient. As a result, the residents of the address announced were mistaken as the confirmed patient and had been disturbed by reporters and neighbours for one whole week. It was reported to the Government and the addresses of the remaining cases were not announced any more.

41. Mr CHUN Hoi-shing welcomed the provision of a public market in Tseung Kwan O to counteract the monopoly of the Link and promote fair competition in prices of goods. He appreciated the concept of place-making and hoped that the design could meet the demands and needs of the residents and community. Given the controversies over the identified sites, management and hygienic problems of public markets in the past, he considered it necessary to carry out consultation to facilitate public participation with a view to achieving a consensus. In addition, he hoped that the Government could conceive welfare services in a more macro and comprehensive manner to meet the needs of residents. For example, the residents were in need of District Health Centre, childminding service, dermatological clinics, and services for persons with special needs, etc., he hoped that FHB could increase the quotas of these services as far as practicable. Furthermore, he pointed out that the provision of dental clinic service was not mentioned in the paper, he considered it necessary to provide the service.

42. Mr Frankie LAM said given the need to travel on bus and then MTR to reach the Joint-user Complex from the uphill area of Tseung Kwan O North, he suggested providing ordinary car parking spaces and parking spaces for electric vehicles in the Joint-user Complex. Besides, he said many ethnic minorities were living in Kin Ming Estate and suggested introducing shops selling commodities for them in the 120 stalls of the public market. Moreover, he pointed out that as indicated in the paper a two-storey car park would be provided, i.e., the ground floor and basement, of the Joint-user Complex, and suggested providing loading/unloading areas on the floor where the market would be provided to avoid affecting other vehicle users. Lastly, he said taking into account that the completion of the ImmD complex in the future would increase the traffic pressure in the district, thus causing traffic congestion in the road section from Tong Yin Street to Chi Shin Street, he suggested FHB to reconsider the identified site of the Joint-user Complex to relieve the traffic load in the district.

43. Mr CHOI Ming-hei considered that the implementation of prohibition on group gathering had struck a severe blow to the public and members of different trades. He hoped that the Government would provide more assistance to those who were affected.

44. The Vice-Chairman said he supported the six proposed welfare facilities to be provided by the Social Welfare Department (SWD) in the Joint-user Complex. He enquired SWD whether it would take the opportunity to consolidate the DECC and childminding service in Sai Kung district. He also asked DEVB and FHB to explain why Area 67, Tseung Kwan O was chosen as the identified site of the public market. He considered that a civic centre of a scale equivalent to that of the East Kowloon Cultural Centre should be provided in Sai Kung district. However, the remaining area of the existing site reserved for building the civic centre in Tseung Kwan O was only some 4 000 square metres. He hoped that the Home Affairs Bureau and the Leisure and Cultural Services Department (LCSD) would explain the reasons behind it. Furthermore, he considered that the Home Affairs Department and FHB needed to enhance communication to facilitate Members to get the information on the epidemic of the district as early as possible.

45. The Chairman said when the Government planned to set up facilities of a relative sensitive nature in the district at the onset of the outbreak, it was expected that the departments concerned would have direct communication with Members. However, the Government had not sent any representative to attend the meetings of SKDC all along, thus Members could only get the relevant information through the press conferences held by the departments concerned. He considered this undesirable. If government officials had visited the district to explain the operation and arrangements of the facilities to Members as early as possible so that Members could explain the details to the public, he believed that the clashes between the public and Government could be reduced significantly. Besides, he thanked Dr LAU Ip-tim, Hospital Chief Executive of Tseung Kwan O Hospital for explaining the operation of “designated clinics” at the meeting of the Committee concerned, but it seemed that Dr LAU had failed to provide the details of the relevant arrangements. The Chairman considered that it was now the appropriate time to review the arrangement for the quarantine measures. He also hoped that FHB could provide guidelines for DH, Centre for Health Protection (CHP) and Hospital Authority (HA). Furthermore, given that LCSD once said it would only review the development scale of the civic centre in Tseung Kwan O after the completion of the East Kowloon Cultural Centre, the Chairman enquired DEVB whether the plan of constructing the Joint-user Complex would affect the development timetable of the civic centre. Lastly, he hoped that FHB would consider providing a dental clinic in Tseung Kwan O.

46. Dr CHUI Tak-yi of FHB gave a consolidated response as follows:

- The local demands for different community and public services in Tseung Kwan O were understood, and the Government would consult SKDC, local community and stakeholders timely during the course of planning of the Joint-user Complex. The Government would make suitable adjustments or revisions after considering the views of the local community. He hoped for the earliest completion of the Complex so that the residents could use the services or facilities concerned as early as possible.
- To provide local residents with more choices on purchase of fresh provisions, FHB was planning to provide a public market in the Joint-user Complex. Based on the experience of managing public markets, FHB and FEHD would actively explore the inclusion of a new management and design concept in the new-generation public market, which would include the provision of more public places for the residents to rest and gather, with a view to creating community cohesion.
- In a bid to shift the emphasis of the present healthcare system and people's mindset from treatment-oriented to prevention-focused, the current-term Government was planning to set up District Health Centres across the territory, providing primary healthcare services through medical-social collaboration and public-private partnership. The first District Health Centre located in Kwai Tsing district was already in operation. The Government hoped to speed up extending the services of District Health Centres to the 18 districts to match with the medical system as a whole and to strengthen primary healthcare services.
- Currently, all COVID-19 testing services were provided by HA and DH. After conducting the first round of testing for persons concerned, HA would send the specimen to DH for verifying the testing result. Upon official confirmation of the testing result, DH would announce the case as "confirmed case" to the media. Given that the media might have announced the preliminary testing result of HA to the public, there might be differences between the time on which a case was officially announced as a "confirmed case" by DH and the time on which the public learned about the news.
- FHB noted there were some discrepancies in the districts, names of buildings and streets of some confirmed cases announced by DH at the early stage. The department had clarified and made rectifications immediately after it was aware of the discrepancies.
- Drawing on the experience of the Severe Acute Respiratory Syndrome (SARS) in 2003, the Government considered it suitable to centralise the handling of multiple cases of the same kind in specific locations, which had given rise to the contingency plan of "designated clinics". Given the variation of incidents

related to public health, the Government would only consider activating the “designated clinics” at suitable time and under specific conditions. Taking into account the existing development of the epidemic, it was not necessary for the Government to activate the “designated clinics” for the time being.

- Given that the sharp increase in the number of confirmed cases from end-March to early April had overloaded the healthcare system, FHB hoped that apart from the measures adopted by the public on their own initiatives to fight the epidemic, the formulation of legislation and regulation to reduce group gathering and putting in place social distancing to curb the transmission of disease was also necessary; while the law enforcement departments would decide whether or not to carry out law enforcement action based on individual circumstances.

47. Mr LUI Man-kwong enquired whether FHB had considered exploring other more suitable locations in the district for the Joint-user Complex and requested FHB to provide justifications for choosing the existing site. He also suggested FHB to conduct extensive local consultation over the issue. Moreover, he suggested developing the Joint-user Complex and civic centre together, and relocating some offices to be set up in the Joint-user Complex to the civic centre, with a view to balancing the height of the two buildings thus alleviating the problem of “screen-like buildings”. Moreover, he agreed to the provision of dermatological service and increasing the quotas of day care centre for the elderly.

48. Mr LEUNG Li invited departments concerned to provide a clear and specific timetable on the development plan. He reiterated his hope that FHB would consider building the Joint-user Complex on another G/IC site in Tiu Keng Leng at Area 72, Tseung Kwan O, and including a dental clinic in the building.

49. Mr LAI Wai-tong considered that the adoption of a completely new operation mode in the new market under FEHD would put pressure on the rental of the stalls and undermine the competitiveness of the stalls with nearby markets and shops. Besides, given that most of the residents in the district were young people who would not cook frequently due to the limited space of their living units, he was worried that the customer flow of the market would not be sufficient. He hoped that FHB would carry out a district consultation first and provide other sites for local residents’ and SKDC’s consideration. Moreover, he pointed out that some residents suggested a joint development of the market and civic centre which could adjust the height of the two buildings and avoid the problem of “screen-like buildings”. The residents also hoped for increasing the number of car parking spaces in Area 67 to replace the original proposal of an underground car park in Area 66. Lastly, he requested for an increase in the quotas for childminding service and supported the provision of dermatological medical service.

50. Mr LUK Ping-choi expressed that as many residents currently would go to the Beverly Garden Shopping Centre to purchase fresh provisions, he was not worried about the insufficient customer flow of the proposed market. To make the new public market more competitive, he considered that the rental of the stall should not be set too high. Moreover, he considered that ancillary facilities of the market should be planned carefully. For example, the loading/unloading area should not be close to residential buildings and the environmental hygiene problems caused by the market should be handled properly, otherwise, the market would bring about more complaints and dissatisfaction.

51. Mr Edwin CHEUNG welcomed the concept of place-making in the public market. Besides, he considered that even though the rental of the stalls in public market might be lower than the rental of those in private market, the stall tenants might not necessarily lower the prices of the goods and thus the residents could not be benefitted. He suggested FEHD to set out some conditions, for example, if a potential tenant of the stalls agreed to sell food at a price lower than the reference market prices, the potential tenant would be given priority in renting the stall.

52. Mr LAI Ming-chak expressed concern about the inconsistency in the standard on implementation of the prohibition on group gathering. He was worried that the Police would use the legislation as a tool for political suppression. He considered that FHB needed to provide law enforcement departments with guidelines on law enforcement; while the Police needed to explain the relevant enforcement standard to avoid confusing the public.

53. Ms Debby CHAN said some of the confirmed patients lived in rural areas but the villagers could largely know the name of the relevant villages only, thus causing their worries and anxieties. Besides, she discovered that the information provided by the same department was confusing, and the working guidelines on confirmed cases of different departments varied. She considered that government departments concerned should improve the mechanism on notifying the villagers and enhance inter-departmental communication.

54. Ms LEUNG Hin-yan said should there be any mistake in the information provided by DH on the website, it would create problems and increase the workload of those who were engaged in community work in the district. Besides, she considered that if the Government had communicated with SKDC on the implementation of anti-epidemic arrangement in the district in advance and consulted local residents or explained to them these arrangements, it would certainly help alleviate their doubts. Moreover, she learned that modular housing were being constructed in Sai Kung Outdoor Recreation Centre and enquired how the Government was planning to use these facilities.

55. Mr CHENG Chung-man considered that currently, more and more people in Hong Kong were suffering from mental and emotional disturbances. He considered that mental health service provided by District Health Centre in the Joint-user Complex, including emotional support and stress management, etc., should be enhanced. Moreover, he hoped for the early provision of a public market in Tseung Kwan O and expected that it could help reduce the prices of fresh provisions in the district.

56. Mr FUNG Kwan-on suggested providing dental clinic in the Complex to serve the grassroots. He also hoped that the Government could provide the conceptual plan and a list the facilities and/or departments on each floor of the Joint-user Complex to facilitate Members to consult local residents. Besides, he suggested enhancement of childminding service, the support of which could be provided by social welfare organisations. Moreover, he hoped that FHB could provide the plan of the market and a breakdown by type of the numbers of stalls to be rented out for selling different kinds of food.

57. Mr Chris CHEUNG said Area 85 was a well developed community. He suggested the Government to consider providing municipal facilities beneficial to people's living and livelihood, including a public market, at the above area. Besides, if DH was unable to update the list of buildings where people under compulsory quarantine were living, he was worried that when there was another outbreak of the epidemic, local residents and property management agencies would become even more puzzled and helpless. He hoped that DH could enhance the transparency of the list and the communication with property management agency.

58. Mr TSE Ching-fung pointed out that the existing childminding service for residents in the district was mainly provided by the home-based child care services under the Neighbourhood Support Child Care Project. As it took time to obtain the services, he hoped that the Government could provide centre-based care services in Tseung Kwan O South to alleviate the pressure of working parents. He continued that there were currently two DECCs in Sai Kung district. However, the DECC set up by the Haven of Hope Christian Service was operated in three different venues and might not be able to perform the functions of a DECC in full. Besides, as a neighbourhood elderly centre (NEC) would be set up in Yung Ming Court, he suggested setting up a DECC in the Joint-user Complex to reinforce the leading role of DECC. Moreover, he suggested that the design of the new market should have modernised elements, including the provision of solar illumination system and greening facilities. As regards the site location, he considered that if the new public market were to be set up in LOHAS Park area, the customer flow might not be sufficient.

59. Ms Christine FONG enquired FHB of how the consultation on the location of public market would be arranged, and if a district consultation would be carried out, whether it

would affect the works progress or construction cost of the Joint-user Complex. Besides, she considered it worthy to provide facilities related to people's living and livelihood, including a modernised public market, at Areas 85 and 86. She also suggested providing modernised cooked food centre in the market, and setting up community kitchen to collect food ingredients in the market and turn them into cooked food in meal boxes for giving to those in need for free. She also agreed to the provision of more childminding services in the Joint-user Complex, and increasing the quotas of day care services for the elderly as well as the number of car parking spaces. Regarding anti-epidemic measures, she considered it essential for the Government to review and improve the notification mechanism on the list of building where people under compulsory quarantine were living.

60. Mr David LAM, Principal Assistant Secretary (Planning & Lands)5, DEVB, gave a consolidated response as follows:

- The Government would step up developing multi-purpose public facility buildings under a “single site, multiple use” development model. In order to better meet district needs, the government departments would consult the district on the preliminary user mix before confirming the details of the design, scale or other details of the facilities concerned.
- The identified site of the Joint-user Complex was zoned for “G/IC” use on the statutory outline zoning plan, with a building height restriction of 75 m. Based on the current preliminary planning, the height of the Joint-user Complex would not exceed the height restriction mentioned above; coupled with the provision of a basement car park, the height of the parts of the Complex above the ground level would be lower than 75 m, reducing the possible adverse effect of the height of the Complex on the surrounding environment.
- Given that the Government was currently constructing a cross-district cultural centre in Ngau Tau Kok, LCSD considered that a site of an area of 0.4 hectare was suitable for developing a civic centre of a certain scale after reviewing the overall plan of Tseung Kwan O and residents' demand on civic centre. As LCSD did not have any specific development timetable on the civic centre for the time being, the current proposal was to divide the site into two parts for a Joint-user Complex and a civic centre respectively. The Joint-user Complex project would be taken forward first for meeting the needs of community as soon as possible.
- Having regard to the views of Members and local community, the Government would review the user mix of the Complex, engage a consultant to carry out the building design, and then seek funding approval from the Legislative Council (LegCo). If the project went smoothly, the Government would strive for commencing the construction works of the project in 2023.

61. Miss Almaz LEUNG, Assistant Director (Market SD), FEHD, gave a consolidated response as follows:

- FEHD would consider multiple factors when identifying a site for building a public market, including the geographical location, existing and planned uses, usable area and ancillary transport facilities near the proposed site, etc. Besides, FEHD hoped that the market would be of a substantial scale and viability upon completion to ensure optimisation of public finances and land resources. After consolidating the considerations and study mentioned above and listening to the views of the local community, FEHD considered that the location at Area 67 was very suitable for building a public market. Apart from being located within walking distance from several nearby housing estates, the identified site was also very close to the Tseung Kwan O MTR station, so the proposed public market would not only serve the residents of the nearby housing estates, but would also be convenient for other residents who travelled via the public transport hub to go shopping there.
- The detailed design of the new public market in Tseung Kwan O would need to be carried out at a later time. Regarding the preliminary design concept of FEHD on the new generation of public markets, Members might refer to the design concept plan of another project, i.e. Market Modernisation Programme project in Aberdeen Market, which included: (a) providing wide passageways and barrier-free access for easy passage of strollers and wheelchairs; (b) enlarging the area of the stalls to enable stall tenants to carry out all business operation within the stall area to ensure that the passageways would be free of obstruction; (c) separating the stalls by low walls to bring a sense of being tidy, clean and spacious with unobstructed view for providing a better shopping experience; (d) incorporating the concept of place-making as far as practicable to make more space for resting and gathering by residents.
- FEHD, as the landlord of the new public market, would be responsible for determining the rental and signing tenancy agreements with tenants. Besides, apart from improving the hardware facilities, the department would also push forward management reform of public markets and consider adopting a new operation mode for new markets, which included enhancing the role of service contractors in market management, such as formulating promotion and development strategies for markets, advising on the trade mix in markets and enforcing tenancy agreements, etc. The department would also monitor whether the service contractors had carried out cleaning and pest control work properly to ensure the environmental hygiene of the markets.

62. Upon request of the Chairman, Miss Almaz LEUNG of FEHD said that the department would contact the Secretariat after the meeting to arrange distribution of the design concept plan to Members.

63. Mr Wilson NG, District Environmental Hygiene Superintendent (Sai Kung) of FEHD, said FEHD would deploy staff to the accommodation of a confirmed patient to carry out disinfection work upon receipt of notification by CHP. At the same time, they would also carry out cleaning and disinfection work in public places, for example public streets, in the vicinity of the building where the confirmed patient lived. Moreover, if the confirmed patient lived in rural area and the public places near the patient's accommodation were not under the management of any property management agency, FEHD would also carry out cleaning and disinfection work in those places.

64. Upon the enquiry of the Chairman, Ms Alice KONG, District Leisure Manager (Sai Kung) of LCSD, said she had nothing further to supplement on the development of the civic centre in Tseung Kwan O for the time being.

65. Ms Micy LUI, District Social Welfare Officer (Wong Tai Sin/Sai Kung) of SWD, gave the following consolidated response on the planning of welfare facilities:

- SWD would formulate different development project proposals in response to the demands for facilities by people from different age groups in the district. However, the finalization of the facilities would be subject to limitation of the premises available, as different service facilities would have different requirements on the premises. Taking child care centres as an example, apart from being regulated by licence, they were also subject to height restriction. SWD would continue to adopt a multi-pronged approach in meeting the needs of residents in the district on child care centre. On medium-term measures, in addition to identifying suitable premises in private and public housing development, SWD would also include child care centre in the Special Scheme on Privately Owned Sites for Welfare Uses. For short-term measures, given the significance of child care centre in Tseung Kwan O, the department preliminarily considered purchasing three child care centres through the \$20 billion scheme for purchasing private premises for use as welfare facilities.
- There were currently two DECCs and four NECs in Tseung Kwan O. SWD would carry out population based planning according to the new service planning standard, i.e. one DECC would be provided for a population of every 170 000 people; while a NEC would be provided for a population of every 20 000 people. The policy objective of NEC was to provide convenience to elderly so that they did not have to travel a long distance to reach the service premises where daily and emotional support was provided. SWD would review the needs for those

two types of centres in the district and provide the necessary facilities as far as practicable.

- The inclusion of Wong Tai Sin District and Sai Kung District under the same purview of one District Social Welfare Office was just an administrative arrangement. SWD would plan the services for Wong Tai Sin District and Sai Kung District separately instead of handling them together when making service planning.
- The purposes of parents/relatives resource centres were mainly to provide community support to the parents and relatives/carers of persons with disabilities given that they were under tremendous pressure both personally and as carers. The services provided included individual counseling, groups and programmes. In addition to pressure relieving, SWD would also provide assistance in addressing the common needs of the targets in the local district, for example, meal and employment assistance, etc.
- Given that the Joint-user Complex was still at the planning stage, the facilities proposed were very preliminary. SWD noted the views of Members and would discuss and follow up the proposal with the policy bureaux concerned proactively.

66. In response to the enquiry about the operation of quarantine centres, Dr CHUI Tak-yi of FHB said, with the decrease in the number of confirmed cases, the use of quarantine centre was indeed relatively less imminent at present. However, given that the pandemic in other regions of the world, in particular overseas places, had not yet eased, many experts pointed out that anti-epidemic efforts should be continued and vigilance against the epidemic should be maintained despite the temporary drop in the number of confirmed cases. Observation on the changes in the epidemic should be continued in the short-run. For confirmed patients, in particular those relating to large clusters or involving Hong Kong residents brought home by chartered flights from overseas regions with higher risk, they would be sent to the quarantine centres. Therefore, quarantine centres were essential. The Government would make further planning on the quarantine centre already built when the development of the pandemic situation became very stable.

67. In response to the enquiry about handling of waste in quarantine centres raised by the Chairman, Dr CHUI of FHB said supplementary information would be provided after the meeting.

68. The Chairman said Members noted the presentation slides, however, more time would be needed to comprehend the issues related to the identified site of the Joint-user Complex. He himself could not conclude whether the identified site was good or bad for the time being. He suggested referring the issue, particularly the problems on the new public market, to the Housing, Planning and Development Committee (HPDC) for following up. He asked the

Secretariat to collect Members' views through reply slips. The views collected would be consolidated and conveyed to the bureaux/departments concerned for consideration and follow up, and to be discussed at the meeting of HPDC to be held on 19 May. He hoped that the responses from bureaux/departments concerned would be provided at the next full council meeting of SKDC.

69. Mr LEUNG Li agreed to the above suggestion, however, he asked the bureaux/departments concerned to deploy representatives to attend the meeting of HPDC and to answer Members' enquiries.

70. The Chairman said the date of meeting of HPDC was 19 May. He hoped that the representatives of bureaux/departments concerned would attend the meeting and considered the views concluded. Dr CHUI Tak-yi of FHB said contact with the Secretary of HPDC would be made as needed.

71. The Chairman said the discussion on the captioned issue ended here. The representatives concerned could leave the meeting first.

(B) Proposed Amendments to the Approved Tseung Kwan O Outline Zoning Plan No. S/TKO/26

(SKDC(M) Paper No. 86/20)

72. The Chairman welcomed:

- Ms Donna TAM, District Planning Officer/Sai Kung & Islands, Planning Department (PlanD)
- Ms Kitty LAM, Senior Town Planner/Tseung Kwan O, PlanD
- Mr George CHOI, Town Planner/Tseung Kwan O 2, PlanD
- Mr Daniel MA, Engineer/Pedestrian Improvements, Transport Department (TD)
- Mr Byon WONG, Chief Transport Officer/Goods Vehicle, TD
- Mr NG Siu-lung, Director, LLA Consultancy Limited
- Ms Gigi LAU, Associate, LLA Consultancy Limited

73. Ms Donna TAM, District Planning Officer/Sai Kung & Islands and Ms Kitty LAM, Senior Town Planner/Tseung Kwan O of PlanD introduced the meeting paper based on the presentation slides shown.

(The meeting was temporarily chaired by the Vice-Chairman.)

74. Mr CHENG Chung-man would like to move an extempore motion, the wording of which was: “Oppose to the Planning of Public Housing Development on Chiu Shun Road and the Planning of the Private Residential Development on the Ventilation Building in Pak Shing Kok”. He said the Government had been pursuing single-block infill development; and considered that the Government had proposed the project merely for increasing the number of housing supply. It had rezoned the land use without careful consideration and consultation, and no consideration had been given to the ancillary facilities and transport arrangement of the area concerned. He opposed the project because of the worry that it would make Hang Hau even more crowded.

