

Sha Tin District Council
Minutes of the 3rd Meeting of
the Culture, Sports & Community Development Committee in 2019

Date : 2 May 2019 (Thursday)
Time : 10:00 am
Venue : Sha Tin District Council Conference Room
 4/F, Sha Tin Government Offices

<u>Present</u>	<u>Title</u>	<u>Time of joining the meeting</u>	<u>Time of leaving the meeting</u>
Mr CHIU Man-leong (Chairman)	DC Member	10:00 am	12:46 pm
Ms CHAN Man-kuen (Vice-Chairman)	”	10:00 am	12:24 pm
Mr HO Hau-cheung, SBS, MH	DC Chairman	10:17 am	12:46 pm
Mr PANG Cheung-wai, Thomas, SBS, JP	DC Vice-Chairman	10:00 am	11:59 am
Mr CHAN Billy Shiu-yeung	DC Member	10:17 am	12:44 pm
Mr CHAN Kwok-keung, James	”	10:18 am	11:26 am
Mr CHAN Nok-hang	”	10:29 am	12:10 pm
Mr CHENG Tsuk-man	”	10:23 am	12:46 pm
Mr CHING Cheung-ying, MH	”	10:00 am	12:46 pm
Mr CHIU Chu-pong, Sunny	”	10:22 am	12:44 pm
Mr HUI Yui-yu, Rick	”	10:00 am	11:43 am
Mr LAI Tsz-yan	”	11:01 am	12:44 pm
Ms LAM Chung-yan	”	10:00 am	12:46 pm
Mr LEUNG Ka-fai, Victor	”	10:00 am	12:15 pm
Mr LI Sai-hung	”	10:07 am	11:33 am
Mr LI Sai-wing	”	10:00 am	12:16 pm
Mr LI Wing-shing, Wilson	”	10:07 am	12:21 pm
Mr MAK Yun-pui	”	11:32 am	12:41 pm
Mr MOK Kam-kwai, BBS	”	10:00 am	11:42 am
Mr NG Kam-hung	”	10:00 am	12:46 pm
Mr PUN Kwok-shan, MH, JP	”	10:00 am	12:46 pm
Mr SIU Hin-hong	”	10:00 am	12:21 pm
Mr TING Tsz-yuen	”	10:00 am	11:38 am
Mr TONG Hok-leung	”	10:09 am	12:46 pm
Ms TSANG So-lai	”	10:10 am	12:46 pm
Ms TUNG Kin-lei	”	10:00 am	12:46 pm
Mr WAI Hing-cheung	”	10:00 am	12:44 pm
Mr WONG Fu-sang, Tiger	”	10:00 am	12:46 pm
Mr WONG Hok-lai	”	10:38 am	11:04 am
Mr WONG Ka-wing, MH	”	10:10 am	12:46 pm
Ms WONG Ping-fan, Iris	”	10:00 am	12:30 pm
Mr WONG Yue-hon	”	10:00 am	12:04 pm
Mr YAU Man-chun	”	10:00 am	11:55 am
Mr YIP Wing	”	10:00 am	10:44 am
Mr YIU Ka-chun, MH	”	10:07 am	12:46 pm
Mr YUNG Ming-chau, Michael	”	10:00 am	12:46 pm