75. The Vice-Chairman said the extempore motion would be handled after other Members had expressed their views.

76. Mr Ryan LEE said he opposed the captioned project and queried whether PlanD had made any detailed plan on the overall development of the whole territory and Sai Kung district seriously, and the objective of the project. He said PlanD put forward the “Proposed Public Housing Development at Chiu Shun Road” earlier and the development atop the Ventilation Building next to it despite opposing views. If the development was to add a podium atop the Ventilation Building with two new buildings put on it, he considered that the same approach might better apply to the existing building structures outside the exit of MTR Hang Hau Station. Moreover, given that the design would block the view of the burial grounds for indigenous villagers on the mountain, he enquired whether PlanD had considered the traditional rights and interest of the indigenous inhabitants. He considered that the project was not well-planned, which was equivalent to grabbing land blindly.

77. Ms Valerie WONG said the ancillary transport facilities in Tseung Kwan O were insufficient, residents mainly relied on the railway network to travel to other districts. For land transport, traffic congestion occurred frequently, in particular the Tseung Kwan O Tunnel. When there was further increase in the population of Tseung Kwan O, PlanD said the traffic flow would not have any impact on nearby junctions and the railway network. She was doubtful about the accuracy of the traffic impact assessment. She was not opposed to the increase in housing supply, but considered that the captioned project was no different from grabbing land blindly. She hoped that PlanD would consider the ancillary facilities in the community and have a deeper understanding of the transport and air ventilation in the periphery, and to re-plan and submit a complete assessment on the project.

78. Mr LAI Ming-chak said he had consulted the residents of La Cite Noble about the captioned project in the form of distributing a total of 2100 questionnaires to their letter boxes. 225 questionnaires were received subsequently, which represented a response rate of over 10%. 96% of the residents said they did not agree to the project taking into account the lack

of different types of facilities and that existing ancillary facilities such as medical and social welfare facilities in Hang Hau were in short supply. Besides, about 95% of the residents were worried that following the increase in residential units, the burden on supporting community facilities would be increased and the environment would be affected, for example, transport and air ventilation problems would be resulted. Therefore, he agreed with and supported the extempore motion moved earlier. In addition, given that PlanD did not adopt the opposing views expressed by SKDC of the last-term when the rezoning of five Green Belt (GB) sites in Tseung Kwan O for residential use was discussed, he was worried that PlanD would handle the project in the same manner this time. He also reiterated the opposing standpoint of residents in the district and he himself over the project. He requested PlanD not to submit the project to the Town Planning Board (TPB) for consideration.

79. Mr Ricky OR said he was disappointed about the Government's grabbing land blindly and pursuing single-block housing development by making use of every single small site. He said he was not opposed to the increase of housing supply, but he considered that there should be proper planning and a review on whether the existing ancillary facilities in the community could cope with the anticipated increase in population. He requested the Government to provide concrete data on the supporting community facilities, including transport, welfare facilities, medical facilities and educational service, etc., and to compare the existing situation to those in five years' and ten years' time respectively for Members' reference.

80. Mr Andrew CHAN considered the project a collusion between the Government and the business sector, i.e. the MTR Corporation Limited (MTRCL). It was a matter of fact that MTRCL could make profit from the project subsequently. PlanD said the project would not affect the transport and the environment, no technical problem was found and it would not result in any wall effect. He believed that if there was such an ideal place, it should have been used for housing development a long time ago. Given that during the discussion on rezoning of five GB sites in Tseung Kwan O for residential use earlier, many Members of that time and community personnel had mentioned about problems relating to community supporting facilities like the shortage of medical equipment, traffic congestion, inadequate police manpower, the lack of leisure and cultural facilities and inconvenience in shopping, etc., he did not understand why the Government considered the project appropriate.

81. Mr LUK Ping-choi considered that MTRCL should deploy representatives to introduce the project. The presentation slides briefly mentioned that environmental assessment had been conducted, but Members did not receive the assessment reports. He enquired about the details of the environment assessment. When making the overall district planning in Tseung Kwan O at the early stage, Chiu Shun Road was one of the major breezeways. If circulation of fresh air along Chiu Shun Road became impossible, it would

result in wall effect. Besides, despite the fact that all Members of SKDC of the last-term opposed the rezoning of five GB sites in Tseung Kwan O for residential use, PlanD had proposed the project adjacent to one of those sites now. He suggested PlanD to refer to the relevant SKDC paper of the last-term to understand the justifications of SKDC as a whole on the opposition to the said public housing development.

82. Ms Debby CHAN enquired the reasons for the introduction of paper by PlanD; and whether the Government would give the strip of adjacent unleased government land to MTRCL for housing development for free and assist with the implementation of the project; or that MTRCL had decided not to build the Ventilation Building and rezoned the site for residential use. She considered collusion between Government and the business sector was involved. Besides, she said GBs were scarce and serving as a buffer in urban area. Given the severe heat island effect in Tseung Kwan O and the unsatisfactory effect of ventilation in summer, housing development in the vicinity of GB would worsen the environmental disaster caused by climate change. She enquired how the environmental assessment computed the overall design of ventilation corridors in Tsuen Kwan O, and arrived at the conclusion that there was no problem with constructing tall buildings at the subject site. Moreover, planning problems in respect of social welfare facilities were mentioned during the discussion of the last item. If other development plan was put forward, the community would be overloaded.

83. Ms LEUNG Hin-yan enquired about the vehicle trips of heavy vehicles and buses in the traffic impact assessment. Besides, she pointed out that the road section concerned was close to Wan Po Road where many heavy vehicles would pass through thus creating substantial noise, and doubted if it could pass the noise assessment. She also enquired about the distance between the residential unit and the road surface when the noise assessment was conducted; and if the assessment was conducted with the windows opened, what was the degree of the angle; whether the noise and air ventilation assessments were conducted simultaneously; and whether a place with sound level as high as 60 decibel (dB) for a prolonged period was suitable for living. Moreover, she asked whether acoustic balcony had been included in the assessment; whether issues related to daylight provision and energy efficiency were considered in the design; and the impact of the project on the daylight provision for nearby buildings and roads. She also considered that the project would have significant influence on the landscape of the Hang Hau Man Kuk Lane Park and enquired whether there would be any method to compensate or make improvement. Lastly, she considered that the project should be implemented after the problems mentioned above were solved. She asked PlanD to provide cases of constructing buildings atop existing Ventilation Building.

84. Mr CHAN Wai-lit considered that the project was no different from the proposal for rezoning the five GB sites in Tseung Kwan O for residential use, which was opposed because

of problems like ancillary transport and community facilities, etc. Given that the Government had put forward the proposed housing development when the above problems were not yet solved, he considered that if there was an urgent need to increase housing supply, the Government could develop Area 137, Tseung Kwan O and its ancillary transport and community facilities together as soon as possible. Furthermore, he suggested the Government to improve the population policy, which included stopping the approval of 150 mainlanders to come to Hong Kong daily, otherwise, the Government would still be unable to meet the demands on housing regardless of additional buildings it had constructed.

85. Mr FUNG Kwan-on said traffic congestion occurred in Tseung Kwan O Tunnel from 7:45 a.m. two years ago; today, it began from 7:00 a.m. If the population in Tseung Kwan O continued to increase, there would be difficulty in addressing the traffic congestion problem. Besides, the presentation slides did not specify the meaning of housing demand. Although a lot of people were waiting for public housing in Hong Kong, the project had nothing to do with public housing development. He doubted whether the public demand for private housing was really so pressing at present. MTRCL had conducted technical studies on the project, which were assessed by the bureaux/departments concerned. No insurmountable technical problem was identified. He hoped to learn about the details of the technical studies. During the discussion of the last item, Members had put forward many proposals in respect of the wellbeing of residents in Tseung Kwan O. He asked the bureaux/departments concerned to consider the living quality of residents when launching projects for increasing housing supply.

86. Mr CHEUNG Wai-chiu said given that problems relating to the ancillary facilities of rezoning of the five GB sites in Tseung Kwan O for residential use were still unsolved, there should not be further rezoning of GBs for residential development. He considered that the impact of the completion of bus-bus interchange at Tseung Kwan O Tunnel and the commissioning of the Tseung Kwan O - Lam Tin Tunnel (TKO-LTT) on transport was still unknown. Regarding railway transport, although the signalling system of the Tseung Kwan O Line was relatively sophisticated with arrival of train at the station every minute, he was still worried about how additional resources could be allocated to solve the problem of ancillary transport facilities under the existing top signaling system with no room for upgrading.

87. The Vice-Chairman passed the chairmanship of the meeting back to the Chairman.

88. The Vice-Chairman said apart from Area 137 in Tseung Kwan O, the planning of which was once proposed, the overall planning of Tseung Kwan O was basically finalised. Given that there were still many G/IC sites in Tseung Kwan O, he considered the planning of infill development in recent years substandard. If using GBs for housing development

continued, it would slowly erode the characteristics of integration of rural areas and new town. He seconded the extempore motion just moved and hoped that the Chairman could handle the extempore motion together with this item.

89. Mr Brandon YIP said he opposed the continuous development of the captioned site, and considered there was contradiction in the assessment report. Given that the location of Chiu Shun Road was close to a roundabout, with the addition of some 400 residential units, the extra mode of transport generated in future would increase the traffic loading. Besides, he considered that the two proposed housing blocks would affect air ventilation. He also enquired whether the computation of fluid dynamics (CFD) was conducted by PlanD or the consultant and the detailed result. Moreover, he considered that government departments should be considered the project from the perspective of the general public, but the report said the rezoning had no impact on the community and the residents living in nearby areas.

90. Mr LEUNG Li said PlanD pointed out that the environmental assessment indicated that the project did not have any transport and noise impact, but it had not provided any relevant information. Besides, the consultation on the development was not sufficient. The Government did not contact the stakeholders in the community, for example, organisations of housing estates, residents' group and DC Members, he asked the departments concerned to carry out consultation after the meeting. In January this year, HPDC hoped to convene a special meeting to discuss the rezoning of GB sites with the departments concerned, but the meeting could not be convened due to the epidemic. He hoped that the departments would contact and consult Members on major rezoning in the district proactively.

91. Mr LAI Wai-tong considered that the project would worsen the problems in Tseung Kwan O, which was known as a "bedroom community", and was not beneficial to the development of community. Given the existing tight welfare, medical and transport resources in Tseung Kwan O, he requested PlanD to consider not submitting the project to TPB for consideration. Besides, he was worried that the project would affect the micro-climate in Tseung Kwan O. The proposed buildings might have impact to the wind direction, which would escalate the heat island effect, thus affecting the temperature and humidity. He invited the departments concerned to provide more information to SKDC and the public for reference.

92. Mr LUI Man-kwong said the project involved rezoning a GB site. When the subject matter was discussed at SKDC of the last-term, Members had cited the reasons why GB sites should not be rezoned for residential use. Up to now, the departments still could not explain how the rezoning would not affect the community. He invited PlanD to review the impact of the project on residents in Tseung Kwan O, and not to submit the project to TPB for consideration.

93. The Chairman considered that the paper submitted by the department was not sufficient, he hoped that the Government could provide the full assessment report for public inspection at this stage. Besides, as set out in the assessment report of the Railway Development Strategy some years ago, finance was a major challenge for the construction of East Kowloon Line. As the construction of East Kowloon Line was not yet implemented, the valuable sites might be used to subsidise the railway development project. That said, no additional development atop any property of MTRCL should proceed at this stage. The use of sites under MTRCL should be reviewed from a macro perspective. Moreover, he considered the rezoning in recent years too frequent, the Government should make overall planning rather than planning only one step ahead. He was also concerned about the timetable for the closure of Fill Bank because SKDC had proposed developing Area 137, Tseung Kwan O to increase housing supply in the past.

94. Ms Donna TAM of PlanD gave a consolidated response as follows:

- On land supply, it was the major policy of the current-term Government to identify as many sites as possible to increase housing supply to cater for demand of the society. PlanD had adopted a multi-pronged approach, which included developing large-scale new development areas, identify vacant G/IC sites or suitable GB sites, etc. Besides, it was mentioned in the Policy Address that Government would try to identify suitable railway-related sites with potentials for residential use, and that MTR Pak Shing Kok Ventilation Building met these requirements, hence MTRCL had submitted a development proposal and technical assessments to Government for consideration. MTRCL proposed decking over the existing Pak Shing Kok Ventilation Building and the adjoining government land for residential development. After assessing the relevant technical studies, the departments concerned considered the project technically feasible and involved no insurmountable technical problem, thus agreed to the rezoning.
- Concerning overall planning, all Outline Zoning Plans (OZPs) or district planning would be made to cater for the demands of society and in accordance with different policy initiatives. Rezoning exercise would be conducted as such to cater for different land uses, which meant that the existing planning framework would not remain unchanged for all circumstances. As part of the Government's efforts in site search for housing development, rezoning of suitable sites would be conducted based on recommendations of relevant technical assessments.
- In terms of planning for community facilities, when rezoning or planning for new development, PlanD would take into consideration the existing as well as planned population covered by the OZP and in accordance with the Hong Kong Planning

Standards and Guidelines (HKPSG). When there was suitable and feasible accommodation, PlanD would liaise with the departments concerned to reserve some floor area for provision of community facilities for local residents.

- The technical assessments submitted by MTRCL to the Government had covered impacts on transport, air ventilation and environment. The assessments also met the relevant legislation and requirements adopted by government departments.
- Regarding air ventilation, Chiu Shun Road was a major wind corridor according to annual prevailing wind and summer prevailing wind directions in the locality. As the site was located along Chiu Shun Road, the breezeway would not be obstructed. The assessment was prepared based on the result of CFD modelling. No significant adverse impact to the surrounding wind environment was anticipated.
- Apart from being submitted to TPB, the full assessment report would also be made available for public inspection.
- Regarding Area 137, Tseung Kwan O, PlanD was currently conducting detailed planning and engineering studies with the Civil Engineering and Development Department with a view to identifying the development potential and possible land use of Area 137. The proposal would be discussed with the stakeholders and Members in due course.

95. Mr NG Siu-lung, Director, LLA Consultancy Limited, said that the passenger car unit (pcu) factor was the terminology used in traffic engineering studies. For example, the traffic congestion caused by 100 private cars on road was different from that of 100 buses, which the pcu factor of buses equals to 2, therefore, the traffic flow of 100 buses would be converted into 200 pcu. The pcu factor of different types of vehicles, including private car, public light bus, goods vehicle, bus and lorry, etc., were different. Given that the development project was a residential project, the 51 vehicle trips in the peak hours in the morning set out in the meeting paper mainly referred to private cars and taxis, with a few small school buses carrying students to and from schools. The project was expected for completion in 2029, the traffic impact assessment report was calculated based on the traffic condition at that time, which included the impact brought about by the vehicular traffic flow of the four planned public housing projects, and road improvement in sub-area like converting the roundabout at the junction of Ying Yip Road into a signalized junction. The assessment result showed that the impact was acceptable.

96. Ms Christine FONG said she had reservation over the proposal on amending the OZP for rezoning of MTR GB site and air outlet at Pak Shing Kok for some 400 residential units. She agreed that the housing developments atop the structures of MTR stations could subsidise the expenditure on railway development, but she also considered that housing development on the breezeway concerned would bring about heat island effect and seriously affect the quality

of living of residents in Hang Hau. Besides, heat island effect was one of the causes of intense typhoon. In her view, in addition to keeping the Ventilation Building in Pak Shing Kok, a Pak Shing Kok Station should also be added between Oscar by the Sea and LOHAS Park. Moreover, Professional Power had submitted to PlanD an application for rezoning a site of 100 hectares in Area 137 for public and private housing development under Section 16 of the Town Planning Ordinance (Cap. 131) in 2015. She hoped that the department would expedite the handling of the issue.

97. Mr Ryan LEE pointed out that the Ventilation Building in Pak Shing Kok was very close to Tin Ha Wan Village and Fat Tau Chau resite village in rural area. The two villages had been relocated from the seashore to Hang Hau to make way for the planning and development of the area a long time ago. The existing project had ignored the feeling of the villagers. He considered it not advisable for PlanD to identify site in Tseung Kwan O for infill development so as to fulfill the objective of housing development.

98. Mr LAI Ming-chak considered that no ancillary facility was planned under the development project on Chiu Shun Road, the residents had to go the convenience store in the shopping mall of La Cite Noble or the Maritime Bay Shopping Mall if they wanted to make any purchase. Besides, the location of the proposed car park was higher than the Ventilation Building, which meant that the residents had to reach there by escalator. In addition, when SKDC was consulted on the Chiu Shun Road project earlier, a building providing 560 units was to be built, but under the current proposal, two building blocks providing a total of 432 units would be built. He was worried that such a small scale infill development would not be cost-effective, and hoped that the department could re-consider the proposal.

99. Ms LEUNG Hin-yan considered that the redevelopment of luxurious residential buildings in urban area by PlanD was not for meeting the demand for housing, it was not cost-effective either. Hang Hau was a well developed community where no more space could be available for community facilities. For the new building on Chiu Shun Road, no welfare facilities were provided accordingly to match with new population. She suggested PlanD to submit the relevant planning proposal to SKDC for consultation again.

100. Mr LAI Wai-tong pointed out that although the traffic assessment had included the additional pedestrian flow brought about by the housing developments on GB sites and the Ying Yip Road extension works in 2029, he still doubted its accuracy. As private residential buildings were to be built by MTRCL, the proportion of private cars would be higher when compared with public housing project. Moreover, Route 6 would be commissioned in 2029, which meant that TKO-LTT, Trunk Road T2 and the Central Kowloon Route would connect the Western Harbour Crossing to head for the Airport. By then, vehicles from Clear Water Bay and Hang Hau would go to TKO-LTT via Chiu Shun Road and the traffic on Chiu Shun

Road would be very busy in the future. He enquired if the above factors had been included in the traffic assessment.

101. Mr CHENG Chun-man enquired whether PlanD had conducted any on-site inspection on the situation of Hang Hau MTR Station during peak hours. In spite of the continuous population growth in the district, MTRCL had not increased the frequency of train service accordingly; while the departments had not provided any additional ancillary facilities like community facilities, bus routes, and public market, etc., in response to the proposed residential building project. He enquired PlanD how the planning was made.

102. Mr Brandon YIP enquired whether the assessment on CFD was completed by the consultant or PlanD. As he understood, CFD was just a computer software for analysing the impact of buildings on the environment, and the software would only provide objective data. He would like to know whether it was the consultant or government departments that analysed the result and reached the conclusion that the project would not impose any negative impact on the district. He hoped that PlanD would provide a detailed report to SKDC.

103. The Chairman hoped that the department concerned could clarify the traffic assessment method. He also hoped that before submitting the report to TPB, PlanD could provide SKDC with a summary of main points for Members' discussion.

104. Mr NG Siu-lung, Director, LLA Consultancy Limited, responded that the traffic forecast was conducted based on the Base District Traffic Model (BDTM) published by TD, and taking into consideration of the anticipated additional future traffic flows in Tseung Kwan O area arising from the TKO-LTT to be completed soon, new private residential developments and the four public housing projects.

105. Ms Donna TAM of PlanD said all technical assessments just mentioned, including the CFD model, were conducted by the consultant of MTRCL and submitted to the government departments concerned for consideration after completion. According to the study report and technical assessments, there was no insurmountable technical problem with residential development atop the existing MTR Ventilation Building. Therefore, the Government accepted the recommendations of the report and commenced the procedures of rezoning. The Tseung Kwan O OZP did not specify the type of housing to be built and the project proponent which would be considered during the land grant process. Given that any addition to the Ventilation Building would involve complicated technical problems, and that the subject site was a railway section, the arrangement for MTRCL to develop the project was reasonable and did not involve subsidising the construction of railway with the income generated from the residential project by MTRCL as mentioned by Members. The Government would charge the future developer the prevailing market land premium or carry

out land exchange at market value according to established land policy. She said PlanD would negotiate with other departments concerned on the early provision of technical assessments for public inspection. The report would be made public when being submitted to TPB. In addition, the environmental assessment report which involved a lot of data, tables, noise analysis and air pollution index, etc. would be made available to Members as soon as possible. PlanD would assess the demand of community facilities such as education, social welfare, medical facilities and open space, etc. arising from the increase in population in accordance with the HKPSG. With regards to the request for and estimation of relevant community facilities taking into account factors such as the existing policy, resource allocation and service level of the district, the government departments concerned would proactively negotiate and match with the request, and identify suitable site and floor area that could be developed for provision of community facilities.

106. Mr CHENG Chung-man said he would like to move an extempore motion, the wording of which was: “Oppose to the Planning of Public Housing Development on Chiu Shun Road and the Planning of the Private Residential Development on the Ventilation Building in Pak Shing Kok”. The extempore motion was seconded by Messrs FUNG Kwan-on, Gary FAN, CHOI Ming-hei, Frankie LAM, LAI Wai-tong, LAI Ming-chak, Ricky OR, LUK Ping-choi, Stanley HO, Ryan LEE, Valerie WONG, Andrew CHAN, Francis CHAU and LUI Man-kwong.

107. There being no objection from Members, the Chairman declared that the motion would be included in the agenda for discussion.

108. There being no objection from Members, the Chairman said the extempore motion was endorsed and asked the Secretariat to follow up. The Chairman asked the representatives of departments to consider Members’ views and to submit the detailed assessment reports to SKDC as soon as possible. He also said they could leave the meeting first.

(C) Funding Applications under the 2020-21 Community Involvement Programme for vetting at the 3rd SKDC Meeting in 2020
(SKDC(M) Paper No. 87/20)

109. The Chairman said Members should declare their interests or update their information before the meeting to facilitate the Secretariat to send the updated information provided by the relevant Members by emails to all SKDC Members for noting before the meeting. If any person present at the meeting had any doubts about the information or the relationship with an organisation as declared by a Member, he/she should raise it immediately at the meeting for discussion and resolution. The captioned paper had set out the information on declaration of

interest made by Members, which was prepared by the Secretariat according to records. If Members found any incorrect or missing information on the paper, they were requested to make a declaration immediately, and then complete and return the declaration of interest forms to the Secretariat after the meeting for record purpose.

110. The Chairman said the funding applications submitted to SKDC for consideration had been vetted by the Secretariat based on the Guidelines/Procedures on the Use of Sai Kung District Council Funds for Community Involvement Project (the Guidelines) before they were recommended to SKDC for approval. If there was no provision under the existing items listed in the Guidelines for a particular funding item under request, the item would be regarded as “non-standard item”. Members could decide whether funding should be granted for such “non-standard item”. He asked Members to vet the funding applications in detail for more efficient utilisation of resources. According to Order 48 (11) of the SKDC Standing Orders, “The Chairman of the Council shall decide whether a member of the Council (other than the Chairman of the Council) disclosing an interest in a matter may speak or vote on the matter, may remain in the meeting as an observer, or should withdraw from the meeting.” He would make decision on the declaration of interest made by Members when the relevant application was discussed later.