<u>Present</u>	<u>Title</u>	<u>Time of joining the meeting</u>	<u>Time of leaving the meeting</u>
Ms WONG Hei-lam, Helen (Secretary)	Executive Officer (District Council) 2 / Sha Tin District Office		
<u>In Attendance</u>			
Ms LEE Po-yee	Senior Community Relations Officer / Independent Commission Against Corruption		
Ms CHAN Yee-chi, Elaine	Assistant District Social Welfare Officer (Sha Tin) 2 / Social Welfare Department		
Ms LEE Mei-yee	Senior Librarian (Sha Tin) / Leisure and Cultural Services Department		
Ms CHAN Siu-kin, Ester	Deputy District Leisure Manager (District Support) Sha Tin / Leisure and Cultural Services Department		
Mr LEUNG Cheuk-ming, Rico	Senior Manager (New Territories East) Promotion / Leisure and Cultural Services Department		
Ms YAU Ming-wai, Nellie	School Development Officer (Sha Tin) 11 / Education Bureau		
Ms CHENG Siu-ling, Katy	Chief Liaison Officer / Sha Tin District Office		
Ms LEUNG Wai-shan, Cecilia	Senior Liaison Officer (West) / Sha Tin District Office		
Mr YUEN Chun-kit, Derek	Senior Executive Officer (District Council) / Sha Tin District Office		
<u>In Attendance by Invitation</u>			
Ms LO Lai-fong, Jackie	District Leisure Manager (Sha Tin) / Leisure and Cultural Services Department		
Ms SAM Fung-mei, Esther	Manager (New Territories East) Marketing and District Activities / Leisure and Cultural Services Department		
Ms LEUNG So-ping, Selina	Senior Executive Officer (Planning) 1 / Leisure and Cultural Services Department		
Mr CHEUNG Hang-yiu, Galax	Executive Officer (Planning) 1/2 / Leisure and Cultural Services Department		
Mr KOO Siu-lung, Roy	Liaison Officer In-charge (North) 2 / Sha Tin District Office		
Mr SOON Ka-wing, Kelven	Executive Assistant (District Council) 9 / Sha Tin District Office		
Ms CHAN Wing-yee, Winnie	Liaison Officer In-charge (Youth Programmes) / Sha Tin District Office		
Ms OR Wai-yin, Doe	Liaison Officer (Youth Programmes) / Sha Tin District Office		
Ms CHIN Wai-sheung, Doris	Liaison Officer In-charge (East) 2 / Sha Tin District Office		
Ms CHAN Siu-yin, Zoe	Liaison Officer (East) 2b / Sha Tin District Office		
Ms LEE Wing-yan, Charis	Liaison Officer In-charge (West) 4 / Sha Tin District Office		
Ms LAW Wai	Treasurer / Sha Tin Celebration Committee		

In Attendance by Invitation

Mr KWONG Wai-pang
Mr LAI Ka-kin

Mr CHU Hing-tak

Mr LUI Chun-kok

Mr NG Raymond Tjeng

Ms CHOW Choi-fung

Title

Event Officer / Sha Tin Celebration Committee
Inspector, Patrol Sub-unit 2 of Shatin Division /
Hong Kong Police Force
Station Sergeant, Patrol Sub-unit 2 of Shatin Division /
Hong Kong Police Force
Station Sergeant, Administration and Support Sub-unit,
Shatin Division / Hong Kong Police Force
Senior Environmental Protection Officer (Regional North) 4 /
Environmental Protection Department
Senior Health Inspector (Environmental Hygiene) 2 /
Food and Environmental Hygiene Department

Action

The Chairman welcomed members and representatives of government departments and organisations to the meeting.

Confirmation of the Minutes of the Meeting Held on 28 February 2019
(CSCDC Minutes 2/2019)

2. Members unanimously confirmed the above minutes of the meeting.

Matters Arising**Responses of Government Departments to Matters Arising from the Previous Meeting**
(Paper No. CSCD 26/2019)

3. The views of Mr Tiger WONG were summarised below:
- (a) he pointed out that, according to the District Lands Office / Sha Tin (DLO/ST), bazaar activities were non-industrial and non-profit ones. However, bazaars were places where goods were traded. He hoped that the DLO/ST would provide a further explanation; and
 - (b) he asked whether owners' corporations of private housing estates could hold bazaars that consisted of trading activities on private lands as long as they could find non-profit organizations to organise such events. He pointed out that the Food and Environmental Hygiene Department (FEHD) did not ask non-profit groups to be fully responsible for organising the annual Lunar New Year Fairs. Instead, it selected parties through open tender. He wondered whether there was any conflict between the two.
4. The views of Mr Michael YUNG were summarised below:
- (a) he said that the FEHD cited the first draft of the "Application Guidelines for Setting Up Bazaars" in its reply twice, and various bazaars had been held in different districts. He asked whether the FEHD would review the definition in the draft again and improve the insufficiencies. He also asked under what circumstances the draft would be re-submitted to the Sha Tin District Council (STDC) for discussion; and