111. The Secretary reported that two funding applications for 2020-21 were set out in the captioned paper. The two funding applications with recommended amounts for approval exceeding \$100,000 had been approved at the meeting of the Finance and Administration Committee (FAC) on 27 April 2020, with a total amount of \$1,237,205.90 recommended for approval. Members might discuss on the funding applications.

112. The Secretary continued and reported that one of the funding applications was an application for the Primary School Sports Development Scheme, with a total amount of \$137,205.90 recommended for approval. According to paragraph 16 of the Guidelines, except for the cross-year projects, lunar new year activities, Flower Show or other activities approved at the discretion of FAC, all activities under the funding applications should not be held or completed after 15 February. As the above activity was estimated to be completed in February 2021, i.e. the activity might be completed after 15 February, Members were asked to decide whether to exercise their discretion to approve the application.

113. The Chairman said as Members who had declared interests only held honorary positions and did not actually participate in the business of the organisation or had any interest in it, he decided that they might speak and vote on the relevant items.

114. There being no objection from Members, the Chairman declared that the above funding application was approved, and that discretion was exercised to approve the

completion of the above activity after 15 February.

115. The Secretary said another application was an application for LCSD Partnership Projects, with a total amount of \$1,100,000 recommended for approval. No declaration of interest was made regarding the application.

116. There being no objection from Members, the Chairman declared that the above funding application was approved.

III. Matters Arising

(A) Follow-up on motions of the 2nd Meeting of SKDC held on 3 March 2020

117. The Chairman said seven motions and two extempore motions were endorsed, and six questions were discussed at the 2nd meeting in 2020. They were subsequently referred in writing to the organisations and government departments concerned. The Secretariat had already forwarded the relevant replies to Members by emails and uploaded the contents to SKDC website. SKDC would continue to monitor the relevant issues and delete the corresponding items at the next meeting.

118. Ms LEUNG Hin-yan pointed out that issues discussed at the 2nd special meeting still needed to be followed up and enquired if they would be handled together at the meeting. She pointed out that replies from departments regarding the 2nd special meeting were not received until April and considered that the departments concerned had provided the replies a little bit late.

119. The Chairman said the timeframe for departments or organisations concerned to provide a reply to SKDC could be discussed with the District Officer (Sai Kung) of SKDO and the Secretariat in later agenda items.

IV. Report Items

(A) Financial Position of the District Council Funds as at 15 April 2020 (SKDC(M) Paper No. 88/20)

120. Members noted the above paper.

(B) Progress Report of the District Council Committees

- (1) Education, Health and Social Welfare Committee

- (2) District Facilities Management Committee
- (3) Traffic and Transport Committee
- (4) Housing, Planning and Development Committee
- (5) Environmental Hygiene, Climate Change, Agriculture and Fisheries Committee
- (6) Community Building and Social Innovation Committee
- (7) Finance and Administration Committee
(SKDC(M) Paper Nos. 89/20 to 95/20)

121. Members endorsed the above reports.

122. The Chairman asked Members to pay attention to the following points with regard to the progress report of FAC:

- (1) Regarding paragraph 5 of the progress report, FAC endorsed that Sai Kung District Sports Association was retained in the list of designated organisations and that a review would be conducted again at the meeting of FAC in September to decide whether the list should be revised for the next financial year.
- (2) Annex 1 of the progress report set out the Proposed Allocation of Sai Kung Community Involvement Funds for Financial Year 2020-21.
- (3) Annex 2 of the progress report set out the proposed amendments to the Guidelines.
- (4) Annex 3 of the progress report set out the roster for random inspection and assessment of projects subsidised by SKDC's Community Involvement Funds.

123. There being no other comment, the Chairman declared that the above items were endorsed and the latest Guidelines would be effective from 6 May 2020. Besides, the Women's Commission provided SKDC with a funding of \$53,000 for the Funding Scheme for Women's Development. The Chairman suggested accepting the funding according to the established practice and assigning the Education, Health and Social Welfare Committee (EHSWC) to follow up on the use of the funding and where necessary to approve the activity proposals directly. Apart from the above funding, several departments and organisations would provide DCs with funding every year respectively, including:

- (1) A funding for the "Public Education/Publicity Activities on Rehabilitation" of the Labour and Welfare Bureau (LWB), the amount of which used to be \$53,000 [Note: The funding for this financial year had been accepted at the last meeting];

- (2) A funding for the “Quit to Win” Smoke-free Community Campaign of the Hong Kong Council on Smoking and Health, the amount of which used to be \$30,000;
- (3) A funding for the “Occupational Safety and Health Promotional Campaign” of the Occupational Safety and Health Council, the amount of which used to be \$40,000;
- (4) A funding for the Funding Scheme for Community Participation Programme in Environmental Protection of the Environmental Protection Department (EPD), the amount of which used to be \$200,000.

124. Ms Debby CHAN said she just learnt that EPD should be unable to provide the above funding this year.

125. The Chairman said, to facilitate early follow-up work, if the above departments and organisations would still provide funding in the current-term SKDC, he suggested making reference to past practices, i.e. to accept the funding, which included the funding from EPD, in the current-term SKDC and then assign the relevant Committees to follow up and approve the activity proposals directly. He suggested assigning the Environmental Hygiene, Climate Change, Agriculture and Fisheries Committee (EHCCAF) to follow up on the Funding Scheme for Community Participation Programme in Environmental Protection (if funding was available) and assigning EHSWC to follow up on other funding allocations subject to no objection from Members. The funding provided by other departments or organisations to SKDC in the future would be further discussed at the full council meetings.

(C) Progress Report of the Working Group established under SKDC

- (1) **Working Group on Tseung Kwan O – Lam Tin Tunnel, Cross Bay Link, New Government Buildings**
(SKDC(M) Paper No. 96/20)

126. Members endorsed the above report.

127. The Chairman announced that the meeting was adjourned for lunch break.

(The meeting was resumed at 2:45 p.m.)

V. Motions Raised by Members:

(A) The 15 motions raised by Members:

128. The Chairman said, to facilitate the meeting to be held more efficiently, Members did not need to restate their arguments as Members had already elaborated their views in detail and clearly in their motions and question documents.

(1) Request the Hong Kong Design Institute to re-open its premises, listen to the views of students and the public, and disclose more information that involves public interest

(SKDC(M) Paper No. 97/20)

129. The Chairman said the motion was moved by Mr CHAN Wai-lit and seconded by Messrs LEUNG Li, Brandon YIP and CHEUNG Wai-chiu.

130. Members noted the written response from the Hong Kong Design Institute (HKDI) and Hong Kong Institute of Vocational Education (IVE) (SKDC(M) Paper No. 121/20).

131. Mr CHAN Wai-lit said he had enquired HKDI of the timetable for removal of the hoardings, however, no reply had been received. He enquired if the District Lands Office, Sai Kung (DLO/SK) would specify in the land lease whether HKDI needed to maintain a passageway for residents. He also enquired about the information on other facilities that would be opened for public use apart from the swimming pool and basketball courts. As HKDI was enclosed by hoardings at present, he hoped to understand the ways to apply for hiring the venues.

132. Mr Francis MA, District Lands Officer/Sai Kung, DLO/SK, said HKDI provided a 24-hour footbridge connecting Metro Town, and there were also provisions in the land lease that the institute had to open some of the school facilities to the public for hiring. The campus of HKDI was currently closed in view of the pandemic situation and the facilities concerned would be arranged to be opened to the public as soon as possible after the pandemic.

133. Mr CHAN Wai-lit enquired if information on the venues needed to be opened and hired to the public would be specified in the land lease and hoped that DLO/SK would ask HKDI about the timetable for removal of the hoardings. As HKDI was enclosed by hoardings, no resident would know that the facilities could be hired even if the swimming pool was re-opened.

134. Mr Francis MA of DLO/SK said HKDI had to open the facilities concerned for residents' use in accordance with the land lease. DLO/SK would follow up with HKDI on the situation concerned.

135. Mr CHEUNG Wai-chiu said he hoped that DLO/SK could provide SKDC with supplementary information on the details of the facilities opened for public use after the meeting.

136. Mr Francis MA of DLO/SK said a written response on the relevant matters would be provided to SKDC after the meeting.

137. The Chairman asked the Secretariat to request the Education Bureau to follow up and respond to the motion in writing. There being no objection from Members, the Chairman declared that the motion was endorsed. SKDC would convey the request to HKDI and IVE in writing. The Chairman also declared that the motion would be followed up by EHSWC.

(2) Oppose the installation of new closed circuit television cameras at the Tseung Kwan O Police Station

(SKDC(M) Paper Nos. 98/20 and 133/20)

138. The Chairman said the motion was moved by he himself and seconded by Mr CHEUNG Wai-chiu.

139. Members noted the written response from HKPF (SKDC(M) Paper No. 133/20).

140. Mr CHEUNG Wai-chiu said self-defence equipment of the police station had brought inconvenience to residents since the social movement began, for example, a spot light was directed towards King Lam Estate, which affected the lives of residents. As the Police had installed closed circuit television (CCTV) cameras on the external walls of the police station at present, some residents were worried that the cameras, together with the spot light, would record the situation inside private residential premises. Besides, he hoped that the Police could narrow the area where water barriers were placed to release more space for passage by pedestrians and persons with disabilities. Given that the police station had not been attacked in recent months, he considered that it did not need the defence mechanism to avoid being mistaken as a target vulnerable to attack.

141. Mr Ricky OR said the latest cameras carried facial recognition function. He enquired if the Police would make use of big data to keep record of the captured portraits. He considered it acceptable if only the areas within the police station were recorded, but it would be unacceptable to record pedestrians and disclose their personal information.

142. Mr FUNG Kwan-on said, as 4K cameras were already able to clearly record the situation inside residential premises, he hoped to understand the brand-name, model number

and recording distance of the existing cameras installed on the external walls of the police station. He considered that the equipment concerned would be unnecessary for the police station if it was only intended for defence purposes. He requested for understanding the reasons for replacement of the new cameras, the number of cameras installed and the recording scope. Given that it was reported in different news reports that some people were brutally assaulted inside police stations in the past, he welcomed the installation of cameras inside police stations for recording the situation there and the videos concerned could also be used for internal investigation when necessary.

143. The Chairman said Tseung Kwan O Police Station was within his constituency. Some residents of Yan Kuk House of Yan Ming Court had reflected to him earlier that they were worried about being recorded by the cameras. After lodging a complaint, the shooting angle of the cameras concerned was adjusted downwards. He hoped that the Police could explain whether those cameras would infringe privacy, whether the cameras were recording 24 hours a day, the shooting angle of cameras and persons authorised to access the videos. Although the Police's prevention and detection of crimes were exempted under the existing Personal Data (Privacy) Ordinance, as the cameras installed at the police station were very close to residential buildings, members of the public were worried that their privacy would be infringed. He urged the Police to explain how it would prevent the privacy of residents near Yan Ming Court, Metro City Phase 2 and Ho Ming Court from being infringed.

144. Mr Mark Ronald ANSTISS, District Commander (Tseung Kwan O), HKPF, said residents living nearby would understand that Tseung Kwan O Police Station had experienced many large-scale attacks in the past few months. On several occasions, stones and bricks were thrown at the police station, causing serious damages and injection of a large amount of public money into the repair works by the Government was needed. What's more shocking was that the police station and police vehicles were on fire after being attacked by petrol bombs. In fact, CCTV cameras had been installed at Tseung Kwan O Police Station for some time. As the cameras installed on the lower part of the external walls of the police station had been damaged, the police station needed to upgrade the equipment for monitoring the periphery of the police station. Being the person-in-charge of Tseung Kwan O Police Station, he needed to take care of the safety of the police officers on duty, and the facilities concerned only had a temporary impact on pedestrians. The existing cameras were set up for security purposes and did not carry facial recognition function. They were the same as the cameras in any of the housing estates in Tseung Kwan O, the Police also had no intention to introduce the facial recognition function. He said the brand-name of the cameras could not be provided due to security and operational reasons. However, the cameras concerned were 4K cameras with optical and mechanical focus functions, and the shooting distance was the corner of the street outside the police station. The new camera system mainly recorded the situation of the footpaths and roads in the public places outside the police station. Some

areas inside the police station would also be recorded, however, nearby private residential premises would not be covered. Apart from that, the shooting angle of the newly installed cameras had been adjusted downwards, they would only focus on public places and the recording scope was the same as before. The Police also had no intention to change the shooting coverage of the cameras. The cameras were enabled 24 hours a day, and the relevant videos would only be used for investigation and prevention of crimes. Therefore, only officers responsible for investigating the cases concerned could view the videos. The camera system and computer data of police stations complied with the relevant codes and regulations formulated by the Privacy Commissioner for Personal Data.

145. Mr Gary FAN said he supported the above motion. He considered that the response from the Police was alleged to have evaded the enquiries of Members and overstated the clashes between the Police and members of the public occurred earlier, and expressed dissatisfaction in this regard. The Police mentioned earlier that the information collected by the CCTV cameras might be used for criminal investigation. He considered that although the video footages captured by the CCTV cameras might be conducive to the Police's prevention and detection of crimes, the Police should also comply with the Guidance on CCTV Surveillance and Use of Drones issued by the Office of the Privacy Commissioner for Personal Data (PCO) to protect the personal privacy of residents. The above guidance was formulated based on the major provisions on collection of personal data under the Personal Data (Privacy) Ordinance. It suggested that data users of CCTVs should assess whether the use of high definition equipment to record detailed facial images of individuals was necessary, consult people who might be affected by the CCTV, define proper access control and ensure timely deletion of data collected, etc. He hoped that the Police would make reference to the suggestions and explain to Members the details of the CCTV system.

146. Mr LAI Ming-chak considered that the Police should disclose the manufacturer of the CCTV cameras to ease the doubts of residents. He mentioned that many schools had used online learning platforms, such as Zoom, etc., during the epidemic to achieve "suspending classes without suspending learning". However, the online learning platforms concerned were subsequently revealed to have security loopholes, which had aroused public concern. Similarly, as CCTV cameras might record and save a large amount of images or information of individuals, some residents were worried about the potential safety issues of the CCTV cameras, such as whether the CCTV system would be hacked. Therefore, he considered that the Police should inform residents of the manufacturer of the CCTV cameras. In addition, with regard to the water barriers placed in the periphery of Tseung Kwan O Police Station, he considered that the Police could reduce the number of water barriers to vacate more road space for pedestrians.

147. Mr LAI Wai-tong mentioned that some residents were worried about the installation of

CCTV cameras at Tseung Kwan O Police Station. To safeguard the right to know of residents nearby, he considered that the Police should disclose the locations of installation, design, model number and screenshots of the CCTV cameras, etc., to dispel the doubts of residents.

148. Mr FUNG Kwan-on agreed with the views of Messrs Gary FAN and LAI Wai-tong. Given that the CCTV system recorded public places outside the police station, he considered that the Police needed to disclose the details of the CCTV to remove the doubts of residents. As a law enforcement agency, HKPF was also under the regulation of the relevant legislation. Therefore, HKPF should also comply with the guidelines issued by PCO when handling the videos. Besides, regarding the additional lighting systems installed by the Police on the roof and external walls of Tseung Kwan O Police Station, he considered that the Police's directing strong light towards Po Lam Road North during night time would affect the sight line and pose danger to road users.

149. Mr CHEUNG Wai-chiu said given that the Government had allocated additional resources to upgrade the equipment of the Police, the Police was capable of tackling the clashes between the Police and members of the public. He hoped that the Police could reduce the number of water barriers placed outside Tseung Kwan O Police Station to vacate more road space for persons with disabilities. Besides, he understood that the Police hoped to enhance the level of security and achieve the goal of prevention and detection of crimes by improving the existing recording system and provision of additional lighting systems, however, he also considered that the same effect could be achieved without installing the systems on the external walls and high positions of the roof.

150. The Chairman understood that the Police hoped to set up a tactical mobile elevated platform outside the police station. He would not comment on whether there was an actual need to do so, however, he considered that the water barriers placed outside the police station could be adjusted to avoid obstructing the passage of wheelchair users. Regarding the CCTV and lighting systems, in response to Members' enquiries on officers who were authorised to access the images or videos and their ranks, the Police only replied that the officers concerned could retrieve the images for criminal investigation. He considered that the reply did not give sufficient information, and hoped that the Police could provide supplementary information. As he understood, the Police had formulated guidelines on the provision of Body Worn Video Cameras for frontline police officers, which included allowing inspectorate officers to decide when to start and stop recording, etc. He considered that the Police should also formulate and disclose the guidelines on the use of CCTV systems to ensure that the personal privacy of residents nearby was protected. As mentioned by Mr Mark Ronald ANSTISS of HKPF, the cameras were recording 24 hours a day, he enquired if the Police had assessed whether the use of the CCTV system was necessary; whether the use

of the CCTV system was commensurate with its purpose; whether the Police would regularly review the justifications for the continuous use of the CCTV system to ensure that the system could still serve the original purpose of installation; and if reviews showed that the use of CCTV was no longer necessary, whether the Police would consider reducing the duration of recording or adopting other methods the infringement of personal privacy of which were less serious for achieving the same goal.

151. Mr Mark Ronald ANSTISS of HKPF gave a consolidated response as follows:

- Regarding the CCTV system, the CCTV only recorded images of public places outside the police station, mainly near the locations where the police station had been damaged earlier. However, for security reasons, it was not appropriate for the Police to disclose more details on data retrieval and operations related to the CCTV system, including the locations of installation and the screenshots, etc., to prevent protestors from trying to avoid police surveillance.
- Regarding the authorisation to access the images or videos, the CCTV was recording 24 hours a day at present and the officers on duty would pay close attention to the captured images. As the above officers were not authorised to retrieve the videos, they had to inform a police officer of the rank of Superintendent or above for adjusting the cameras or retrieval of videos and then investigating the incident if they discovered any irregularities or incidents while on duty.
- Regarding the lighting systems, given that some protestors had attacked the police station from Kai King Road earlier, the Police had installed additional lighting systems on the roof and in the periphery to achieve the goal of detection of crimes. Before activating the systems, the Police had conducted multiple rounds of tests and adjustments to minimise the impact on road users. The Police noted the concerns of Members on whether the systems would affect the sight line on Po Lam Road North, and would convey the views of Members to the officers concerned.
- Regarding the setting up of water barriers, as the police station had been violently attacked by protestors from the direction of Yan King Road earlier, the Police had temporarily set up water barriers in response. He agreed that adjustment could be made to the placing of water barriers and would reflect the views of Members to the officers concerned.

152. The Chairman welcomed the reflection of views of Members on lighting systems and water barriers to the officers concerned by Mr Mark Ronald ANSTISS of HKPF and hoped that the Police could consider providing residents with more details on the CCTV system with a view to gaining public confidence.

153. There being no amendment or objection from Members, the Chairman declared that the motion was endorsed.

154. The Chairman asked the Secretariat to convey the request of SKDC to HKPF in writing after the meeting.

(3) Request the Police to submit detailed crime figures of the district to SKDC on a regular basis

(SKDC(M) Paper Nos. 99/20, 134/20, 135/20 and paper on table (1))

155. The Chairman said the motion was moved by he himself and seconded by Messrs Gary FAN, LEUNG Li, LAI Ming-chak, LUI Man-kwong, Frankie LAM, FUNG Kwan-on, CHUN Hoi-shing and LAI Wai-tong.

156. Members noted the written response from HKPF.

157. The Chairman enquired whether the crime figures of Sai Kung Division submitted by Wong Tai Sin Police District included the figures of Marine East Division.

158. Mr Mark Ronald ANSTISS of HKPF responded that regarding the request of Members for the Police's submission of detailed crime figures of the district to SKDC, the Police had provided the crime figures of Tseung Kwan O Police District and Sai Kung Division respectively before the meeting. Crime that occurred in harbour areas would be included in Tseung Kwan O Police District or Sai Kung Division according to the locations of crime scenes, such as a crime case that occurred in Sai Kung Pier would be included in Sai Kung Division; hence, the Police could not provide the crime figures of Marine East Division separately.

159. Ms LEUNG Hin-yan said the crime figures provided by the Police did not include illegal parking. At the meeting of the Working Group on Illegal Parking in Sai Kung District in early May, the Police had also mentioned that the breakdown of figures of penalty tickets issued by area was not available. As the data was of reference value, she hoped that the Police would make reference to the breakdown of data at this meeting and provide the figures of penalty tickets issued in Tseung Kwan O Police District and Sai Kung Division at the meeting of the above Working Group for Members' reference.

160. Mr FUNG Kwan-on was aware that the figures of deception cases in the first quarter of 2020 had doubled when compared with that in the same period last year according to the data submitted by Tseung Kwan O Police District. He mentioned that many residents had been

conned when ordering anti-epidemic supplies on social platforms during the epidemic. After reporting their cases to the Police, some residents found that the fraudster had still used the same tactics and had registered another account on the same platform to scam customers. He opined that the Police should investigate immediately upon receiving a report to avoid more residents from falling victim to the scam. Besides, the crime figures provided by the Police did not include figures of noise nuisance. He hoped that the Police would provide the relevant figures for Members' reference. Although the information submitted by Tseung Kwan O Police District showed that the crime figures of objects being dropped from height in the district were low, incidents of objects being dropped from height in Po Lam Estate were not less than 100 cases per month based on his understanding, and one of the objects having been dropped from height was a fan. Therefore, he hoped that the Police and property management offices of various residential estates would coordinate and follow up the matter, in order to collect sufficient evidence for prosecuting the persons concerned.

161. Mr LUK Ping-choi said the Police would provide SKDC with the crime figures of Tseung Kwan O Police District and Sai Kung Division. However, based on his understanding, the Police would submit crime figures of various areas to Area Committees and Sai Kung District Fight Crime Committee (SKDFCC) on a regular basis. Hence, he hoped that the Police would provide SKDC with more detailed figures for Members' reference and for them to tie in with the law enforcement operations of the Police. In the past, the Police had joined hands with SKDC Members to handle matters such as objects dropped from height and illegally parked bicycles in the district. He suggested that if the Police noted uncommonly high crime figures of particular areas, they should strengthen law enforcement in a strategic manner, so as to combat crime more effectively.

162. Mr LAI Wai-tong said according to the information provided by Tseung Kwan O Police District, the number of cases of theft from vehicle in the first quarter of 2020 had surged by seven times when compared with that during the same period in 2019, which was worrisome. On theft from vehicle, he asked the Police about the number of cases detected, the reasons for the significant rise in figures, whether the cases clustered in particular areas or residential estates and whether the cases were related to the epidemic.

163. Ms Debby CHAN said as the boundaries of the Marine Port District and geographical constituencies were different, she enquired whether the crime figures of Tseung Kwan O Police District and Sai Kung Division included the crime figures of Marine North Division and Marine East Division.

164. Mr Frankie LAM said some Members had asked the Police about the incident of a man having been bundled into a suspicious vehicle in mid-February at the full council meeting on 3 March 2020 and whether the incident was related to a suicide by jumping from height that

had happened within Yan Ying constituency, but the Police had not made any response. Therefore, he hoped that the Police would follow up and handle the matters. He reflected to the Police that when Members asked the Police about incidents related to the social movement, considerable difficulties in communication were encountered.

165. Mr LAI Ming-chak asked the representatives of the Police about the law enforcement of the prohibition on group gathering from their point of view as frontline law enforcement staff. He mentioned that there had been a group of eight people, who were supporters of the country and the pro-establishment camp, carrying banners and chanting slogans outside this complex today, and the protest had lasted for more than half an hour. He asked a police officer at the scene whether the protesters had violated the prohibition on group gathering. Sergeant WONG (transliteration) of Team 4, Tseung Kwan O had said to him that the protesters were from two organisations who had not gathered for a common purpose; hence, they had not violated the prohibition on group gathering. However, the Police had ticketed Mr Stanley HO who had been protesting under the same circumstances earlier this month. He asked the Police whether they would ticket the protesters outside the complex today.

166. Mr CHENG Chung-man said it was stipulated in Schedule 1 to the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G) made by the Chief Executive-in-Council under section 8 of Prevention and Control of Disease Ordinance (Cap. 599) that some group gatherings were exempted. One of the exemptions applied to people who were in a “group gathering held for imparting information or skills, or handling supplies or items, that are conducive to the prevention and control of the specified disease” (item 12). He considered that the exempted group gathering under this item also included people distributing anti-epidemic supplies. Yet, some representatives of an organisation had been ticketed by the Police earlier when distributing anti-epidemic supplies to the public in Mong Kok. He queried that the Police had different standards of law enforcement. As he considered that he did not share the same interpretation of the relevant provision with frontline police officers, he asked the Police for proper interpretation of the above provision.

167. Mr Andrew CHAN said he and two to three SKDC Members would distribute flowers on Mother’s Day on 10 May and he enquired whether the activity would violate the prohibition on group gathering.

168. The Chairman said according to the crime figures submitted by Tseung Kwan O Police District, the number of burglary cases in the first quarter of 2020 had doubled when compared with that during the same period in 2019. He asked the Police for the respective figures of burglary cases in Tseung Kwan O new town and Sai Kung rural areas and whether an abnormally high number of burglary cases had been recorded in particular residential estates. He asked the representatives of HKPF to respond first to the enquiry of Ms Debby CHAN

about the boundaries of Marine Port Division.

169. Mr Mark Ronald ANSTISS of HKPF gave a consolidated response as follows:

Surgical masks online shopping scams

- Some local residents had fallen prey to scams relating to online shopping for surgical masks. Ways adopted by the Police to investigate online scams and fraudulent face-to-face transactions differed significantly. Instead of arresting online scammers on the spot, the Police would have to trace the identities of the scammers through their social media accounts or the websites they had set up. However, even if relevant websites or account information could be searched for, the webmasters or account holders might not necessarily be the scammers. The Police therefore encountered considerable difficulties when investigating mask scams;
- The Cyber Security and Technology Crime Bureau of HKPF had focused resources and coordinated efforts of various police units to investigate surgical masks online shopping scams by searching for websites purporting to offer masks for sale, contacts provided by scammers and bank accounts for receiving payments. After consolidating the information and evidence collected, the Police had recently carried out operations, successfully cracking down a number of criminal syndicates and arresting multiple persons involved. Victims in 14 online scams were residents living in Tseung Kwan O Police District. The Police would continue to investigate fraud cases relating to surgical masks; and
- Given the stabilised situation of the Coronavirus Disease 2019 (COVID-19) outbreak, supply of surgical masks in the market had resumed normal. The Police anticipated that cases of mask scams would reduce sharply, but they did not rule out the possibility that lawbreakers would deceive people by other tactics.

Objects being dropped from height

- When investigating relevant cases that had occurred in Tseung Kwan O Police District, the Police had not identified any identical or similar characteristics among the cases in terms of the location, time, types of objects being dropped from a height, etc. The incidents had taken place in public housing estates and private residential estates at different time. Objects being thrown from a height included window frames, bricks, food residues and household items;
- For most of the reports received on suspected cases of throwing objects from a height, since there was no eyewitness that could provide information, the Police

was unable to institute prosecution in the absence of substantial evidence. The Police appealed to Members and property management companies to provide footage recorded by closed-circuit television systems installed in the vicinity of the scenes as far as practicable so as to assist the Police in gathering information about the cases and instituting prosecution against the persons involved;

- Since data stored in the computer systems of the Police was not broken down by individual area or housing estate, police officers would have to manually consolidate such information in order to provide SKDC with relevant figures. Given the Police's limited manpower, he regretted that more detailed crime figures could not be provided for Members' reference; and
- He welcomed the suggestion raised by a Member for co-operating with the Police to combat bicycle thefts and incidents of objects being dropped from a height. The Police hoped to work with SKDC, owners' corporations, property management companies, etc. to distribute various anti-crime publicity leaflets to residents, thereby keeping up efforts in publicity and public education.

Law enforcement concerning prohibition on group gathering

- In response to the enquiry raised by a Member about whether the Police would issue penalty tickets to the protestors gathering outside this complex today, he was given to understand that the protestors belonged to two different groups, and they had dispersed and kept a distance from each other after the Police's explanation and advice. The Police therefore had not issued and did not intend to issue any penalty tickets to the persons concerned;
- Regarding the interpretation of item 12 of Schedule 1 to the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599), Professor Sophia CHAN, the Secretary for Food and Health, had reiterated in public occasions that the legislative intent of the prohibition on group gathering was to safeguard public health, and it was introduced in the hope that the public would maintain social distance with others to prevent the spread of communicable disease. The Police was only responsible for law enforcement on the frontline;
- As to Tseung Kwan O Police District, frontline police officers would put public health first and prevent the public from gathering when taking law enforcement actions, thereby reducing the risk of the spread of disease. When enforcing the law, the Police would first remind members of the public to comply with the regulations. Since local residents were co-operative and self-disciplined, generally there was no need for the Police to issue fixed penalty notices; and
- As regards the enquiry raised by a Member about whether distributing flowers as gifts on Mother's Day would violate the prohibition on group gathering, under

normal circumstances, i.e. if the total number of Members and their assistants distributing flowers was four or below and residents collecting flowers lined up in an orderly manner, the group would not violate the prohibition on group gathering.

Burglary

- Overall speaking, the number of burglaries that took place in Tseung Kwan O Police District in the first quarter of 2020 had increased when compared with that during the same period in 2019, but had declined sharply when compared with the previous quarter. Relevant crime figures varied depending on the emergence of active burglars during the period. It was believed that figures of burglary cases would return to a normal level after burglars were brought to justice. The Police would continue to keep close track of the relevant trend; and
- The Police had adopted multi-pronged measures to combat village house burglaries in Sai Kung rural areas, including strengthening of patrols, setting up of road blocks on roads nearby to intercept suspicious vehicles and persons, deployment of helicopters and police dogs to trace the whereabouts of burglars, etc.

Other matters

- With regard to illegal parking, the Police did not provide Members with figures concerning fixed penalty tickets issued in Tseung Kwan O Police District and Sai Kung Division at present. The Police would proactively examine the feasibility of providing relevant figures;
- Regarding theft from vehicle, relevant crime figures varied from time to time. An unusual surge of 700% was recorded in the figures concerning theft from vehicles in the first quarter of 2020 as compared to the same period in 2019. After extensive investigation, the Police had identified and arrested a man in connection with over 10 cases of similar nature that had occurred in the Police Districts under Kowloon East Region (including Tseung Kwan O Police District) recently. The habitual offender usually burgled at night with the same modus operandi, targeting vehicles parked along the roadside and in car parks of public housing estates. Following the arrest of the person concerned, it was expected that the figures concerning theft from vehicle would return to a normal level;
- Regarding the Marine Port District, since crime that occurred in the area of the port would be categorised into Tseung Kwan O Police District and Sai Kung Division according to the places of incidents, crime figures of the Marine East Division and Marine North Division were included in those of Tseung Kwan O

Police District and Sai Kung Division; and

- With regard to individual cases, a Member had enquired at the full council meeting held on 3 March 2020 whether a suspected kidnap case that had occurred in mid-February was related to a suicide case of jumping from height that had occurred in Yan Ying constituency. The Police had given supplementary information of the cases, and Members could refer to the post-meeting note following paragraph 88 of the minutes of the previous meeting. According to police records, the person involved in the suspected kidnap case mentioned by the Member was a 26-year-old man who had monetary disputes with several friends while the person who had fallen from height was a 67-year-old man. The two cases were unrelated.

170. Mr CHOI Tung-tsoi, District Commander (Wong Tai Sin), HKPF, gave a supplementary response on the data of burglary cases involving village houses and residential units in Sai Kung rural areas. In the first quarter of 2020, a total of five cases were recorded in Sai Kung rural areas, with four burglaries in village houses and where most victims had not installed a home security system or closed-circuit television system. Targeting burglaries in village houses, the Police had been proactively implementing measures to combat such crime, including stepping up patrols and distributing leaflets on residential burglary prevention to residents.

171. Mr CHOI Ming-hei said after the social movement in the past year, he felt that the Police was rather unwilling to provide SKDC with relevant crime information. Some residents had reflected to him that on 3 May at about 3 p.m., some police officers had carried out investigation on 12th floor at Pik Lam House of Tsui Lam Estate. He enquired about the reasons for the Police to arrive at the scene, whether any crime had happened in that building and whether any arrests had been made in that operation.

172. The Chairman enquired if the Police could make reference to the practice of Area Committees and SKDFCC by providing crime figures of Tseung Kwan O Police District and Sai Kung Division on a quarterly basis for Members' reference. Moreover, the media quoted some sources saying that the Police would deploy police manpower in districts to restructure the Regional Response Contingent as the epidemic eased. He was worried that police officers returning to the Regional Response Contingent would give rise to shortage of manpower for patrols in the district and would lead to an increase in crime figures in the district.

173. Mr Mark Ronald ANSTISS of HKPF gave a consolidated response as follows:

- Social movement would not affect the willingness or capability of the Police in providing SKDC with relevant crime information. Under practicable

circumstances, the Police was willing to provide SKDC with relevant information. Yet, he had no information on hand regarding the incident that had happened on 3 May as mentioned by Members.

- The Police understood that Members were concerned about the crime information in the district. At present, the Police had deployed staff to attend the meeting of SKDFCC and would submit a detailed report to SKDFCC. To avoid duplication of resources, the Police could not provide the crime figures of Tseung Kwan O Police District and Sai Kung Division for Members' reference on a quarterly basis.
- Regarding the figures of objects dropped from height in individual residential estates, the information in the computer system of the Police was not categorised by residential estate. With limited manpower, it was difficult for the Police to arrange manpower to compile such information.
- Restructuring the Regional Response Contingent was a decision of the Commissioner of Police and Tseung Kwan O Police District had to follow the arrangement. With the existing police deployment, regular police duties would continue to be carried out in Tseung Kwan O Police District,

174. Mr LUK Ping-choi said before the establishment of Tseung Kwan O Police District, the Police had been submitting crime statistics of various areas or residential estates to the Area Committees or SKDFCC. Currently, Members were only requesting the Police to submit information to SKDC for them to know the crime figures of some areas. He considered that this practice would not require substantial manpower resources of the Police. If the crime figures were high, Members could work together with the Police to remind residents of respective areas to stay vigilant. Hence, the request of the motion was to assist the Police in carrying out their work. He suggested that the District Commander might obtain information from his colleagues to see whether there was such a practice before rejecting the request of SKDC.

175. Ms Valerie WONG said apart from the crime statistics submitted by the Police to SKDFCC earlier, the Police had also submitted some basic figures of crime in public housing estates, such as burglary, indecent assault, etc., to Estate Management Advisory Committees. Since the Police had the relevant records, she suggested that the Police maintain similar records of crime in other types of residential estates and submit the records to SKDC.

176. Mr Stanley HO was dissatisfied with the response of the Police's representative about the lack of resources. He opined that SKDFCC did not have an electorate base, whereas Members of SKDC were elected. Hence, the Police should invest more time, manpower and resources in working with SKDC instead of fulfilling the request of SKDFCC. With regard to the relatively low detection rate of violent crime shown in the paper, he hoped that Mr

CHOI Tung-tsoi would respond on the measures to be implemented by the Police in following up cases that had not been detected. He also hoped that the Police would give an account of the crime figures in the second, third and fourth quarter of 2019. Finally, he expressed that he was also one of the victims of the prohibition on group gathering. From his point of view, it was unquestionable that the Police had been enforcing the law selectively. He hoped that the Police would adopt the same standard in law enforcement and clearly specify under what circumstances would a penalty ticket be issued. He also mentioned that he and other victims would make their best efforts in defending at the court.

177. Ms LEUNG Hin-yan said since the Police considered that the work of SKDFCC and the request of SKDC had duplicated, the Police should consider dissolving SKDFCC. The discussion paper of SKDFCC would not be uploaded on the Internet, while the public could obtain access to the open documents of SKDC. Additionally, SKDC was formed by elected Members and therefore SKDC was more representative of local views. Instead of requiring the Police to spend time on attending two different meetings, the Police might as well focus on SKDC meetings. She also opined that SKDC could even establish a working group for handling problems of fighting crime and taking over the work of SKDFCC.

178. Mr CHOI Ming-hei expressed dissatisfaction at the response of Mr Mark Ronald ANSTISS made earlier. He understood that the Police might not be able to provide information on specific cases immediately, but he strongly advised the Police to submit a written response after the meeting.

179. Mr LAI Ming-chak suggested that the Police submit the papers of SKDFCC to SKDC directly and believed that this simple procedure would not impact the workload of the Police.

180. The Chairman hoped that the representatives of the Police would respond to Members' questions. He did not agree that the Police did not need to submit the information to SKDC after submitting it to SKDFCC. Given that SKDC Members were elected representatives with their own community network, the Police should provide SKDC Members with crime information to remind residents and property management companies concerned if the Police considered that fighting crime was not solely the responsibility of the Police but required the concerted efforts of different sectors in society. As for the means of submitting information, he was happy to discuss with the Police.

181. Mr Gary FAN made an enquiry to the Chairman about the procedures. He said according to the discussion time estimated by the Secretariat in the agenda, the current time was behind the scheduled discussion time by about three hours. Based on the scheduled discussion time, the Police's representatives should have been present at the meeting for the discussion of questions (4) and (5). He continued to supplement that there were at least two

extempore motions related to the Police in Any Other Business to be discussed later. He was worried that it would take some time to discuss the remaining items and questions in the agenda and hoped that the Chairman would enquire whether the Police's representatives would stay till the end of the meeting or enquire when they had to leave the meeting.

182. Mr CHOI Tung-tsoi of HKPF said apart from SKDC, the Police would share the crime figures with Area Committees and Estate Management Advisory Committees and crime cases that warranted special attention. He believed that Members who attended the meetings of Area Committees would have detailed discussion; hence, there was duplication of work.

183. The Chairman made clarification on the response from Mr CHOI Tung-tsoi and pointed out that SKDC Members would not be appointed as Members of Area Committees. If SKDC had other means of obtaining the crime figures, the motion would not have been moved. He opined that it was very important to submit the crime figures to SKDC for public disclosure and hoped that the Police would gradually review the practice.

184. Mr CHOI Tung-tsoi of HKPF responded to the enquiry of Mr Stanley HO about law enforcement of the prohibition on group gathering. He said Dr CHUI Tak-yi, Under Secretary of Food and Health had mentioned about the information on legislation and law enforcement during the meeting. He was of the view that each incident needed to be reviewed on its own merits, he could not comment on an individual case as he had not been at the scene. The Police would take law enforcement action according to relevant legislation and would consult legal advice when needed.

185. Mr Mark Ronald ANSTISS of HKPF said regarding the incident in Tsui Lam Estate, he hoped that Mr CHOI Ming-hei would provide information, such as the time and site of the incident, in writing.

186. The Chairman asked Mr Mark Ronald ANSTISS to contact Mr CHOI Ming-hei to obtain relevant information. He hoped that all representatives of departments would stay through the meeting.

187. There being no objection from Members, the Chairman declared that the motion was endorsed and the aspirations of SKDC would be conveyed to Tseung Kwan O and Wong Tai Sin Police Districts of HKPF in writing.

188. The Chairman announced that the Vice-Chairman temporarily took the chair of the meeting.

(4) Urge the Government to set up outside seating accommodation for restaurant premises in Sai Kung with a view to assisting local restaurants to tide over the current difficulties

(SKDC(M) Paper No. 100/20)

189. The Vice-Chairman said the motion was moved by Ms Debby CHAN and seconded by Ms LEUNG Hin-yan and Mr Stanley HO.

190. Members noted the joint written response from FEHD and Lands Department (LandsD) and the written response from Buildings Department (BD) (SKDC(M) Paper Nos. 136/20 and 137/20).

191. Ms Debby CHAN commented that the responses from the departments could not clearly reflect the actual situation in Sai Kung district. Many restaurants in the district provided outdoor seating accommodation and some restaurants had been hoping to apply for licensed outdoor seating accommodation. However, their plan had been delayed for years due to the application procedures. For some other restaurants, their former owners had encountered difficulties in their applications, which caused delay in the handling of new applications even after transfer of business. She pointed out that the outdoor seating area of restaurants along the waterfront had been extending outwards and the space occupied was stretched out to areas near the pier. However, some restaurants had greatly reduced the number of indoor seats due to the limit on the number of patrons inside restaurants imposed by the Government in view of the epidemic, their initial plan to set up temporary outdoor seating accommodation could not be implemented due to problems encountered in the application procedures. She suggested that the departments handle applications in a discretionary manner during the epidemic and review the situation of al fresco dining in Sai Kung district, so that assistance could be rendered to restaurants owners who were interested in providing outdoor seating accommodation.

192. Ms LEUNG Hin-yan said the motion urged the Government to offer assistance to local restaurants during this difficult period, but the response from the departments merely stated how to apply for the licence. She expressed that the outdoor seating area of restaurants should have a fixed location indicated by markings, but such markings were never found in Sai Kung district. She enquired about the frequency of FEHD's inspection of outdoor seating of al fresco dining businesses and how restaurants that had frequently violated the rules could be regulated apart from imposing penalty. Regarding the written response from BD, she said the motion raised a question about the licence application procedures, and she did not understand why the department was responding to matters of illegal structures. She hoped that FEHD would respond to how the department could assist restaurants in obtaining the licence concerned instead of stating the application procedures.

193. Mr Wilson NG of FEHD said as the epidemic was gradually under control, the Government would make adjustments in respect of the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulations (Cap. 599F). Concerning the limit of the number of customers in a restaurant, the Government had relaxed the restriction of requiring restaurants to serve the number of customers not exceeding 50% of their normal seating capacity and the number of customers allowable at each table had also been increased. Applications for outdoor seating accommodation of restaurants involved other government departments, such as the Fire Services Department (FSD) and PlanD. FEHD had to consult departments concerned before granting the licence, which explained why it required time for processing. Some applications would require different ways of handling having regard to individual circumstances. There were 37 restaurant licences in Sai Kung district which had outdoor seating accommodation endorsed. If FEHD discovered that some restaurants had operated business outside the area permitted by the licence, the department would take law enforcement action. In 2019, there were 95 cases of prosecutions against restaurants in violation of the rules.

194. Mr Francis MA, District Lands Officer/Sai Kung, DLO/SK, said when FEHD approved the application for restaurants to set up outdoor seating accommodation, DLO/SK would issue the land licence, and restaurants could then occupy the designated area on government land. DLO/SK hoped to expedite the progress and streamline the procedures required for processing applications for new licence after transfer of restaurant business.

195. The Vice-Chairman said the matter had to be followed up meticulously. He suggested that if the motion was passed, letters should be written to relevant departments. In addition, the motion should be passed to the Working Group on Economic Development and Tourism under CBSIC for follow-up or let CBSIC decide whether to convene closed-door meetings for handling individual cases. He suggested that Members and departments to work together to assist restaurants in tiding over difficult times. He also supported law enforcement action to be carried out continually in view of breach of the regulations.

196. Ms Debby CHAN said many restaurant operators had made enquiries to FEHD about the reasons for their unsuccessful applications, but they had not received any clear explanation. She therefore agreed to refer the motion to the Working Group for following up and reviewing individual cases. Regarding the response from the department earlier, it pointed out that 37 restaurants had the outdoor seating accommodation licence, but there were 95 prosecutions. She enquired the shop names of the 95 prosecutions, the number of cases involving repeat offenders, and whether shops that had been repeatedly prosecuted and fined were subject to another penalty mechanism, such as suspension of licence.

197. Ms LEUNG Hin-yan hoped that DLO/SK would respond to the matter of marking the outdoor seating area of restaurants. She enquired whether markings on the ground would be made to indicate the outdoor seating area and asked for a sample of the markings. By referring to the markings, Members could see whether shops had breached the regulations and could then reflect to the department. Although the department expressed that there were some 90 prosecutions, she queried the effectiveness of the practice for handling this community problem. Finally, she agreed that the matter should be passed to the Working Group for follow-up. She also welcomed the representatives of departments to make private appointments with Members to discuss the matter.

198. The Vice-Chairman opined that Members generally supported the handling of applications for outdoor seating accommodation in a fair and open manner; yet, regulation should also be one of the major principles. He asked the representatives of departments to respond to the questions raised by Members.

199. Mr Wilson NG of FEHD said the department allowed restaurants to set up outdoor seating accommodation, but restaurants shall operate within the parameters. If the outdoor seating exceeded the designated area, FEHD would take law enforcement action according to the situation, but would not impose strict penalty on restaurants for occasional breaches leading to their cessation of operation.

200. The Vice-Chairman said the matters of restaurants with outdoor seating had been followed up at each meeting of Sai Kung District Management Committee (SKDMC) in the last term. SKDMC would convene the first meeting in the new term and the Chairpersons of various committees would attend the meeting. He believed that the meeting could serve as another platform for following up the matters.

201. Mr David CHIU, District Officer (Sai Kung), SKDO, said SKDMC had been concerned with matters of the outdoor seating accommodation of restaurants. As the motion raised a question on how to provide assistance to restaurants, FEHD therefore explained the procedures for applying the licence in its written response. Similar to what the Vice-Chairman had mentioned just now, SKDC had established a task force to assist in handling individual cases in the past. He believed that the problem could be handled by a multi-pronged approach. SKDMC would continue to discuss the matters related to restaurants with outdoor seating in breach of the regulations and would coordinate inter-departmental collaboration if needed.

202. There being no objection from Members, the Vice-Chairman declared that the motion was endorsed and the aspirations of SKDC would be conveyed to FEHD, DLO/SK and BD in writing. The motion would be referred to CBSIC for follow-up work and for consideration

of following up the matter by the Working Group on Economic Development and Tourism or by establishment of a task force.