- (b) he pointed out that damages to the structural accessories of the Dragon Boat Pavilion had been identified in June. And Super Typhoon “Mangkhut” did not hit the territory until September. He wondered why it had taken the Architectural Services Department (ArchSD) such a long time to investigate the causes of the damages. He also asked why the ArchSD conducted tendering before evaluating the repair approaches, rather than providing professional advice and instructions to the related contractor for repairs. He opined that public money was not well spent. He further pointed out that the works of the Dragon Boat Pavilion and Main Plaza would not commence until August. The progress and schedule of the restoration were unrealistic. He therefore requested that the Leisure and Cultural Services Department (LCSD) convey the problem to the direct supervisor of the responsible officers, and that the responsible officers of the ArchSD attend the next meeting.

5. Ms CHOW Choi-fung, Senior Health Inspector (Environmental Hygiene) 2 of the FEHD, said that the FEHD would provide a written reply after the meeting.

6. Ms Jackie LO, District Leisure Manager (Sha Tin) of the LCSD, promised to convey Mr Michael YUNG’s views on the Dragon Boat Pavilion and the Main Plaza to the ArchSD. She also promised to invite responsible LCSD staff to attend the next meeting.

(Post-meeting note: The ArchSD had obtained Mr Michael YUNG’s consent to provide detailed explanation on the renovation works in writing.)

7. The Chairman asked the FEHD to provide a relevant reply after the meeting.

Discussion Item

2019-20 Leisure and Cultural Services Department Annual Work Plan - Progress of Capital Works : Projects Related to Leisure and Cultural Services Facilities in Sha Tin
(Paper No. CSCD 27/2019)

8. The Chairman welcomed Ms Selina LEUNG, Senior Executive Officer (Planning) 1, and Mr Galax CHEUNG, Executive Officer (Planning) 1/2, of the LCSD to the meeting to answer members’ questions.

9. Ms Selina LEUNG briefly introduced the above paper.

10. The views of Mr LI Sai-wing were summarised below:

- (a) he said that the former Regional Council (former RC) had been dissolved for 2 decades, but many projects remained uncompleted. He asked whether the LCSD would consult the Home Affairs Bureau (HAB) about finding a solution, so that such works could be promptly implemented to provide Sha Tin residents with the cultural and recreational facilities;
- (b) he expressed concern about the development of Area 103, Ma On Shan. And he enquired about the number of parking spaces in the related public car park. He asked that since the site was reserved for the Ma On Shan Sub-office of the Sha Tin District Office (STDO), whether a social security field unit of the Social Welfare Department

(SWD) could be set up at the same location to take care of the needs of Ma On Shan residents;

- (c) regarding the development of Area 111, Ma On Shan, he said that the area was close to the sports park at Whitehead and asked how they could complement each other. He pointed out that the population began to increase in neighbouring areas. He therefore suggested that further planning be conducted for Area 111, such as to build a library, a sports centre, etc., so as to compensate for the lack of cultural and recreational facilities in the community; and
- (d) he said that although it was difficult to develop the site between Lee On Estate and Monte Vista, the first step should be taken as soon as possible, because the project cost and difficulties would only continue to increase. And the site had been idle for a long time, leading to mosquito infestation and affecting the daily lives of nearby residents.

11. The views of Mr CHING Cheung-ying were summarised below:

- (a) he asked about the exact completion date of the sports centre in Area 24D, Sha Tin and suggested that representatives and residents from nearby estates be allowed to visit the facility before its completion;
- (b) in addition, he expressed concern about the sound insulation issue of the multi-purpose activity rooms that could be combined. He asked whether improvements to the situation could be guaranteed;
- (c) he asked about the number of parking spaces in the public car parks and the hours for public use. He objected to letting out the parking spaces on a monthly basis and opined that it would cause unfairness;
- (d) he enquired about the specific details of the relevant ancillary facilities. He asked the LCSD to provide a detailed rendered drawing of the sports centre for members' reference and for demonstration to the public; and
- (e) he asked about the opening arrangements of the public space in the sports centre. For example, he asked whether such space would be open to the public only after business hours. He requested further information in detail.