203. The Vice Chairman passed the chairmanship to the Chairman at this juncture.

(5) Given that the Government has not included idle government land as an option for land development, the Council requests government departments concerned to provide information on government land not being fully utilised and to devise effective re-provisioning plans and strategies

(SKDC(M) Paper No. 101/20)

(6) Request the Lands Department to deploy additional resources to improve the management of reserved land, and to open these land for public use in a flexible manner

(SKDC(M) Paper No. 102/20)

204. As motions (5) and (6) were related and there being no objection from Members, the Chairman declared that the items would be discussed together.

205. The Chairman said motion (5) was moved by Mr CHENG Chung-man and seconded by he himself, Messrs Frankie LAM, LEE Ka-yui, Andrew CHAN, Ryan LEE, CHOI Ming-hei, Ricky OR and LUI Man-kwong. Motion (6) was moved by Mr LAI Wai-tong and seconded by he himself, Messrs Gary FAN, LEUNG Li, LUI Man-kwong, Frankie LAM, LAI Ming-chak, CHUN Hoi-shing, FUNG Kwan-on, CHOI Ming-hei, Ms Debby CHAN, Ms LEUNG Hin-yan, Messrs Stanley HO, CHEUNG Wai-chiu and CHAN Wai-lit.

206. Members noted the written responses from PlanD and DLO/SK (SKDC(M) Paper Nos. 122/20 and 138/20).

207. Mr CHENG Chung-man said the areas of land earmarked by various departments were not mentioned in the written responses from the departments. He opined that the departments should plan according to territory-wide data. Currently, there were 128 hectares of “Open Space” or “Government, Institution or Community” sites in Hong Kong, which constituted 40% of unused government land. Although the departments responded that many plots of land had been leased out on a short-term tenancy basis, he discovered that those tenancies were mostly perpetually extended. Taking Hang Hau as an example, temporary public car parks had been operated on a “temporary” basis for more than ten years and the departments had not clearly stated the development of those sites. Besides, the charges of short-term tenancy car parks had not been regulated and were generally high or even the same as that of car parks managed by Link. He continued that some temporary sites had been occupied by the same individuals for a prolonged period of time and the Government had not

conducted any open tendering exercises. He remarked that the situation lacked transparency. The information of government land did not provide detailed description and many people did not know the areas of land in Hong Kong that could be used for planning developments. The greatest challenge of Hong Kong was the shortage of land. However, the Government did not offer a platform for centralised dissemination of information and there was no coordination or management among departments. Given that many vacant sites were available, he asked why the Government would rezone other sites. He hoped that the Government would formulate strategies for relocation.

208. Mr LAI Wai-tong said he moved the motion in the hope that departments would conduct an overall review of the management mechanism of government land. Many residents commented that the Government did not have resources to manage the existing land. Taking the earmarked site in Area 68 as an example, although LCSD expressed that the works would commence in 2021, the site was temporarily left idle and he found that the department seldom carried out maintenance on the plot of land. He had suggested the department to make the site available for serving as a temporary passageway for the convenience of residents, but it seemed that the department had rejected the proposal. He hoped that the department would be receptive to good advice, just as how footpaths had been delineated at the Hong Kong Velodrome Park and Tseung Kwan O Sports Ground before their construction for connecting with Sheung Tak Estate, Kwong Ming Court and Sheung Ning Playground, and there was a road to connect with Beverly Garden.

209. Ms LEUNG Hin-yan considered that the content of the two responses were different. She said although the wording of the motion contained “management”, the department only equated management of the plot of land with removal of weeds or pest control. She explained that “management” in the motion referred to how to utilise the plot of land. She suggested that if the department was unclear about the wording of the motion in future, it should communicate with Members. Regarding motion (5), she hoped that DLO/SK would list the information, use and condition of different vacant sites. She pointed out that short-term use of a vacant government site did not equate with proper utilisation of a site. The department should think over how to utilise those plots of land. Given the huge number of sites for use in the short or medium term, she enquired if the Government could provide venues for organising local bazaars. Local bazaars had been mentioned at different meetings, FEHD or DLO/SK had responded for many times that there was no suitable plot of land. However, DLO/SK mentioned in this written response that if the use of land was appropriate, various departments might submit applications to DLO/SK for leasing vacant government sites. She therefore suggested that FHB or FEHD make applications to DLO/SK regarding the matters of local bazaars. She continued that the site number of a vacant site at Fui Yiu Ha could not be found. Hence, she could not find out whether the site was government land or private land. She hoped that DLO/SK would make a response.

210. The Vice-Chairman said the Urban Redevelopment Authority in Singapore had the functions of planning, sale of land, land management, etc. Contrarily, the functions were divided in Hong Kong. He suggested different committees to ponder the ways forward to follow up the issue and to advocate a different mentality of the Government to handle the subject matter by a bottom-up approach. He pointed out that maybe the Government had considered the approach adopted by Singapore unsuitable in Hong Kong and had to establish the existing structure with separation of powers, so that various departments had their own terms of reference. However, it resulted in the lack of a single department to address the issues of the current discussion. He opined that the motion was worth discussing in further details at a committee meeting and suggested inviting representatives of DEVB to attend the meeting.

211. Mr LAI Wai-tong agreed with the remarks of the Vice-Chairman. The land management regimes in Hong Kong and Singapore were different. Hence, it was hoped that the motion would bring about a review of the existing land management regime of the Government to be conducted by LandsD, DEVB or other bureaux. He suggested writing to DEVB to express the aspiration of the Council about reforming the conceptual framework of the land use mechanism or even inviting representatives of DEVB to follow up the matters of vacant sites at committee meetings to facilitate proper utilisation of vacant sites in Tseung Kwan O and Sai Kung. He continued that the motion mentioned residents' hope of converting some vacant sites into temporary passageways or temporary sitting-out areas and he hoped that the departments would follow up the matters.

212. The Chairman said even if resources were available, the most challenging question was which department could provide policy support.

213. Mr Francis MA of DLO/SK said the role of DLO/SK was to manage land that could be put on temporary use before rolling out the long-term development. The management work included allocating land to government departments for use as works areas or for other temporary uses, such as temporary car parks. Regarding Mr LAI Wai-tong's suggestion of opening up the vacant site in Area 68 for use as a pedestrian walkway, DLO/SK would discuss with relevant departments and decide whether the suggestion was viable having regard to the circumstances of the case. The role and resources of LandsD were not for infrastructure or works development. It required assistance from relevant departments to follow up the matters and the implementation would depend on their available resources. For instance, the implementation of a 24-hour pedestrian walkway would require lighting system, which would involve many other ancillary facilities, and the departments concerned would need time for consideration and planning. He agreed with the suggestion of the Vice-Chairman and the establishment of an inter-departmental working group. DLO/SK

would contribute proactive efforts to assist in community development.

214. There being no objection from Members, the Chairman declared that the above motion was endorsed and the aspirations of SKDC would be conveyed to PlanD, DLO/SK and DEVB in writing.

215. The Chairman suggested that motion (7) was an internal affair of SKDC. There being no objection from Members, he declared that motion (7) would be discussed later at the meeting.

(Note: The minutes of meeting on motion (7) were in paragraphs 346 to 376.)

(8) To step up promotion and education for hikers with a view to promoting “leave no trace” hiking

(SKDC(M) Paper No. 104/20)

216. The Chairman said the motion was moved by Ms Debby CHAN and seconded by Ms LEUNG Hin-yan and Mr Stanley HO.

217. Members noted the written responses from DH, HKPF, Agriculture, Fisheries and Conservation Department (AFCD) and TD (SKDC(M) Paper Nos. 123/20 to 125/20).

218. Mr YU Tsun-ning said there was an increase in the number of countryside visitors recently and the amount of refuse had been overwhelming. He suggested that the departments might assign duties to younger cleaning workers or use other means to solve the problem. Besides, he expressed strong support for the motion and hoped that departments would enhance publicity and education for countryside visitors with a view to promoting “leave no trace” hiking.

219. Mr LAI Ming-chak commented that departments had to strengthen law enforcement and pointed out that the problem did not occur recently. Departments should consider stepping up patrols or even providing a guard post to enhance the deterrent effect.

220. Ms LEUNG Hin-yan noted in the reply that the Police would execute traffic policies in a flexible manner and hoped that the Police would give further explanation. On enhancement of education and promotion, it was mentioned in the response that publicity items would only be placed in Sai Kung. She opined that countryside visitors probably would not obtain the leaflets at the Home Affairs Enquiry Centre after reaching Sai Kung; hence, she did not think that it was an effective publicity method. As the publicity leaflets were not delivered to the ward offices, Members could not assist in distribution. She

suggested that departments take the initiative to reach out to people and carry out education work. During the Government's implementation of the "work from home" arrangement and the holidays before the epidemic, the Home Affairs Enquiry Centre was not open; hence, she considered that it was not practical to place the leaflets at the enquiry centre. Similarly, neither was the Sai Kung Country Park Visitor Centre open during the epidemic, and more people chose to visit the countryside in Sai Kung due to the epidemic, with some people disposed of their masks on the hills. She opined that the above channels could not educate the public. In the reply from DH, it was mentioned that there was an online publicity channel. She asked representatives of the department to give an account of the number of subscribers and the effectiveness of the promotion. Moreover, she suggested that AFCD should appoint part-time staff to be ambassadors at the picnic sites to disseminate the message more effectively.

221. Ms Debby CHAN said "leave no trace" hiking was not a new concept. In foreign countries, a journey to the countryside took an entire day with no toilet facilities along the route; hence, "leave no trace" hiking was common. Whereas in Hong Kong, people were not used to or not familiar with this mode. Although the department promoted "take your litter home", the Government had not gone an extra mile in recent years. As for parking of private vehicles, members of the public drove to Sai Kung for hiking but were forced to park illegally due to a lack of parking spaces. Therefore, the appeal to the public for taking public transport should not be made at bus stops only, but should also be made in places before the public entered the rural areas. A huge number of illegally parked vehicles had inhibited residents from using the footpath, so the Government should provide more ancillary facilities. With regard to "leave no trace" hiking, she continued that some hikers were not familiar with the trails and had to tie plastic straps onto the trees to serve as indicators. The problem had been increasingly serious in recent years, but the Government had not been addressing the issue or carrying out work on education and publicity.

222. Mr Ryan LEE said during the epidemic, he had carried out inspections at Tung Lung Chau on multiple occasions and had discovered that there was a huge amount of refuse. As it was quite windy on Tung Lung Chau, a strong wind would disperse refuse on the pier to the surrounding area. He enquired whether the department had a more proper way of handling.

223. Mr LUI Man-kwong said the Police or FEHD had invited different local people (including SKDC Members) to assist in publicity in the past. Regarding the matter being discussed, he enquired whether other departments were willing to follow the practice in order to be more proactive and to explain to residents.

224. Mr FUNG Kwan-on suggested that the Government provide signs at locations with refuse bins at different picnic sites to disseminate the message to the public. He also hoped

that the Government would hang banners on the trail to remind the public not to litter. The Government should also send staff to conduct covert operations to investigate whether hikers had demonstrated inappropriate behaviour and to prosecute immediately.

225. Mr Stanley HO agreed with the suggestions raised by Members of the rural areas who had spoken earlier. As a resident in Sai Kung, he found it inconvenient to enter and leave Sai Kung every day. The problem of illegal parking along the road section from Pak Tam Chung roundabout to Tai Mong Tsai was very serious, and he suggested that the Police should step up patrols. In the past few months of long holidays, the traffic problem had seriously affected rural residents. Apart from law enforcement, he suggested deploying traffic wardens to control the traffic. For the problem of refuse, he considered that AFCD and DH should set out the regulations of outdoor activities in the disease prevention guidelines.

226. Mr CHOI Tung-tsoi of HKPF said the Police was aware that in the past long holidays, countryside visitors had driven to Sai Kung. Flexible execution of policy referred to the Police targeting illegal parking hot spots and arranging for more police officers and traffic wardens to conduct patrols and issue penalty tickets. For example, during the long holidays from 30 April to 3 May, the Police had strengthened manpower, issued 900 penalty tickets and towed away vehicles that had caused serious road obstruction. He agreed that apart from carrying out law enforcement operations by the Police, the public should be educated to rely more on public transport during long holidays. The Police would continue to monitor the traffic problems during long holidays.

227. The Chairman opined that SKDC could share the education work and hoped to utilise the resources of SKDC to achieve more. He enquired if any Chairperson of a committee was willing to follow up the motion.

228. Mr LAI Ming-chak said regarding the law enforcement by the Police, the law enforcement against littering had to be strengthened in addition to issuing penalty tickets for illegal parking.

229. The Chairman said the department had just responded on the problem of law enforcement. Members could monitor the effectiveness of law enforcement in future. However, education involved a lot of publicity matters. He asked whether Ms Debby CHAN, the Chairperson of EHCCAFC, could follow up the motion.

230. Ms Debby CHAN replied that the matter could be deferred to EHCCAFC for follow-up. As it had been a matter of concern for a long time, many hikers had been frequently helping to clear refuse on the hills over the past years. She had also been a volunteer participating in

the work since 2013 and government departments had been relying on environmental group volunteers in the long term. For illegal parking, she commented that the problem was a result of inappropriate planning.

231. There being no objection from Members, the Chairman declared that the above motion was endorsed and the aspirations of SKDC would be conveyed to DH, HKPF, AFCD and TD in writing. The motion would be referred to EHCCAFC for follow-up work.

(9) Urge the Government to set up a \$30 billion unemployment assistance scheme to financially support the unemployed who are laid off or have left the job market involuntarily, and those who are underemployed, forced to take no pay leave or withheld salary whilst in compulsory quarantine as a result of the epidemic

(SKDC(M) Paper No. 105/20)

(10) Strongly request the Government to immediately set up special unemployment allowance to assist those being omitted to survive the hardship caused by the epidemic

(SKDC(M) Paper No. 106/20)

(11) Request the Government to review and relax the requirements on the eligibility for applying the Anti-epidemic Fund

(SKDC(M) Paper No. 107/20)

232. As motions (9) to (11) were related and there being no objection from Members, the Chairman declared that the items would be discussed together.

233. The Chairman said motion (9) was moved by Mr Gary FAN and seconded by Messrs LUI Man-kwong, Frankie LAM, LEUNG Li, CHUN Hoi-shing, LAI Wai-tong, LAI Ming-chak, FUNG Kwan-on, CHAN Wai-lit, CHEUNG Wai-chiu, Ms Debby CHAN, Messrs Stanley HO, Brandon YIP, Ms LEUNG Hin-yan, Messrs YU Tsun-ning and CHOI Ming-hei. Motion (10) was moved by Mr Edwin CHEUNG and seconded by Ms Christine FONG and Mr Chris CHEUNG. Motion (11) was moved by Ms LEUNG Hin-yan and seconded by Mr CHAN Wai-lit, Ms Debby CHAN, Messrs CHUN Hoi-shing, Gary FAN, LUI Man-kwong, LAI Wai-tong, LAI Ming-chak, Frankie LAM, Stanley HO, LEUNG Li, CHEUNG Wai-chiu and YU Tsun-ning.

234. Members noted the written responses from LWB, the Chief Secretary for Administration's Office (CS's Office) and HAB (SKDC(M) Paper Nos. 139/20 to 142/20).

235. Mr Edwin CHEUNG commented that in the written reply from LWB, it was simply stated that the establishment of the unemployment assistance fund took time and could not solve the imminent problem. He considered that the bureau should give a more proactive

response and the Government should be more far-sighted by expeditiously studying the use or additional allocation of unemployment assistance fund to cope with the next epidemic.

236. Mr CHENG Chung-man opined that it was absurd for the bureau to attribute the expeditious allocation of assistance in other countries or regions to their tax system, social insurance system or central provident fund. It was not the first day for us to know that an epidemic could cause economic setback and upward trend in unemployment, but the Government had been disregarding those systems. It had been nearly 20 years since 2003, but still the imminent problem could not be solved. The function of an unemployment assistance fund was to assist the grassroots as most of them had had no income in recent months due to the epidemic.

237. Mr Stanley HO said representatives of the bureau/department responsible for labour policy were not present at the meeting today. He suggested reflecting the views of SKDC to relevant departments in writing. In his opinion, people were currently in dire straits. Although the Government had rolled out the scheme of disbursing \$10,000 cash payout to all adults who were Hong Kong permanent residents, members of the public often asked Members when they could receive the \$10,000 cash payout. As the public could only register in July, he commented that distant water could not quench a fire nearby. The Government also suggested that members of the public may apply for SWD's unemployment support scheme, but applicants were subject to a means test of the scheme. As for the new cash allowance for the unemployed under Community Care Fund, the allowance would only be disbursed in October 2020 at the earliest. At present, the epidemic had lasted for four months. Today, some employees of a restaurant had protested against their company's arrangement of forced unpaid leave and the possible evasion of the responsibility of the group holding the company to give severance payment. It could be seen that these people urgently needed assistance. Pan-democratic Members took the same stance on the issue and hoped that the Government would gravely consider the circumstances of unemployed workers. He continued that the Government had currently used \$80 billion to subsidise employers indiscriminately. Some big companies, such as New World First Bus, Kowloon Motor Bus, etc., had received an enormous amount of subsidy from the Government, but they had not been affected by the epidemic, which revealed that the Anti-epidemic Fund was full of loopholes. The current proposal only granted the subsidy to the unemployed for six months with a maximum amount of \$16,000 per month. He commented that the Government definitely had the capacity to introduce the policy on unemployment assistance fund in order to offer immediate assistance to employees who had been laid off or forced to take unpaid leave or receive a pay cut. Labour Department (LD) and LWB should appoint representatives to understand the stance of SKDC.

238. Mr LEUNG Li said some residents had sought assistance from SKDC Members due to financial difficulties and Members suggested that they might obtain assistance from The Community Chest Anti-NCP Rainbow Fund. Even a charitable organisation could establish a new fund in view of the impact of the epidemic, but the Government had yet to implement any policy to support people who were unemployed or suspended from employment after launching the two schemes under the Anti-epidemic Fund that mainly offered assistance to employers, which he considered unreasonable. Furthermore, he also suggested the Government to amend the legislation or implement other measures, in order to allow the public to use the Mandatory Provident Fund (MPF) to which contributions were being made for meeting urgent needs. Residents who were unemployed or suspended from employment could only apply for the fund of the charitable organisation or had to wait till July to register for the Government's Cash Payout Scheme under which \$10,000 would be disbursed, but this should not be the way to address the imminent problem.

239. Mr LUI Man-kwong pointed out that since similar assistance schemes could be launched in foreign countries, he did not comprehend why the Government could not introduce an unemployment assistance scheme. To staff who had been forced to take unpaid leave, the Employment Support Scheme might not be of genuine assistance. Without an unemployment assistance scheme, no assistance could be rendered to members of the public who were unemployed. The Government should explore ways to offer immediate assistance to members of the public who faced financial difficulties or should even allow them to use MPF instead of letting members of the public wait for employers' disbursement of an amount derived from the Employment Support Scheme.

240. Mr FUNG Kwan-on said although the Government had relaxed the asset limits by doubling the amounts under the Comprehensive Social Security Assistance (CSSA) Scheme, he doubted the number of people who could benefit from the adjustment. Many workers at the grassroots, such as school bus drivers, did not possess their own vehicles, and they had been out of jobs in recent months. He continued that the Chief Executive (CE), Mrs Carrie LAM, had visited an office of SWD in Po Lam Estate on 17 April and he had personally reflected to CE that many members of the public were unemployed due to the epidemic and support was not given to them. CE expressed that she would look into the matter, but he opined that the situation had not improved.

241. Mr Gary FAN said the epidemic in Hong Kong had slightly eased, but the upcoming challenge was to face a severe economic downturn. At this meeting, two motions were related to the unemployment assistance scheme. Motion (9) particularly emphasised the amount of \$30 billion, which was an estimate calculated based on the existing employed population and the unemployment rate after the outbreak of Severe Acute Respiratory Syndrome (SARS) in 2003 and by making reference to the subsidies introduced in other

countries for their people that were as high as 80% of their salaries and for a period of six months. He hoped that the Government would grasp the popular sentiment given that different organisations had requested the Government to introduce an unemployment assistance scheme in order to meet the imminent needs of the unemployed, while the first and second round of the Anti-epidemic Fund had been rolled out yet showing limited effectiveness.

242. Mr LAI Ming-chak said only online registration was required for obtaining CuMasks. Similarly, the Government could follow the same practice and request the unemployed to provide proof of dismissal or proof of suspension of making MPF contributions. SKDC Members were pleased to coordinate and assist in the registration process. He considered that it was not necessary for members of the public to create an account, the Government could send a cheque to the address of the applicant, which was the same as mask distribution.

243. Ms LEUNG Hin-yan queried why the Government did not reach out to shop operators in the district and give the subsidy to them directly but had to request members of the public to go through complicated application procedures. In the reply, the application method and period were not mentioned. Many members of the public had asked SKDC Members about the details, but Members had no special channel to obtain detailed information. She hoped that the Government would provide more information. Besides, many arts practitioners were unable to apply for the Arts and Culture Sector Subsidy Scheme.

244. Mr Edwin CHEUNG said outsourcing arrangements had been made for cleaning and security work and management of clubhouses in major residential estates in Tseung Kwan O and service contracts had been awarded with fixed service charge and fixed number of workers. Except clubhouses that had reduced manpower due to the prohibition on group gathering, management companies of major residential estates in Tseung Kwan O had no intention to sack their workers. However, the Employment Support Scheme included trades not affected by the epidemic, such as MTRCL or contractors could also apply for allowances, and the subsidy amount could reach several millions of dollars. He opined that there was misallocation of resources in society. The Government had explained that the mechanism of an unemployment assistance scheme was rather complicated. He suggested lowering the application threshold and reallocating the amount for enterprises that might not need to be subsidised to the unemployment assistance scheme in order to benefit more grassroots. Besides, staff of FEHD's outsourced pest control roving teams were regarded as workers instead of cleaning workers in a provision of the service contracts; consequently, they were not frontline cleaning workers and were ineligible for receiving the \$1,000 cash allowance per month under the Anti-epidemic Fund. He hoped that FEHD would follow up the matter.

245. The Chairman said the Government encouraged members of the public in need to apply for the CSSA Scheme, but the Social Security Field Unit had only provided limited services earlier. He hoped that SWD would provide information on the time required for applying for CSSA and the closing date and would respond whether there was any room for streamlining the application procedures. Moreover, there had been an increase in the number of applicants of the Short-term Food Assistance Service Projects over the past period of time and he enquired whether SWD had deployed additional resources to the service operator. For the Working Family Allowance Scheme in Sai Kung district, the support service was not sufficient. He enquired whether the Integrated Family Service Centres of SWD had proactively co-ordinated with the Working Family Allowance Office to promote and offer assistance to members of the public in need.

246. Ms Micy LUI of SWD said the asset limits of the unemployment support scheme under the CSSA system would be doubled for those eligible families and the value of an owner-occupied property of the applicant would be excluded from the calculation of asset value. The above arrangement had a time limit, which would be effective from 1 June to 30 November. Unless there was a new arrangement, the arrangement of relaxing the asset limits would end on 1 December. With regard to the use of Anti-epidemic Fund, the Chief Secretary for Administration's Office and relevant bureaux should have received the views of Members. Hence, SWD as an executive department had no supplementary response on the policy area. She asked Members to convey to the public who faced difficulties that even if their problems might be solved a few months later, SWD still encouraged them to apply for the unemployment support scheme in order to alleviate some imminent problems. Although the unemployment support scheme had considerable limits, such as assessment being made on a household basis, SWD would offer assistance as far as feasible. Generally, it took four to six weeks to process a CSSA application and to grant the allowance upon receipt of all supporting documents. If it was an urgent case, SWD would provide the allowance in cash, which was even faster. Under critical circumstances, SWD would refer the applicant to seek assistance from other funds through a social worker of the Integrated Family Service Centre. She also clarified that the funding for the Short-term Food Assistance Service Projects was not allocated based on the financial year but on a project-by-project basis. Hence, if the fund was exhausted faster than expected due to the economic situation, SWD could request the Government to increase the funding and a lack of fund would not arise. Later on, she would discuss with the Integrated Family Service Centres on how to enhance assistance to members of the public in applying for the Working Family Allowance.

247. Mr Wilson NG of FEHD said the Government would disburse \$1,000 to each of FEHD's cleaning workers, toilet attendants and security guards. Workers of the above three trades would receive the subsidy.

248. Ms Christine FONG said the unemployment assistance fund mentioned in motion (10) was much needed. Regarding the response from Ms Micy LUI of SWD, she hoped that members of the public did not apply for CSSA during this epidemic because of their laziness, and she considered that there were comparatively not many CSSA recipients in Sai Kung and Tseung Kwan O. She asked Ms Micy LUI to note that many middle-class families were burdened with mortgage payments, unemployment would have huge impact on them. As for small and medium enterprises, even employers were in distress. In addition to the lack of cash flow for payment of employees' wages, employers also had to bear various operational expenses. Although the threshold of the Working Family Allowance Scheme and CSSA Scheme had been lowered, it was still difficult to apply for the allowances and some may consider it shameful to apply. Some problems that had been overlooked were mentioned in motion (10), such as households of major residential estates in Tseung Kwan O still had to pay management fees and outsourcing arrangements for security, cleaning and clubhouse services were set out in the contract, which could not be amended; yet, these service contractors were included in the second round of the Anti-epidemic Fund. She opined that the subsidy should be made to property owners to reduce their financial pressure. She hoped that the coverage of the subsidy would be revised in the third round of the scheme in order to give the subsidy to people in need. She supplemented that the Government had not considered the catering businesses under clubhouse licences and freelancers without making contributions to their MPF accounts could not apply for the subsidy either. Even though she agreed that a significant amount of assistance should be granted in the current acute situation, the Treasury still needed revenue to meet the expenditure on social welfare in view of the overall economic development. It was worth conducting rational discussions on the above matters.

249. Mr LEE Ka-yui asked SWD about the time required for vetting applications for Old Age Living Allowance and Disability Allowance in the past two months besides the Social Security Allowance (SSA) Scheme mentioned just now. He considered that taking four to six weeks to process a CSSA application was too long, which would cause many family issues. He suggested that SWD to join hands with SKDC Members, and deploy staff to assist families in overcoming their difficulties and handling applications for social welfare schemes. He criticised government departments for their puzzling special work arrangements during the epidemic as members of the public visiting the SWD office had found no staff in the office on many occasions, thus missing the opportunity of applying for assistance. He continued that tenants of public housing estates could not seek assistance due to the special work arrangements of the Housing Department. He hoped that departments responsible for affairs related to people's livelihood would demonstrate proper performance in serving the public after their office hours resumed normal in future.

250. Mr Frankie LAM said some instructors and coaches had contacted LCSD through SKDC Members earlier. LCSD responded that they would be paid 50% of their wages. He asked SWD how freelance professionals could apply for the assistance and suggested providing a simpler application form for the assistance scheme.

251. Ms Micy LUI of SWD gave a consolidated reply as follows:

- The processing time of four to six weeks was a performance pledge. SWD would expedite the granting of the assistance on a case-by-case basis and where pressing needs arose, subject to the submission of all required information in full by the applicants.
- Doubling the asset limits was a special arrangement. For a four-person household, the asset limit was now \$88,000, would be doubled to \$176,000. The objective was to enable the needy households to become eligible before their resources had been entirely depleted.
- Since it was expected that SWD would receive a huge number of applications for CSSA and SSA, the department had made various arrangements, including streamlining the processing procedures and waiving the arrangement of conducting home visits to shorten the processing time.
- On manpower arrangements, alongside with mobilising colleagues in centralised operational units to work in Social Security Field Units, the department also hired retired civil servants who had worked in Social Security Field Units to join the team in the hope of strengthening manpower to process CSSA applications as soon as possible.
- Regarding the applications for SSA, no information was available. However, applications for CSSA and SSA (including Old Age Living Allowance) received by Tseung Kwan O Social Security Field Unit had increased by 60% when compared with the same period in 2019.
- Many elderly people in Tseung Kwan O were from middle-class families who had depended on their children in the past. However, since their children currently faced financial difficulties, these elders might then apply for Old Age Living Allowance in order to lessen the burden on their children. SWD understood the above situation and would focus its manpower resources to handle these cases.
- SWD had automatically extended the eligibility period of existing CSSA cases that expired during the period from late January to late November 2020 for 12 months to spare the manpower on processing new cases so as to provide prompt assistance to members of the public in meeting their existing needs.
- SWD had closed the Social Security Field Units in late January due to the epidemic, but staff continued working inside the offices. Meanwhile, SWD

accepted applications submitted by post, email, fax or drop-in boxes.

- SWD thanked Members for their suggestion of offering assistance to residents. SWD could discuss with the Chairman how they could collaborate after the meeting.
- After receiving an application and if the application was successful, the assistance would be granted and calculated from the date of application or the date of eligibility regardless of whether the application had been received by phone or email. Hence, the time required for processing would not affect the amount of assistance granted to the applicant.
- For the service hours of Social Security Field Units, SWD had followed the advice of the Government to cease opening the offices to the public starting from 29 January, but the staff still continued working. SWD had carried out processing work through other means (including by appointment). From 9 March to 13 March, SWD had reopened the Social Security Field Units in view of the Government's announcement of increasing public services and the less severe situation of the epidemic. However, with increase in the inflow of Hong Kong people from the Mainland, Europe and the United States in mid-March, there had been another wave of infections, which had caused the Social Security Field Units to provide limited services starting from 16 March. All service hours of SWD were announced on the website and posters were displayed outside the offices to inform the public. From 4 May onwards, all Social Security Field Units had resumed normal operation.

252. There being no objection from Members, the Chairman declared that the motion was endorsed and the aspirations of SKDC would be conveyed to LWB, the Financial Services and the Treasury Bureau and the Chief Secretary for Administration's Office in writing.

(12) Request for classifying COVID-19 as an occupational disease

(SKDC(M) Paper No. 108/20)

253. The Chairman said the motion was moved by Mr Stanley HO and seconded by he himself, the Vice-Chairman, Messrs Brandon YIP, YU Tsun-ning, Gary FAN, Ms LEUNG Hin-yan, Messrs LAI Ming-chak and LAI Wai-tong.

254. Members noted the written reply from LD (SKDC(M) Paper No. 126/20).

255. Mr Stanley HO said although the reply from LD mentioned that the department would refer to the guidelines of the International Labour Organisation, he pointed out that COVID-19 had been classified as an occupational disease in countries heavily impacted by the pandemic, such as Italy, Canada, Belgium and South Africa. There were at least 75 employees who had contracted the disease due to their work, and 12 of them had reported

their cases to LD. As there were sequelae of infection, patients had to bear long-term medical treatment fees; therefore, the classification of COVID-19 as an occupational disease could not be delayed. Back in those days, it had taken two years to classify SARS as an occupational disease. It was hoped that the Government had drawn a lesson from the experience.

256. There being no objection from Members, the Chairman declared that the above motion was endorsed and the aspirations of SKDC would be conveyed to LD in writing.

(13) Request the Government to abolish the functional constituency, to have all seats of the Legislative Council fully and directly elected, and to implement universal suffrage of the Chief Executive in 2020

(SKDC(M) Paper No. 109/20)

(14) Request the Government to allocate additional resources to ensure the fair conduct of the 2020 Legislative Council without any privilege and priority, and to issue clear guideline to the public on the arrangement on the polling day

(SKDC(M) Paper No. 110/20)

257. Mr David CHIU, District Officer (Sai Kung), SKDO, said motions (13) and (14) involved electoral arrangements for the 2020 LegCo election, which were territory-wide issues instead of district affairs. According to section 61 of the District Councils Ordinance, matters for the discussion of a District Council (DC) should be affairs of the respective district. After consulting the relevant bureaux and departments as well as taking account of relevant legal advice, the Government considered the two motions incompatible with the DC functions specified in section 61 of the District Councils Ordinance and were therefore inappropriate discussion at DC. In response to Members' enquiries, Mr David CHIU supplemented that the relevant bureaux included the Constitutional and Mainland Affairs Bureau and the Government's legal advice was given by the Department of Justice.

258. The Chairman said DCs had discussed relevant matters in the past. When the incumbent Chief Executive had been serving as the Chief Secretary for Administration, she had sought DCs' views on constitutional development. Therefore, he considered it legitimate for SKDC to discuss the motions.

259. Mr David CHIU, District Officer (Sai Kung), SKDO, said he respected the Chairman's decision but reiterated the Government's stance that the two motions were incompatible with the DC functions specified in the District Councils Ordinance. Whilst the Chairman may insist on continuing with the discussion, the Secretariat would not provide any support services even if the motions were carried eventually.

260. The Chairman said even if the Secretariat could not provide follow-up and support services, he could still convey Members' views in writing to the relevant departments in his capacity as the Chairman. He therefore decided to continue with the discussion on the motions.

(Note: As the above motions were not compatible with the provision concerning "Functions of a District Council" in section 61 of the District Councils Ordinance (Cap. 547), the Secretariat would not provide any support services.)

261. The Chairman said Members had gained experience in the previous DC election. Views concerning individual polling and counting stations could be raised at the meeting. He invited comments from Members on district affairs with a view to improving the arrangements of polling and counting stations and efficiency of crowd management.

262. Mr LAI Wai-tong commented on the electoral arrangements for Hoi Chun constituency, pointing out that the polling and counting station at French International School was of small size. During the vote counting process, many members of the public had had to observe the counting of votes outside the station as they had been unable to enter the public area inside the station. He hoped that SKDO or the Registration and Electoral Office (REO) would review the site selection for polling and counting stations, consider the use of larger venues, thereby providing sufficient space for the public to cast their votes and monitor the counting procedures.

263. The Chairman said regarding the arrangements of polling and counting stations, SKDO had put much effort on the selection of sites and had played a part in determining the size of no canvassing zones (NCZs). However, the size of NCZs might affect the fair conduct of the election, he considered it inappropriate to discuss the matter at the meeting of SKDC. Yet, he welcomed Members to take the opportunity to reflect their views concerning matters such as order in individual stations to the relevant departments through SKDO.

264. Ms Debby CHAN said despite the extensive area covered by her constituency, only one polling station had been designated. Together with the influx of members of the public into Sai Kung on Sundays, electors could not reach the polling station quickly even though having taken public transport on that day. Besides, two weeks before the DC election, she had been informed by the relevant department that no parking spaces would be provided at the polling station. She had therefore produced leaflets to notify electors of the relevant arrangement. However, on the polling day, she had discovered a car park near the polling station available for use. She suggested that government departments enhance internal communication.

265. Mr CHENG Chung-man believed that the Government had selected smaller venues as polling and counting stations as it had not anticipated that the voter turnout of the DC election in 2019 would exceed that of past elections. He pointed out that although Tak Ming constituency had a larger number of electors, the number of counters in the station were inadequate to cope with the large number of electors. Meanwhile, the small size of the station had aroused discontent among the public. He suggested that SKDO look for suitable polling and counting stations based on the number of electors and by making reference to past data. The fact that the public had been unable to monitor the counting of votes might arouse suspicion among members of the public.

266. Mr LUK Ping-choi said two polling stations had been set up within Fu Kwan constituency for electors of Fu Kwan and Kwan Po respectively. He opined that the arrangement would easily cause confusion to electors. Although he understood that SKDO had encountered difficulties in looking for venues as polling stations, he considered it necessary to reflect situations like some residents had been unclear about which polling station they should vote at, and some electors had gone to the wrong polling station. He hoped that the Government would draw on the experience of the DC election and make appropriate arrangements for the LegCo election in September, including setting up more registration counters, monitoring the weather conditions and advising the public to accompany their elderly family members to the polling station.

267. Mr LUI Man-kwong said the Government had underestimated the voter turnout rate and situation on the polling day when formulating electoral arrangements for the 2019 DC election. Members of the public had had to wait for a few hours for their turn to vote. He opined that the Government should look for venues of larger size as far as practicable and should increase the manpower at polling stations. In one of the LegCo by-elections in the past years, the respective polling stations for O Tong constituency and another constituency had been located too close to each other, some members of the public had therefore visited the wrong polling station. Hence, he reminded SKDO to note the arrangement with respect to the location of polling stations so as to avoid confusion.

268. Mr Edwin CHEUNG said he had received many complaints from residents on the polling day about the walk of 200 to 300 metres along an uncovered ramp to arrive at the polling station at St. Andrew's Catholic Primary School. A lot of Members had mentioned that the public had had to wait for several hours for their turn to vote, and the electors of the constituency concerned even had had to queue up along the uncovered ramp in order to enter the polling station. Many residents expressed that they could not bear being excessively exposed to the sunlight. He therefore agreed that additional resources should be allocated for the recruitment of more electoral staff to assist elderly or disabled electors in voting. Furthermore, he pointed out that some electors with visual impairment or other disabilities

had reflected to him that the electoral staff had deliberately placed the ballot paper farther away when handing it to them. As a result, they could only select the candidate closest to the bottom edge of the ballot paper. Even if they had reflected the problem to the electoral staff, their complaints had been ignored. There were also cases where the electors were illiterate and required the assistance of their family members in voting. However, electoral staff had disallowed any persons to accompany the electors in the course of voting and had deliberately provided false information while leading the electors to the voting compartment. He said the above were not isolated cases. He opined that the electoral staff lacked empathy and failed to maintain political neutrality. Therefore, he suggested deploying additional resources to strengthen manpower training. He also criticised the Presiding Officers (PROs) for the errors and omissions of matters under their supervision. Having regard to the residents' complaints about not receiving appropriate assistance in the course of voting, he considered the election unfair.

269. Mr Andrew CHAN said during the DC election, the polling station designated for his constituency had operated smoothly, and the PROs had endeavoured to cope with the needs of the public. Yet, the vote counting process was a bit disorderly as different PROs adopted different arrangements for the counting of votes. He pointed out that the provisions with respect to polling stations were unduly complicated, thus leading to different interpretations by PROs. Therefore, he opined that REO should enhance manpower training to ensure a fair election. Regarding site selection, he noted that many Members had reflected that polling stations were not large enough, but he understood the difficulties in looking for venues experienced by the Government. He suggested that the Government should request private or non-profit-making organisations by order to provide venues for use as polling stations, just like the requisition of venues by the Government for epidemic prevention. On matters concerning the electoral staff, he suggested that the Government should devote more resources.

270. Mr Stanley HO hoped that the relevant departments would note the fact that the PRO of the polling station at the ex-Sai Kung Central Primary School had allowed individuals from the rural sector to conduct canvassing activities within NCZs. Besides, the works for Hiram's Highway Improvement Stage 1 Project was underway in his constituency during the election period, candidates therefore had to submit applications for the conduct of canvassing activities to LandsD. However, LandsD had replied that due to improvement works, the relevant road section fell under the purview of the Highways Department. He asked the representatives of DLO/SK that if a similar situation arose, how DLO/SK would ensure candidates could conduct canvassing activities in areas outside NCZs.

271. Mr LAI Ming-chak pointed out that electors living in La Cite Noble had needed to reach Yan Oi Tong Tin Ka Ping Primary School polling station designated for Kwan Po

constituency by car or on foot. Residents hoped that a polling station would be set up at Tseung Kwan O Sports Ground or Hong Kong Velodrome. In past elections, candidates had been notified of the information on the locations of polling stations upon completion of the drawing of lots for allocation of a candidate number. Yet, he had not received the notification until a later stage in the 2019 DC election.

272. Mr David CHIU, District Officer (Sai Kung), SKDO, reiterated that the 2020 LegCo election was not district affairs, and relevant discussion was not compatible with the DC functions specified in section 61 of the District Councils Ordinance (Cap. 547). He therefore would not join the discussion. At the Chairman's request, he would give a consolidated reply regarding the arrangements of polling and counting stations in Sai Kung district for the 2019 District Council Ordinary Election in response to Member's enquiries. REO was responsible for the site selection for polling and counting stations while SKDO would advise on and assist in the identification of sites. Generally speaking, when deciding on the locations of polling stations, various factors would be taken into consideration, such as the number of electors, geographical locations of and areas covered by respective constituencies, availability of venues suitable for use as polling stations, etc. With no other alternative, stations situated beyond the respective constituency boundaries, two stations in close proximity, limitation of facilities in individual stations, etc. might be unsatisfactory yet inevitable. Nevertheless, the Government had noted the relevant problems, such as the situation in King Lam Neighbourhood Community Centre, and would take appropriate follow-up actions, including the identification of other more suitable venues.

273. The Chairman said as motion (15) did not require responses from representatives of government departments, he recommended that the motion be discussed later at the meeting. There was no objection from Members.

(B) Six questions raised by Members:

- (1) Request for information about the progress of the construction of a hiking trail at a suitable location in Tseung Kwan O for connecting High Junk Peak, and studying the feasibility of opening up the Tseung Kwan O Stage II/III Landfills (restored) for recreational or environmental protection purposes**
(SKDC(M) Paper No. 112/20)

274. The Chairman said the question was raised by Ms Christine FONG and Mr Chris CHEUNG.

275. Members noted the written responses from AFCD, EPD, SKDO and DLO/SK (SKDC(M) Paper Nos. 125/20, 127/20 to 129/20).

276. Ms Christine FONG said the discussion on the provision of a hiking trail to connect with High Junk Peak had stretched across two terms of SKDC, and Members hoped that the matter would be handled as early as possible. Through the Works Section of SKDO, Members had requested government departments to explore more feasible proposals, such as setting the starting point of the hiking trail behind the site earmarked for the new Broadcasting House for Radio Television Hong Kong and connecting the hiking trail with the existing access at the restored landfill within the purview of EPD. Although the government department pointed out that the road section between the landfill and High Junk Peak had a steep gradient and was not suitable to be designated as hiking trail, she considered that the Stage II Landfill area could still be open for public use. However, the department mentioned that it could only be used by some non-profit-making organisations and could not be fully open for public use due to management issues. She continued that Tseung Kwan O residents looked forward to the provision of green and open spaces after restoring the landfill area. She hoped that the relevant departments, including DLO/SK, AFCD and EPD would consider making those communal spaces available for public access and inculcating in the public the awareness of environmental protection.

277. The Vice-Chairman said he had represented SKDC to join the Steering Committee on Restored Landfill Revitalisation Funding Scheme in the last term and the term of the committee had ended in April 2020. SKDC had passed the motion on the eco-village of Tung Wah Group of Hospitals in the last term and he hoped that funding for the project would be approved by LegCo smoothly. For Stage II/III Landfills and Ma Yau Tong Central Landfill near Sai Kung district, technical constraints were relatively significant. He had discussed the matter with the Environment Bureau (ENB). ENB mentioned that a consultant would be engaged to study the technical problem of the restored landfills and would try to handle the matter with the use of government resources. After completing the studies on various restored landfills, ENB would re-consider the Restored Landfill Revitalisation Funding Scheme. He suggested that the matter be further discussed at the meetings of the District Facilities Management Committee (DFMC). If there was no subsidy from ENB, the matter should be handled with the use of SKDC resources, and SKDC should continue to liaise with EPD.

278. The Chairman asked Members and the Chairman of DFMC, Mr LAI Ming-chak, to note the arrangements.

(2) Enquiry about the utilisation of District Office notice boards in the district
(SKDC(M) Paper No. 113/20)

279. The Chairman said the question was raised by Ms LEUNG Hin-yan.

280. Members noted the written response from SKDO (SKDC(M) Paper No. 130/20).

281. Ms LEUNG Hin-yan considered that the font size of the notices displayed on the notice boards of SKDC and SKDO was too small and the clear plastic covers of the display cases were rather opaque. Besides, she hoped that the department would provide the schedule of updating information on the notice boards and the locations of the notice boards. She also suggested SKDO provide notice boards for use by SKDC Members.

282. The Chairman urged SKDO to review the conditions of the clear plastic covers of the notice boards, present information in a simple and straightforward manner and use readable fonts in the notices.

283. Mr David CHIU, District Officer (Sai Kung), SKDO, said SKDO noted Members' views and would follow up problems such as cleanliness of the clear plastic covers, the font size used in notices, etc. SKDO was planning to update the information on the notice boards, which would be progressively carried out due to a large number of notice boards involved.

(3) The problem of government vehicles occupying locations where parking of vehicles is prohibited or occupying designated parking spaces
(SKDC(M) Paper No. 114/20)

284. The Chairman said the question was raised by Mr LAI Wai-tong.

285. Members noted the written responses from FSD and HKPF (SKDC(M) Paper Nos. 143/20 and 144/20).

286. Mr LAI Wai-tong said the Police had not addressed his question in its written reply. In the written reply from the Police, it was mentioned that vehicles carrying out any fire services, ambulance or police duties due to operational needs were exempted according to the Road Traffic Ordinance (Cap. 374), Road Traffic (Traffic Control) Regulations (Cap. 374G) and Fixed Penalty (Traffic Contraventions) Ordinance (Cap. 237). However, the Police had not explained whether fixed penalty tickets would be issued to police vehicles parked in areas where parking was prohibited in situations other than the above, and whether the fines would be paid by the police officers concerned or HKPF. He raised the above question because he had seen a police vehicle parked in a parking space designated for disabled persons outside the Main Block of Tseung Kwan O Hospital, which had caused others in need not able to use the parking space. Moreover, the Police had stated in its written reply that frontline officers were often reminded to drive carefully and beware the road traffic condition. He enquired whether it implied that the Police would not issue penalty tickets to police vehicles or police officers in violation of the regulations, and the officers concerned were not required to bear

any legal consequences. On the other hand, FSD had given a comprehensive response to his question.

287. The Chairman said some police vehicles had parked at the pick-up/drop-off point outside the entrance of Yan Ming Court on Yan King Road in Yan Ying constituency, and some members of the public had reflected that those police vehicles had been merely on stand-by duty and had not been deployed to execute urgent duties, but they had obstructed vehicles and buses from picking up and setting down passengers and had also blocked one of the lanes. Hence, he hoped that the Police would consider Members' views and remind police officers to avoid parking police vehicles at pick-up/drop-off points during execution of duties, so as not to affect the public.