12. The views of Mr WONG Yue-hon were summarised below:

- (a) he enquired about the design and detailed arrangements of the expansion of Sha Tin Public Library. He hoped that the LCSD would submit related details later and explain to the public the scope of the proposed development and the areas for improvement; and
- (b) he enquired about the LCSD's opinion on the use of the open space in Area 11, Sha Tin. For example, he asked whether the existing Kitchee Football Training Centre would be retained on the site, or whether the site would be used for other purposes. The paper mentioned that the Hong Kong Housing Authority (HA) was constructing

a sitting-out area at the site. He wondered why the HA, instead of the LCSD, was in charge of construction at the location. He also asked whether the site was first used for calculating the gross floor area (GFA) of an estate of the Housing Department (HD), before it was returned to the LCSD. He hoped that LCSD would explain the reasons for this and the detailed planning of the other areas.

13. The views of Ms Iris WONG were summarised below:

- (a) she enquired about the locations of the sports centres in Area 14B, Sha Tin and Area 34, To Shek. Subsequently, she expressed support for the relevant planning arrangements; and
- (b) she said that if it was not feasible to build the proposed small skateboard ground next to Courtyard by Marriott Hong Kong Sha Tin, then she would propose building it between the end of On King Street and the “Twin Bridges”, at the site facing the river near the cycle track. She hoped that the proposal could be mentioned in a paper of the next meeting.

14. The views of Ms TUNG Kin-lei were summarised below:

- (a) she said that she had expressed to the LCSD her hope that self-study rooms would be provided in the government building in Tai Wai Library, and she had proposed constructing indoor sports venues, so as to enhance cultural and recreational facilities in Tai Wai; and
- (b) she had also proposed converting Pok Ngar Villa into an antiquities and monuments park. However, the gatehouse had yet to be graded and park facilities had not yet been improved and had been causing problems of gambling and poor hygiene. In view of this, she asked the LCSD and the DLO/ST to duly manage the facilities and to attach importance to the development of the location.

15. The views of Mr Michael YUNG were summarised below:

- (a) he opined that the LCSD delayed the planning of cultural and recreational facilities. At present, only a small number of works had been completed, while some works, which were funded by District Minor Works funding, were being carried out with slow progress;
- (b) he asked whether there were priorities and asked about the planned arrangements for the projects at the LCSD’s reserved sites, namely the sports park at Whitehead, the sports centres in Area 111, Ma On Shan and in Area 34, To Shek, as well as the library in Tai Wai;
- (c) he said that the sitting-out area along Mui Tsz Lam Road would be levelled off by the Drainage Services Department (DSD) and be set up as a consultation centre. He hoped that the LCSD would construct facilities at the site for local residents in the future; and

- (d) he pointed out that the sports centre in Area 34, To Shek was close to Sha Tin Wai. He did not understand why some members thought it was located near City One Shatin. He said that Area 34, To Shek lacked relevant sports facilities and opined that the Government had not duly considered the provision of ancillary facilities during land use planning. He opined that the issue should be given deeper thought.

16. Mr Thomas PANG said that the former RC had been dissolved for 2 decades and was disappointed with the progress of related projects. He opined that, as the population grew, the Administration should speed up the project of Fo Tan Cooked Food Market. He pointed out that the project lacked related facilities, such as a community hall and a temporary car park. He said that there was a serious shortage of parking spaces in Fo Tan. He suggested that planning be undertaken as soon as possible for providing sufficient parking spaces in the area. He said that he would move a provisional motion.

17. The views of Mr CHAN Nok-hang were summarised below:

- (a) he enquired about the exact completion date and opening date of the sports centre in Area 24D, Sha Tin. He asked whether the opening date would be delayed again and hoped that the project could be completed as soon as possible; and
- (b) he pointed out that the vacant site next to The Riverpark was currently a green belt. He asked whether the Administration would continue to consider the proposal of building park facilities at the site.

18. The views of Mr WAI Hing-cheung were summarised below:

- (a) he asked about the reasons for the multiple delays in the completion of the sports centre in Area 24D, Sha Tin, and about the actual date of its commissioning; and
- (b) the paper mentioned that the technical feasibility study on the sports park at Whitehead was expected to be conducted in the next 5 years. He asked whether the 5-year period was calculated from the 2017 Policy Address or 2019. He was worried that the sports park at Whitehead would not be available until more than a decade late and therefore asked whether the study period could be shortened to speed up the progress.

19. The views of Mr Wilson LI were summarised below:

- (a) he enquired about the exact number of parking spaces and the number of parking spaces for different types of vehicles in Area 103, Ma On Shan;
- (b) he said that there was a large and growing population in Ma On Shan. He urged the LCSD to expeditiously implement the project for the sports centre and its surrounding facilities in Area 111, Ma On Shan, such as a community hall, a car park and a library;

- (c) he said that the development site between Lee On Estate and Monte Vista had been left to stand derelict for a long time, where there was a serious mosquito problem after rain. He therefore hoped that a leisure park project could be implemented expeditiously; and
- (d) he said that residents should be consulted on the types of sports facilities provided at the sports park at Whitehead.

20. The views of Mr HO Hau-cheung were summarised below:

- (a) he said that the site in Area 90, Ma On Shan and the site near La Costa were both used as temporary car parks at present. There were plans to construct leisure facilities and parks at those sites. He asked how parking spaces would be supplemented if the sites were developed. He opined that further discussion was needed to find a balanced solution. He continued to enquire about the planning progress of Site B in Area 90, Ma On Shan; and
- (b) he expressed concern about the scale and facilities of the library to be constructed in Tai Wai. He said that a district library should be built based on the current planning standards. He asked why a library that met the standards was not being planned at this stage, given the unused space in the government building. He opined that since it was difficult to expand the Sha Tin Public Library, the LCSD should pursue the construction of a large library as soon as possible.

21. The views of Mr YAU Man-chun were summarised below:

- (a) he was disappointed that there was no timetable for the implementation of the construction of the library in Tai Wai. He enquired about scale of self-service library stations and the number of books available. He suggested that such self-service library stations be set up in areas not served by mobile libraries, such as Shui Chuen O; and
- (b) he asked why there was no concrete plan for the sports centres in Area 34, To Shek and in Area 111, Ma On Shan. He opined that the LCSD did not actively promote development. He said that the populations of the areas near the project areas were growing but there was a serious shortage of sports facilities. He hoped that the LCSD would actively promote the development.

22. Mr YIU Ka-chun pointed out that government departments currently conducted planning according to their respective needs. He suggested that the LCSD consider opinions of other departments and public opinions in an integrated approach, so that community facilities could be integrated for multiple uses. For example, Sha Tin Wai Playground, which was easily accessible, could be reprovisioned, so that it would become a comprehensive sports facility to meet the needs of nearby residents.

23. The views of the Chairman were summarised below:

- (a) he suggested studying the option of constructing To Shek Sports Centre near residential areas and asked the LCSD about the guidelines on constructing sports

centres, such as the distance between 2 centres, for the sake of optimising the use of land;

- (b) he pointed out that the progress of the project was slow. He suggested that the construction of the sports centres in Area 103, Ma On Shan and Fo Tan be accelerated, and that the related designs and progress reports be submitted within the year;
- (c) he pointed out that the sports park at Whitehead would provide uncommon sports facilities and suggested that more popular facilities, such as badminton, basketball and table tennis, be provided for the sake of true diversity. He proposed merging the sports park at Whitehead and the project of the sports centre in Area 111, Ma On Shan, for the sake of greater cost-effectiveness; and
- (d) he pointed out that the cultural and recreational facilities in Ma On Shan were clustered around the town centre, while related facilities were inadequate in the On Tai area. He suggested constructing cultural and recreational complexes, such a library and a sports centre, for use by nearby residents.