288. Mr LAI Ming-chak said on many occasions, he had witnessed police vehicles sounding sirens only before passing the traffic lights, but sirens had stopped sounding after vehicles had passed the traffic lights. He asked the Police whether the practice was allowed. If not, he could provide the footage in the future as long as the Police was willing to follow up the problem.

289. Mr CHEUNG Wai-chiu said he had witnessed two police vehicles departing together late at night, and one of them was sounding a siren and displaying a flashing beacon while the other was only displaying a flashing beacon. At that time, there were not many vehicles on the road, he doubted whether it was necessary to sound a siren and therefore enquired about the practice of driving police vehicles late at night.

290. Mr Frankie LAM asked whether the Police had formulated guidelines on the illegal parking of police vehicles or motorbikes.

291. Ms Valerie WONG said police vehicles were often parked in the areas of Hau Tak constituency and police officers did not comply with the statutory regulation of switching off idling vehicles. Recently, the situation had also occurred in the small hours, which caused nuisance to residents nearby. She enquired whether police vehicles were exempted in the relevant legislation.

292. Mr CHENG Chung-man said the Police would park police vehicles at the exit of Tseung Kwan O Police Station near Po Lam Road North on Saturday and Sunday evenings, with beacons flashing and headlamps on for a long period of time, which caused a huge impact on the surrounding environment. He enquired about the reasons.

293. The Chairman said the Police currently used LED lamps, which emitted brighter light when compared with those in the past. In some situations, the headlamps of police vehicles

were flashing continuously while on the road at night, which affected other road users. He asked the Transport Division of HKPF to follow up the problem and seek room for improvement.

294. Mr Mark Ronald ANSTISS of HKPF gave a consolidated reply as follows:

- In the written reply from the Police, it was mentioned that vehicles carrying out any fire services, ambulance or police duties due to operational needs were exempted in the relevant legislation. For details, please refer to the Hong Kong e-Legislation website. In a nutshell, if the approach of vehicles carrying out any fire services, ambulance or police duties was indicated by the sounding of sirens, those vehicles were exempted from speed limits and control by traffic lights or traffic signs according to the Road Traffic Ordinance (Cap. 374). In fact, public vehicles being deployed for operations would be parked near incident sites as far as practicable. According to the Fixed Penalty (Traffic Contraventions) Ordinance (Cap. 237), some government vehicles carrying out any fire services, ambulance or police duties were exempted to facilitate officers to perform their duties. Nonetheless, he would remind police officers to beware the road traffic condition when parking vehicles.
- If penalty tickets were issued to police vehicles, the cases would be passed to the relevant department of the Police to vet applications for exemption in accordance with the established mechanism. Factors to be considered included the parking period of police vehicles and whether the parking locations were appropriate. Regarding the speeding of police vehicles, the Police would review the cases based on a similar mechanism, and one of the factors to be considered was whether the officer concerned had an actual need to drive at a speed exceeding the speed limit. If the management found that the act was inappropriate, the police officer concerned would have to pay the fine.
- Regarding the parking locations of police vehicles, the information was not currently available. Hence, he could not give explanation for individual situations, but he would remind police officers to park vehicles at appropriate locations during execution of duties.
- Regarding the situation of police vehicles sounding sirens at the traffic lights, as provided in the relevant legislation, vehicles carrying out police duties and sounding sirens during operations were exempted from the control by traffic signals. Where road safety was not affected, it was an appropriate practice to reduce the frequency of sounding sirens of vehicles as far as possible in order to prevent nuisance to residents due to sounding sirens for a long time.
- Police vehicles in operation were exempted from switching off idling engines. Yet, the Police would give consideration according to the established mechanism. Since it was in summer and the social movement had lasted for a few months,

many police officers were required to stand by at the protest scenes. With consideration of the occupational safety of police officers, frontline officers were allowed to switch off engines only under safe conditions; for other situations, exemption was granted.

- As petrol bombs had been hurled at Tseung Kwan O Police Station near Po Lam Road North on many occasions, there was a need to arrange for police officers to stand by at the exit, so as to take contingency actions efficiently. Furthermore, a police officer had been attacked by an assailant with a knife when leaving the police station after work and had sustained serious injury; hence, it was indeed necessary for an armed police vehicle to station at the location to protect police officers getting off from work and to prevent occurrence of similar incidents.

295. The Chairman concluded that the Police had emphasised exemptions in its written reply, but what Members were concerned about was how the Police could reduce inconvenience caused to the public where exemptions were granted. For this reason, officers-in-charge should give proper instructions to staff on duty. Apart from police officers in Tseung Kwan O, Emergency Unit vehicles, Traffic vehicles and vehicles of other departments would be deployed to carry out operations in Tseung Kwan O or Sai Kung district. He therefore hoped that the representatives of the Police would convey the message of SKDC to other police districts or the headquarters.

296. Mr Mark Ronald ANSTISS of HKPF opined that the views of Members were constructive and he was happy to reflect the views raised by Members to the headquarters. Guidelines would be re-issued to police officers, thereby reminding them to avoid causing inconvenience to the public.

(4) Request the Police to account for their investigation into assault cases related to Lennon walls

(SKDC(M) Paper No. 115/20)

297. The Chairman said the question was raised by Mr Gary FAN.

298. Members noted the written reply from HKPF (SKDC(M) Paper No. 145/20).

299. Mr Gary FAN said according to paragraph 3 of the written reply from the Police, it was indicated that they would handle all cases in the same manner and conduct comprehensive and impartial investigations. After targeting the identity of the suspect, the Police would definitely make an arrest and institute prosecution against the arrestee once sufficient evidence was adduced. In paragraph 4, the Police expressed regret over the lack of evidence in his written enquiry. He clarified that the statement about the Police not having dealt with

all cases in an impartial and comprehensive manner was grounded in cogent evidence. He continued that the case concerned in the paper had occurred on 23 January 2020 inside the pedestrian subway at Wan Poon Path in Tseung Kwan O. At about 6:00 a.m., a local resident had witnessed a man on a ladder removing protest-related materials from the subway walls with a spade. When the local resident had attempted to record what was happening with his mobile phone, he was chased and assaulted by the man with his spade. Fortunately, bloodshed had been avoided with the help of passers-by. While the victim was madding a report to the Police with the assistance of the passers-by, the suspect attempted to escape and pulled the victim's backpack to the ground during the scuffle. A team of anti-riot police immediately arrived at the scene upon receipt of the report. A passer-by serving as the witness told the anti-riot police on the spot that the suspect was a resident of a housing estate nearby and had clearly provided the address of the suspect. However, when the victim was reporting the incident to the Police, the police officer responsible for recording the case details did not record the information provided by the anti-riot police. The police officer told the victim that the Police would carry out investigation and it could not be asserted that the suspect had intended to snatch the victim's backpack simply because he had dragged the backpack to the ground. Thereafter, the Police had never been to the address provided by the passer-by to conduct investigation or search for the suspect, let alone make arrest and institute prosecution. Mr Gary FAN continued that the question was raised in the hope that the Police would adjust their ways of handling cases in future by adopting a consistent investigation approach and making arrests as necessary regardless of the political inclinations of the persons involved. Besides, in their reply, the Police mentioned a knife attack that occurred in August 2019, in which a 26-year-old journalist was injured and a man successfully arrested. However, the man concerned had in fact absconded to the Mainland after the incident, and the Police only made an arrest when he had chosen to return to Hong Kong from the Mainland. He opined that the entire process could not be briefly described as a "successful arrest".

300. Ms Valerie WONG said the Police mentioned in their reply a case that happened at the subway in King Lam Estate in which the offender was sentenced. However, she would like to remind the Police of the extremely poor attitude of police officers and their slack pace of handling the case on that day. Some local residents had voluntarily searched for the suspect at that time and had eventually found a piece of blood-stained clothing at the rear staircase of Ka Ming House, whereas the Police only arrived at the scene for investigation after repeated requests.

301. Mr CHENG Chung-man said he had arrived at the area near the scene 20 minutes after the knife attack at the subway in King Lam Estate. He discovered that the Police had been perfunctory in law enforcement and collection of evidence. There were blood stains on the ground of the scene at that time, but the cordon lines at both entrances of the subway could not close off the whole subway and stop pedestrians from entering. There were only two

police officers at the scene. The ways of collecting evidence, handling exhibits and deploying manpower were different from those in the handling of fatal cases in the past. From 3:00 to 4:00 a.m. on the following day, some local residents searching for evidence in the vicinity of the scene eventually discovered a piece of blood-stained clothing at Ka Ming House. The Police only arrived at the scene to view CCTV footage after repeated reports by local residents.

302. Mr CHOI Ming-hei said when he arrived at the scene an hour after the knife attack at the subway in King Lam Estate, quite a number of local residents were voluntarily searching for the suspect whereas the Police did not take any proactive action. The Police only arrived at the scene at around 4 a.m. after some local residents had found a piece of clothing suspected to be left by the suspect on a floor of Ka Ming House of Chung Ming Court at about 3 a.m. He opined that even if local residents had gathered all evidence, the Police would only deal with the case in an indolent manner. Besides, he strongly condemned an ill-mannered police officer who had threatened local residents with a loud voice in Ka Ming House that night.

303. Mr Mark Ronald ANSTISS of HKPF gave a consolidated reply as follows:

- He opined that Members should not ignore the hard work of the Police in investigating the cases, and the relevant comments were unfair to the Police.
- The investigation section of Tseung Kwan O Police District was in charge of the cases mentioned by the Members. He would not comment on the minor details involved in the investigation process. As a matter of fact, the suspect was eventually arrested by the Police and subsequently sentenced to imprisonment for 45 months, which he deemed to be a testament to the Police's hard work.
- Over the past few months, the Police had often been labelled by the public with biased remarks.
- In view of the frequent occurrence of social events in Tseung Kwan O, the Police would conduct extensive investigation into the incidents, but he could not comment too much on individual cases.
- The Police was currently carrying out investigation into the incident that had occurred in January 2020. CCTV system was not installed at the subway, and it was hard to identify the persons on the scene who had worn masks, thus police investigation had been made difficult. Yet, the Police still hoped to collect sufficient evidence to institute prosecution. He found it saddening and unfair that SKDC had disregarded the efforts of the Police.

304. The Chairman said there had often been clashes between the Police and members of the public during social events that had happened over a period of time in the past. Some of

them might be due to a lack of public understanding of the Police's ways of handling cases. However, Members were concerned about and suspicious way of Police's investigation likewise. He pointed out that due to the multiple units involved in the handling of different cases, members of the public might misunderstand that the Police had been delaying the investigations. However, he did not think that the comments made by Members earlier were groundless and sheer fabrications. SDKC was not requiring the Police to report on every single case at the meeting, but both parties should examine how to convey to the public that the Police enforced the law in an impartial and professional manner.

305. Mr Mark Ronald ANSTISS of HKPF said the Police was willing to accept fair and constructive recommendations and would make improvements accordingly. Recently, police officers had to work under extreme circumstances and might encounter uncooperative individuals. Yet, the Police would continue the endeavour to discharge their duties and strive to restore public trust.

306. The Chairman asked Members and the Police to continue to keep track of the situation.

**(5) The handling of cases of unnatural death and dead body found
(SKDC(M) Paper No. 116/20)**

307. The Chairman said the question was raised by Mr LAI Wai-tong.

308. Members noted the written reply from HKPF (SKDC(M) Paper No. 146/20).

309. Mr LAI Wai-tong said he would like to raise two further questions regarding the matter. First, he asked the Police to explain the procedures for handling unnatural death and dead body found cases for comparison between the practice of handling similar cases currently adopted by the Police and that adopted by the Police 20 years ago. The then Secretary for Security, Mrs Regina IP LAU Suk-ye, had responded to the question raised by Mr LAU Kong-wah on unnatural death and dead body found cases at the LegCo meeting on 26 June 2002. At that time, the question had been about the procedures for removing dead bodies, the time required, etc., and the Police had given a detailed response back then. By comparison, the latest response from the Police was rather sketchy and he hoped that supplementary information would be given. He also asked the Police how to judge whether a case was suspicious. He explained that the question was raised as some dead body found cases with apparently suspicious circumstances had been classified as non-suspicious cases. Members of the public had doubts and he hoped that the Police would give a more detailed explanation of the criteria.

310. Mr CHUN Hoi-shing said in recent dead body found cases, the common practice of the Police was to declare the cause of death being non-suspicious. However, those cases involved dead bodies with mouths sealed or hands tied up or even completely naked dead bodies, which aroused fear and worries among residents. He would like to understand which party was responsible for deciding whether the cause of death was suspicious and the procedures involved. He opined that the Police should give further explanation to pacify the public.

311. Mr CHOI Tung-tsoi of HKPF said Mr CHUN Hoi-shing could give evidence for cases involving dead bodies with mouths sealed or hands tied up that had been classified as non-suspicious by the Police. Based on his understanding, the circumstances mentioned by Mr CHUN were certainly suspicious. He pointed out that when the Police arrived at the scene after receiving a report of dead body found or suspicious death, the Patrol Sub-unit Commander would carry out investigation, who normally held the rank of Sergeant or Inspector. The details were set out in the written reply from the Police. The scope of investigation included making enquiries to witnesses at the scene; if nobody was present at the place of residence concerned, the Police would investigate whether the door was locked from inside or if there were any signs of a break-in, etc. As stated in the written reply from the Police, even if the Police considered the case non-suspicious after investigation, the case would be eventually investigated by a coroner. Hence, the fact that the Police had found the scene non-suspicious did not imply that the case had been concluded, so Members did not need to worry about that. To enhance public understanding of the Police's investigation into death cases, the Police had uploaded a video onto Facebook, which included the Police's response to the matter in the hope of alleviating public concern.

312. Mr Mark Ronald ANSTISS of HKPF supplemented that he had joined the Police for 27 years, but he could not recall the statement made by the then Secretary for Security, Mrs Regina IP LAU Suk-ye, and he did not have the relevant papers on hand. To the best of his knowledge, the procedures carried out by the Police for investigating the cause of death had not been revised. Since police officers were not doctors, they could not quickly determine whether the case involved an unnatural death upon arriving at the scene, which accounted for the need to formulate procedures for the coroner's inquest into the death. The message conveyed in the paper submitted by the Members seemed to indicate that there were many unidentified dead bodies. In fact, the Police had eventually got in touch with the family members of the deceased in almost every single case; and for the remaining cases, the Police could at least confirm the identity of the deceased. In the past two years and three months, there was only one case in which the identity of the deceased was unknown. The Police did not wish to disclose the details of the case, what could be said was the dead body had been submerged in seawater for a long period of time, which had made the corpse unidentifiable. If the dead body was from outside Hong Kong or the deceased was a non-Hong Kong resident,

the Police had to widen the scope of the search. It was very rare that the Police could not confirm the identity of a dead body.

313. Mr Brandon YIP said according to the elaboration by Mr CHOI Tung-tsoi of HKPF, the Police had not declared that the causes of death in some cases where dead bodies with mouths sealed or hands tied up at the back were non-suspicious. Yet, it was found on the Internet and in newspapers that many cases had been considered non-suspicious by the Police. To illustrate an example, a corpse had been found on Shanghai Street, Yau Ma Tei on 14 August 2019, with a plastic bag over the head and hands tied up with a towel; however, the Police had declared that the cause of death was non-suspicious on the following day. He asked the Police to give explanation for the case.

314. Mr FUNG Kwan-on said according to section 14 of Coroners Ordinance (Cap. 504), the Coroner's Court shall have the power to hold an inquest into sudden or violent death, death by accident or that surrounded with suspicious circumstances. The decision of the Coroner's Court to hold an inquest was not subject to the investigation by the Police. He referred to a case where a dead body had been found naked and floating in Tseung Kwan O, but the Police had classified it as non-suspicious. Although the power of the Police could not influence the inquiry findings of the Coroner's Court, it was unreasonable under normal circumstances to regard the cause of death as non-suspicious where the Police could not find any clothes that belonged to the deceased on the shore. The incident had caused bewilderment among the public. Even though the Coroner's Court had the power to decide whether to continue the inquest, it would be more challenging to detect crime if the Police had ceased gathering evidence at an earlier stage, resulting in loss of evidence. He hoped that the Police would respond to the matters.

315. Mr CHOI Tung-tsoi said regarding the incident in Yau Ma Tei, it would be inappropriate to comment as he did not have the case details from another police district. He indicated that even if the Police had found the case non-suspicious at that time, the Police still had to submit a death report to the coroner for determining whether crime had occurred. If affirmative, the Police would follow the instructions of the coroner to investigate the case. Hence, the progress of the case would not be stalled by the preliminary investigation findings of the Police.

316. Mr Mark Ronald ANSTISS gave a consolidated reply as follows:

- Individual cases should not be discussed especially those that might be under investigation.
- In addition to police officers, experts would normally be at the scene to handle the case together. With professional knowledge, the experts could assist the

Police in deducing investigation findings quickly, and the focus of the Police's investigation was on probing into the cause of death. The procedures of the entire investigation were very comprehensive and could last for one to two years, and an investigation was officially completed only upon receiving all files and papers.

- Speaking from his experience, dead bodies that had been submerged in water for days might be snagged on rocks with the effect of low and high tides and it was not uncommon to find dead bodies naked and floating on the sea surface.
- The decision of the Coroner's Court to hold a death inquest would not influence whether the Police would collect evidence. If the coroner eventually considered that the evidence gathered by the Police was not comprehensive, it had the power to direct the Police to continue gathering evidence. The coroner had the authority to instruct the procedures for gathering evidence and make judgement in accordance with the report submitted to the Coroner's Court in order to decide whether to conduct further investigation.
- There was a comparatively small proportion of death cases that required the Coroner's Court to hold a death inquest. Dead bodies handled by Tseung Kwan O Police District were mostly natural death in the hospital, and those dead bodies would be passed to the Coroner's Court. The coroner had the power to determine whether the investigation progress was appropriate. Based on the assessment of the content of the reports on cause of death compiled by forensic pathologists, only a small number of death cases were classified as suspicious among the many death cases in Hong Kong. As such, there were not many cases where the Coroner's Court required the Police to conduct investigation.
- Regarding the cases reported by the media in the past some ten months, the Police had given account of the details at press conferences, therefore, he had no information to add in this regard.

**(6) Details of the government policies in tackling COVID-19
(SKDC(M) Paper No. 117/20)**

317. The Chairman said the question was raised by Ms Debby CHAN.

318. Members noted the written replies from DH and FEHD (SKDC(M) Paper Nos. 131/20 and 132/20).

319. Ms LEUNG Hin-yan was dissatisfied with the written replies from government departments. She pointed out that there were errors in the addresses provided by the Government. Members were unable to trace the places that had been visited by confinees and had to call the hotline to make an enquiry, but calls had been unanswered. In the written

reply from the government department, this matter had not been addressed, but only the number of cases handled and how the cases had been confirmed were stated. She commented that the government department should respond how the addresses of confinees had been verified and the time required to complete the procedures of notification and disinfection.

320. Mr CHENG Chung-man said the government department had not fully explained to Members the criteria for selecting quarantine centres or designated clinics for treatment of COVID-19. The Government had not announced the details or manual of any infectious diseases. He opined that the reply from the government department was merely a work report, but the details were not specified in the report, such as the disinfection procedures and monitoring process after it was found that patients of confirmed cases had boarded a bus. He reiterated that the DC needed to know the strategies of the Government in tackling COVID-19 and other diseases in the future, so that Hong Kong people and all medical institutions in the community would stay vigilant and could make reference to the figures.

321. Mr Wilson NG of FEHD said upon receiving notification from CHP, FEHD would arrange for staff to visit the domestic premises of patients of confirmed cases and conduct disinfection in the units. Cleansing and disinfection would also be carried out in areas near the premises. As for the time required for disinfection, it depended on the size of the premises and also their surrounding environs, which varied from case to case. Hence, a standard time duration could not be determined for conducting household disinfection work.

322. Ms Debby CHAN said she understood the Government's intent of implementing the Enhanced Laboratory Surveillance Programme. Assuming that members of the public had not collected specimen containers after returning to Hong Kong, private hospitals would not be willing to provide testing service for them. She therefore enquired whether any hospitals were willing to carry out testing, but in the reply from the government department, only the programme details were introduced, which were also uploaded to the website and could be found easily. Although the Government published the latest information of the confirmed cases through press releases, residential estates concerned would not be notified, and the persons-in-charge of the residential estates might not browse press releases issued by the Government every day. She hoped to know more about the notification mechanism of the Government, especially that for rural areas.

323. Ms LEUNG Hin-yan said there were errors in the addresses on the website of FHB. She doubted whether FEHD had arrived at the correct address to carry out cleaning work. After discovering the problem, she had tried to look for the correct address for a few days but in vain. She would like to understand how FEHD communicated with DH to confirm the correct address for carrying out cleaning work. Besides, she pointed out that the

Government had not apologised for the mistake and had only updated the information on the website.

324. Mr LAI Ming-chak said a resident of Tseung Kwan O Plaza had stayed in the residential unit in Hong Kong for a period of time before travelling to the Mainland. The resident concerned had been confirmed positive with COVID-19 in the Mainland, but FEHD had only conducted cleaning on his/her premises more than a week after that. Even though the confirmed case had not caused a community outbreak or led to more infections, he considered that the Government should devise special measures in relation to highly contagious diseases, such as breaking into a unit to conduct cleaning where nobody answered the door for a long time, so as to ease the worries of residents. He hoped that FEHD would consider formulating special guidelines to handle those cases in which related work could not be carried out within a short period of time.

325. Mr Ricky OR said there had been some confirmed cases in Kwong Ming Court, the management office had therefore liaised with relevant departments like DH, but DH had expressed that the unit could only be disinfected a few days later. After a few days, the management office had called the office of DH to enquire about the progress, DH explained that the owner had already cleaned the unit of his/her own accord, and therefore the disinfection arrangement would not be made. He opined that the approach of DH was problematic, if the owner had not in fact disinfected the unit, it would have increased the risk of spreading the virus. He considered that the Government did not place much emphasis on overcoming the epidemic as in other countries.

326. Mr LUK Ping-choi said the information disseminated by DH on the Internet had caused confusion in estate management and had even aroused panic among residents. He pointed out that after the Government had announced a confirmed case in Beverly Garden, many residents had called the estate management office and his ward office to ask for the information of the confirmed case. Subsequently, he had called DH to make an enquiry, but the staff of DH had only provided information similar to what was available on the website and had not specified other information, such as the block, etc. The staff also suggested that he arrange disinfection in each block. However, there were ten blocks in Beverly Garden, the management office did not have sufficient resources to disinfect each block. In the end, he had only been able to obtain the specific information with the assistance of SKDO. Based on the above case, he urged DH to disseminate comprehensive information.

327. The Chairman said since representatives of DH were not present at the meeting, he would ask FEHD to give supplementary information on the disinfection work in the district first, but other questions might not be addressed immediately.

328. Mr Wilson NG of FEHD said that in some situations, it only required an hour to complete the cleaning work; but for some confirmed cases, the domestic units concerned were rather untidy, it could take up to three hours to finish the cleaning work. After FEHD received notification from CHP, the department would liaise with individuals who would assist FEHD staff to enter the pertaining household before actual disinfection work be performed. Hence, FEHD experienced no difficulty in entering the subject premises so far.

Extempore motions

- (1) Request the Government to take measures to protect the rights of the cleaners of the LAW's Cleaning Services LTD. whose employment contracts have been terminated prematurely; and to prevent the non-conforming company from submitting tender again**

329. Mr Stanley HO said Hon SHIU Ka-chun, LegCo Member, had made an enquiry to the Secretary for Food and Health about the contract details for engaging service contractors at the meeting on 22 April 2020. From the information of that meeting, it revealed that the service contract signed between FEHD and Law's Cleaning Services Limited for providing services in Sai Kung district would expire on 31 August 2020. Unfortunately, the above company had been given demerit points by FEHD, causing early termination of the service contract on 30 June. A total of 207 outsourced cleansing workers were hired by the above company. As provided in the service contract, workers would be granted severance payment at a total amount equivalent to two years' salary upon completion of the contract in accordance with the labour legislation. Nonetheless, the service contract of the company had been prematurely terminated and workers could not be granted severance payment as their contract period had not reached two years, among which 30 workers were aged above 65. He raised the extempore motion and hoped for support from Members, and the motion read: "Request the Government to take measures to protect the rights of the cleaners of the LAW's Cleaning Services LTD. whose employment contracts have been terminated prematurely; and to prevent the non-conforming company from submitting tender again". He supplemented that although the service contract of the above company had been terminated due to breach of contract, the company might change its name and submit a new tender in future. As such, it was necessary to adopt measures to prevent non-compliant companies from submitting new tenders. He asked FEHD to respond to protection of the rights of cleansing workers who would be dismissed soon.

330. The extempore motion was seconded by Messrs Gary FAN, Frankie LAM, CHAN Wai-lit, Brandon YIP, Ms Debby CHAN, Ms LEUNG Hin-yan, Messrs CHEUNG Wai-chiu, LEE Ka-yui, TSE Ching-fung, CHENG Chung-man, Ryan LEE, Ms Valerie WONG, Ms Christine FONG, Messrs Edwin CHEUNG, Ricky OR, LUI Man-kwong, CHOI Ming-hei and

LAI Wai-tong.

331. There being no objection from Members, the Chairman declared that the extempore motion would be included in the agenda.

332. Mr Wilson NG of FEHD said that FEHD's services contract had requested the service provider to observe legislation including those protecting the rights of employees. However, FEHD could take no action if a service provider terminates employment contracts with its employees in accordance with those labour legislation in force.

333. Mr Stanley HO said outsourced cleansing workers could have enjoyed the protection conferred on them by the labour legislation and could receive severance payment equivalent to at least two years' salary. Although FEHD would terminate the service contract due to the company's breach of contract, the practice would in effect sacrifice the rights of 207 workers. He therefore hoped that the Government would take up the responsibility by formulating measures to protect outsourced cleansing workers.

334. Mr CHENG Chung-man said while the Government widely publicised the Employment Support Scheme, the department took the lead to terminate the contract with the outsourced service provider prematurely. He did not understand the practice of the Government and continued that the severance payment of several tens of thousand dollars was crucial to cleansing workers.

335. Mr Ricky OR said he would like to understand why the Government would terminate the contract with the above company prematurely and whether it involved serious mistakes or breach of the contract terms as cleansing workers would then be unable to receive the protection to which they were entitled. He asked FEHD to disclose information as appropriate for Members to understand the matter.

336. The Chairman commented that there were loopholes in the contract signed between FEHD and the outsourced service provider, it was not reasonable to punish the outsourced service provider while causing its staff to suffer loss. Hence, he asked FEHD to consider how to improve the situation.

337. Mr Wilson NG of FEHD said if the contract of a service provider was terminated for any reasons, FEHD would still request the company to make compensation to the affected employees in accordance with the Employment Ordinance. Yet, for situations outside the purview of the Employment Ordinance and where the company had not violated any legislation, FEHD could not follow up the matter.

338. The Chairman asked FEHD to review the problem as the incident was unfair to cleansing workers and the outsourced service provider would shirk from its responsibility due to cost saving.

339. Mr Stanley HO suggested referring the matter to the Labour Affairs Working Group for follow-up work.

340. There being no objection from Members, the Chairman declared that the extempore motion was endorsed and the aspirations of SKDC would be conveyed to FEHD and LD in writing. The Chairman declared that the motion was referred to EHSWC for its decision on how to handle the matter.

(2) Urge the Lands Department and the Independent Commission Against Corruption to thoroughly investigate the suspected breach of law and abuse of power by Mr DOVER T.A. Rupert, the Assistant Commissioner of Police, which if found to be substantiated after investigation, Mr DOVER T.A. Rupert should take the blame and resign to avoid further undermining the confidence of the public in the system and rule of law in Hong Kong

341. Mr David CHIU, District Officer (Sai Kung), SKDO, said the captioned extempore motion involved a case about a public officer recently reported by the media. Even though the incident happened in Sai Kung district, the motion was mainly concerned about the act of an individual, and was likely to be incompatible with the functions of a DC as provided in section 61 of District Councils Ordinance. Moreover, the Government currently had an established mechanism for handling cases of public officers suspected of committing illegal acts or in breach of regulations. LandsD had also carried out investigation in view of the media reports. As such, it was not appropriate to discuss the motion at the council meeting.

342. Mr Gary FAN said the wording and content of the extempore motion would not be amended according to the advice of the District Officer.

343. The Chairman asked Members to note the views of the District Officer.

344. Mr CHOI Tung-tsoi of HKPF said since the incident involved a suspected illegal act of a police officer, the Police would proactively co-operate with the department's investigation. In addition, the Police would be committed to carrying out follow-up work and conducting investigation according to the established procedures in a fair, just and unbiased manner. He continued that since the motion was outside the purview of the functions of a DC, the Police would not participate in the discussion and would leave the meeting. (Representatives of HKPF left the meeting)

345. Mr David CHIU, District Officer (Sai Kung), SKDO, supplemented that the motion itself was mainly concerned about a public officer's suspected breach of regulations. If Members considered that there was a misconduct in public office, they might lodge a complaint under the established mechanism. In fact, LandsD had been carrying out investigation into the matter and the Government had issued a press release on the incident some days ago. If Members intended to discuss suspected illegal acts of other public officers and requested that the individuals be penalised, he would likewise consider it inappropriate to discuss the matters at SKDC meetings regardless of whether the individuals concerned were police officers. SKDO would further seek legal advice after the meeting. The Secretariat would not provide support service in connection with any matters for discussion that were not compatible with the functions of a DC.

(Note: As the above extempore motion was not compatible with the provision concerning "Functions of a District Council" in section 61 of District Councils Ordinance (Cap. 547), the Secretariat would not provide any support services.)

(A) Motions raised by Members (Items (7) and (15)):

(7) Request for adding new provision in the Standing Orders to stipulate a deadline for public officers to submit supplementary documents or written replies within one month after the meeting

(The motion was amended as "Request Sai Kung District Council to explore and complete the proposal on the amendments to the Standing Orders or draft administrative guidelines within four months to stipulate a deadline for public officers to submit supplementary documents or written replies within one month after the meeting")

(SKDC(M) Paper No. 103/20)

346. The Chairman said the motion was moved by Ms LEUNG Hin-yan and seconded by Messrs Stanley HO and LAI Ming-chak.

347. The Chairman asked the proposer to explain what was undesirable in the provision of replies to SKDC from government departments to enable Members' exploration on the issue. He also asked SKDC to review how it could facilitate government departments to respond to the motions and questions of Members more quickly.

348. Ms LEUNG Hin-yan said regarding reply after meeting (3) of the 2nd special meeting of SKDC in 2020, SKDC had only received the reply on 21 April, making it difficult for Members to follow up before the next meeting. Therefore, she hoped to expedite the

response time of departments through administrative procedures. Although she did not consider that the motion could regulate public officers, she still hoped that the Secretariat could consolidate the status of replies from various departments to inform Members of the latest situation. For those departments that gave no reply or had not provided a reply after the deadline, SKDC could reserve the right to take actions given that government departments were required to reply within one month after receiving public enquiries.

349. Mr Frankie LAM said some departments in attendance would provide a written reply after the meeting if they were unable to respond to the enquiries of Members at the meeting. However, he had made an enquiry on a hostage case in the district at the full council meeting on 3 March and requested the Police to explain whether the person they discovered was indeed the one who was held hostage, and the Police had not yet provided an official reply. He pointed out that whether the case had been detected was still unknown at present and requested the Chairman to continue to follow up on this.

350. Mr CHAN Wai-lit asked whether Members needed to specify the departments that the motion needed to be referred to in the motion paper. He considered that the Secretariat could ask the proposer if there was any uncertainty. Besides, no information on contact person was provided in most of the replies from departments, making it impossible for Members to follow up. He asked the Secretariat to request the departments to provide information on the contact person in their replies in the future.

351. Ms Valerie WONG said she had raised questions about wild pigeons in Hang Hau at the meeting of EHCC AFC, which included the request for FEHD to submit monthly prosecution figures. However, FEHD did not follow up and had only provided the prosecution figures for January 2020 after being pressed by Members at the meeting. She had written to FEHD in this regard, but no reply was received up to now.

352. The Chairman said he believed that the text of the motion moved by Members also needed to be fine-tuned. He hoped that District Officer (Sai Kung) would respond on how to expedite the provision of written replies from government departments.

353. Mr David CHIU, District Officer (Sai Kung), gave a consolidated reply as follows:

- He understood that the content and response time of written replies or supplementary information submitted by individual government departments might be at variance with the expectation of Members.
- Under certain circumstances, Members' views were not accurately reflected in the text of motions. As such, the content of reply letters from departments might not be what Members expected. The Secretariat could strengthen

communication with Members in the future for a better understanding of the content of motions. Even if there were omissions, the Secretariat could still request the departments concerned to provide written supplementary information after the motion was discussed at SKDC meeting.

- Given that the recent questions related to COVID-19 raised by Members involved many bureaux and departments, it took some time for the Secretariat to consolidate the replies from different bureaux and departments before sending them to Members. The process indeed took a longer time than expected.
- He noted Members' request for having government departments to provide a reply within one month. However, he considered that there was no need to amend the Standing Orders, instead, the Secretariat could, when writing to the bureau and departments concerned, remind them to do so and follow up as appropriate. Individual departments in need of extra time regarding the submission of replies should notify the Secretariat as early as possible to facilitate the Secretariat to explain to the SKDC Chairman or the Chairman of the respective Committees.
- The replies after meeting submitted by departments would be handled by the Secretariat according to different circumstances. Apart from uploading the replies or supplementary documents of the departments onto the website of SKDC or sending them to the Members concerned, the Secretariat would also set out the reply of simpler enquiries in the minutes of meeting as a post-meeting note. Besides, verbal responses or supplementary information, etc., might be directly submitted to the proposer by individual departments. The approaches in handling replies after meeting for the full council meeting was also different from that of the meetings of Committees. For the full council meeting, the replies after meeting would be uploaded onto the website of SKDC in due course; while for the meetings of Committees, since the motions raised by Members would usually be included in the agenda of the next meeting, the replies from departments would be attached to the meeting papers and sent to Members together with the agenda of the next meeting. Members could consider whether the practice adopted by the Committees needed to follow that of the full council meeting for uniformity.
- In general, it would not take too long for departments to prepare a written reply, however, whether the content of the reply could accurately respond to the questions of Members might need to be further explored on a case-by-case basis.

354. The Chairman said SKDC still needed to explore the mechanism for implementing the suggestions. He suggested that he himself and the Vice-Chairman, together with the Chairman and Vice-Chairman of each Committee, would explore with the Secretariat on ways of implementation.

355. The Vice-Chairman moved an amended motion, the wording of which was: “Request Sai Kung District Council to explore and complete the proposal on the amendments to the Standing Orders or draft administrative guidelines within six months to stipulate a deadline for public officers to submit supplementary documents or written replies within one month after the meeting”. The objective of the amended motion was to facilitate cooperation among SKDC, SKDO and the Secretariat to stipulate the details related to the motion, under the premise that the work would be led by SKDC. In addition, regarding the suggestion made in the paper that the Secretariat should warn or condemn government departments which were unable to comply with the requirements, he considered that the motions had to be raised by Members, and SKDC had the responsibility to adjust the content of the provision. Finally, he considered that SKDC should discuss and decide whether the issue should be handled by amending the Standing Orders or drawing up administrative guidelines.

356. Ms LEUNG Hin-yan said she did not mind any amendment to the motion raised by her, she just did not understand why six months would be needed for the implementation. Given that the Standing Orders required Members to submit paper 14 days before the meeting, and a reply to most of the papers would be given, she considered the suggestion on setting a one-month deadline very reasonable. In addition, the consolidated reply or individual reply submitted by the departments might not have sufficient information and met the requests of Members, if the departments could reply within one month, Members would still have time to press them. She hoped to understand why this motion needed to be discussed after the meeting and whether amending the Standing Orders would be difficult.

357. The Chairman said that the drawing up of Standing Orders was certainly within the scope of the functions of SKDC. Whilst the paper suggested that SKDC would move a motion to condemn the government departments that were unable to respond to the motions before the deadline, it was arguable whether the Secretariat should be responsible for the work. The established practice of the Secretariat was to submit the written replies it received for discussion at the next Committee meeting. If the suggestion in the original motion was adopted, the Secretariat might need to immediately forward the written replies or brief replies from the departments to Members by email and then include the replies in the agenda of the next meeting.

358. The Chairman continued that the Secretariat should, commencing from this meeting, remind the departments in writing to reply within one month after receipt of the enquiries. The departments should give reasons to SKDC in advance if a reply could not be made within one month. Finally, the Secretariat should record the information on the departments which could not provide a written reply within one month for following up by the full council meeting or individual Committees. As for the content of the motion, it was necessary to

examine how it could be implemented effectively; while the six-month review time could be further negotiated.

359. Mr CHAN Wai-lit said the contents of the replies on COVID-19 from the departments this time were similar to those provided earlier. He considered that the Secretariat should provide information on the contact persons of the departments concerned to facilitate Members to make direct enquiries in detail given the repeated delays in reply.

360. The Chairman said if Members hoped that specific departments would respond to a motion, they could specify such departments in the paper. It was because he had been discussing with the Secretariat which departments a motion should be referred to for following up. If Members had provided information on the departments in the motion, even though he himself and the Secretariat considered that the motion was not related to those departments specified by Member, the Secretariat would still request those departments to provide a reply as requested in the paper. He asked the Secretariat to follow up on the suggestions of Members and request the departments to provide in the reply the contact information of the responsible persons.

361. Mr CHAN Wai-lit asked the Chairman how he would handle this motion.

362. The Chairman hoped that Members would first discuss the overall implementation process to facilitate smoother implementation of the provision.

363. Ms LEUNG Hin-yan said she only hoped to understand why the review time had to be set at six months and the difficulties in requesting the departments to provide a reply within one month. She said she was willing to discuss the issue separately if making amendments to the Standing Orders would cause chaos at SKDC. It was just SKDC that did not provide the justification all along.

364. The Chairman said no Member had queried the one-month deadline. As for whether the issue should be discussed at the meeting or after the meeting, he did not oppose holding a special meeting or internal meeting to handle the issue if Members considered it necessary. He considered that currently, the focus was whether the motion would take immediate effect and whether the Secretariat could be asked to move a motion to condemn the departments, and they were the parts that still needed to be adjusted. He said, as it was arguable whether SKDC needed six months to handle this issue, he hoped that Members would express their views.

365. Mr David CHIU, District Officer (Sai Kung), said given that Members had clearly expressed their hope that the departments could submit all supplementary documents and

written replies within one month as far as practicable and their request for providing contact information of the responsible persons in the letter, the Secretariat could arrange for the implementation immediately, it would also inform the departments concerned that they should notify the Secretariat and provide the reasons as early as possible if they could not reply within one month to facilitate the Secretariat to explain to the respective Chairman. He considered that the amended motion of the Vice-Chairman aimed at allowing sufficient time for Members to review whether it was necessary to amend the Standing Orders or draw up administrative guidelines.

366. Mr LAI Ming-chak said SKDC was only worried about whether the Secretariat should be asked to move a motion of condemnation. Therefore, he considered that the wording of the motion could be endorsed first and then passed to the Secretariat to adjust the text before submitting to the next meeting of FAC for approval with a view to implementing the arrangements as soon as possible. He considered that the motion could be moved in the name of the Chairman if the motion could not be submitted in the name of the Secretariat. He considered that holding a special meeting of FAC for discussion as early as possible was also feasible if time allowed.

367. The Vice-Chairman said he considered that the Standing Orders could be amended, however, the Secretariat would not be able to move motions to condemn the departments concerned under all circumstances. He personally considered that Members should first explore the procedures involved, which included whether they decided to amend the Standing Orders or draw up administrative guidelines, with a view to requesting the Secretariat and the Chairman to follow up on the status of the replies from the departments. In response to Members' views on the six-month period, he moved an amended motion again, the wording of which was: "Request Sai Kung District Council to explore and complete the proposal on the amendments to the Standing Orders or draft administrative guidelines within four months to stipulate a deadline for public officers to submit supplementary documents or written replies within one month after the meeting". The amended motion was seconded by Messrs LEUNG Li, FUNG Kwan-on and LUK Ping-choi.

368. Ms LEUNG Hin-yan said she agreed with the handling method suggested by Mr LAI Ming-chak and the problem was not about four months or six months. She only cared about when her suggestion would start to be implemented.

369. Mr LUI Man-kwong said the current issue was whether the provision would take immediate effect. He considered that the wording of the motion could specify that the issue would be passed to FAC or other meetings for handling, but it was not necessary to specify the time. He pointed out that Members did not raise any objection to requesting government departments to submit a written reply within one month.

370. Mr LAI Ming-chak said only the wording of the motion would be endorsed at present according to established practice. After the motion was endorsed, Members could still make adjustments to the text of the Standing Orders. Therefore, he considered that Members could consider having SKDC or the Secretariat to adjust the text before passing it to FAC for approval and then submitting it to the full council meeting for endorsement as the proposer and the seconders considered that the content of the motion could be amended. If his suggestion was accepted, Members did not need to worry about whether the provision would take immediate effect.

371. The Chairman said he had only expressed his concern because the exact implementation date was not mentioned in the wording of the original motion. He considered that the date and method of the official implementation must be specified in the wording. He asked Members to note the supplementary remarks made by the proposer and the seconders and consider whether the motion would be passed to FAC for following up.

372. The Vice-Chairman made clarifications on the amended motion moved by him. He pointed out that, apart from the Standing Orders, SKDC could also consider drawing up administrative guidelines. Regarding the time, the wording only suggested that the relevant work should be completed within four months. SKDC might be able to complete the work within one month, and it was SKDC instead of the Secretariat which could make the final decision. However, as some details needed to be handled when implementing the suggestions, he suggested reserving sufficient time for SKDC to follow up. He supplemented that SKDC could consider reminding the departments to provide written replies timely through administrative guidelines as the Standing Orders could not regulate government departments.

373. Mr LEUNG Li said the meaning of what the Chairman just said was to accept the suggestion of Mr LAI Ming-chak, i.e. to vote on the original motion first, and then to decide whether the proposed amendment to the Standing Orders would be passed to FAC for approval, and that the provision would only be implemented after endorsement. In this case, SKDC did not need to vote on the amended motion of the Vice-Chairman.

374. The Chairman said, as Members had raised no objection to the one-month deadline, he hoped that the motion could be endorsed to clearly express the stance of SKDC; while SKDC could further discuss whether the issue should be passed to FAC for following up because FAC was not responsible for making amendments to the Standing Orders in the past. Members needed to consider whether it was necessary to convene an internal meeting to handle the issue if the existing practice was followed.

375. The Chairman invited Members to vote on the amended motion raised by the Vice-Chairman.

376. The Chairman concluded that the voting result was as follows: 5 votes for the amended motion, 0 vote against it and 1 abstention. The Chairman declared that the amended motion was endorsed.

(15) This Council agrees to upholding Article 22 of the Basic Law, which stipulates that no department of the Central People’s Government and no province, autonomous region, or municipality directly under the Central Government may interfere in the affairs which the Hong Kong Special Administrative Region administers on its own in accordance with this Law
(SKDC(M) Paper No. 111/20)

377. Mr David CHIU, District Officer (Sai Kung), said SKDO had sought legal advice on this motion before the meeting. The Government considered that this motion was not compatible with the functions of DCs specified in Section 61 of the District Councils Ordinance and was not suitable for discussion at SKDC. He had conveyed the relevant views to the Chairman before the meeting. However, if SKDC insisted on continuing to discuss the motion, the Secretariat would not provide any support services.

[Note: As the above motion was not compatible with the provision concerning “Functions of a District Council” specified in Section 61 of the District Councils Ordinance (Cap. 547), the Secretariat would not provide any support services.]

VI. Any Other Business

(A) Sports ambassadors of the Leisure and Cultural Services Department
(SKDC(M) Paper No. 118/20)

378. Members noted the meeting paper. The Chairman said LCSO invited SKDC to nominate at least two Members to serve as the new-term sports ambassadors with a tenure from 2020 until end-2021. He invited interested Members to indicate their intention.

379. The Chairman concluded that SKDC would nominate Ms Debby CHAN, Messrs CHAN Wai-lit, CHENG Chung-man, Edwin CHEUNG, CHEUNG Wai-chiu, CHUN Hoi-shing, Ms Christine FONG, Mr Stanley HO, Ms LEUNG Hin-yan, Messrs TSE Ching-fung, Brandon YIP and YU Tsun-ning as sports ambassadors.

(B) “All for Integrity” Publicity Project for Sai Kung District 2020/2021
(SKDC(M) Paper No. 119 /20)

380. The Chairman said the Independent Commission Against Corruption (ICAC) invited SKDC to be a supporting organisation of the above project. He referred Members to the meeting paper for details.

381. There being no objection from Members, the Chairman declared that SKDC would be a supporting organisation of the above project. ICAC would introduce the details of the project at the next meeting of EHSWC.

(C) Updated Membership List of the Committees established under SKDC
(SKDC(M) Paper No. 120/20)

382. The Chairman said the Secretariat had received requests for joining or withdrawal from individual committees made by Messrs LEUNG Li, CHOI Ming-hei and CHENG Chung-man respectively before the meeting.

383. There being no objection from Members, the Chairman declared that the captioned updated list was endorsed.

VII. Date of Next Meeting

384. The next meeting was scheduled for Tuesday, 7 July 2020 at 9:30 a.m. The meeting adjourned at 10:40 p.m.

Sai Kung District Council Secretariat
July 2020