24. Ms Selina LEUNG gave a consolidated response as follows:

- (a) regarding the public car park in Area 103, Ma On Shan, the ArchSD was conducting a technical feasibility study. The LCSD, the ArchSD and relevant departments would jointly consult the STDC on the conceptual design once it was completed. The number of parking spaces provided in the public car park would not be fewer than that the number of temporary parking spaces at present. According to the information provided by the Transport Department (TD) to the STDC earlier, the proposed public car park would tentatively provide about 400 parking spaces, including some 300 for private cars, 65 for commercial vehicles and 35 for motorcycles. The exact number of parking spaces had yet to be determined. The layout of project facilities would be subject to the actual situation on site, upon the completion of the technical feasibility study by the ArchSD;
- (b) the construction of the sports centre in Area 24D, Sha Tin was delayed, because the piling progress had been affected by rainy weather and land strata conditions than were more complicated than expected. If everything went well, the construction project was expected to be completed in the second quarter of the year. The LCSD had requested that the ArchSD strengthen the supervision of contractors on the progress of the works. The LCSD would then conduct building inspection and purchase equipment and furniture. After all operational tests were completed and the related standards were met, the facilities would be opened for public use. Ancillary facilities in the sports centre would include a babycare room, a first aid room, toilets, changing facilities, an office, a booking office, a conference room, a storeroom, a loading/unloading area, etc.;
- (c) she said that the proposed facilities of the sports centre in Fo Tan listed in the paper were tentatively drawn up by the former RC. The LCSD would recommend suitable sports and recreational facilities according to the development of the area and would consult with other relevant departments on the development direction;

- (d) the LCSD did not have a plan to develop the remaining part of the open space in Area 11, Sha Tin, since there were other works projects of higher priority in the area. However, in line with the housing development nearby and in order to provide suitable leisure facilities for residents, the HA was constructing a sitting-out area at the southeastern section of the project, next to Shek Mun Estate Phase 2. If everything went well, the facility, to be named “Shek Mun Riverside Garden”, was expected to be completed in the second quarter of the year. The LCSD would then take over the venue;
- (e) regarding the expansion of Sha Tin Public Library, the LCSD would continue to closely liaise and consult with other relevant departments on the arrangement of the relevant works;
- (f) the temporary parking site in Area 90, Ma On Shan and the one near La Costa were both let out under short-term tenancies at present. The LCSD would convey to the TD opinions that balanced residents’ demand for both sitting-out areas and car parks;
- (g) she said that the site of the sports park at Whitehead was expansive, where larger recreational facilities could be set up. The LCSD would also consider providing facilities that could be used by the general public;
- (h) the LCSD would conduct the preliminary planning of Area 111, Ma On Shan in a timely manner and in accordance with the priorities set by the STDC. Members’ comments on the project were welcome;
- (i) the site of the sports centre in Area 34, To Shek was close to Shui Chuen O Estate and other village houses. So it could meet the needs of nearby residents. In the long run, constructing sports centres in Areas 103 and 111, Ma On Shan, Fo Tan and Area 34, To Shek would comply with the recommendations in the “Hong Kong Planning Standards and Guidelines”. The LCSD noted members’ suggestions and would study them with other relevant departments;
- (j) the LCSD knew that there was a growing population in Tai Wai and understood the public demand for a library in the area and, therefore, had been actively looking for a suitable site for building the Tai Wai Library, which was expected to be larger than the standard small library. The LCSD could also study the proposed provision of study rooms in the library;
- (k) she said that the LCSD maintained an open mind on providing a pet garden at the vacant site next to The Riverpark. However, the LCSD also needed to consider issues such as environmental hygiene, public health and facilities management. The site was currently undergoing landscaping works, which were expected to be completed in the fourth quarter of 2019;
- (l) the LCSD had jointly inspected the site between Lee On Estate and Monte Vista with other relevant departments. Due to the relatively larger difference in elevation between the slope there and the pavement nearby, the area must be handled carefully and more research had to be carried out;

- (m) the LCSD noted the opinions on the construction of cultural and recreational facilities in the temporary car park near La Costa;
- (n) Pok Ngar Villa was not currently managed by the LCSD. The maintenance duty should be assumed by the relevant department if it was to be rebuilt in the future. The LCSD would review the matter based on members' opinions; and
- (o) she said that the report for the coming year would be updated and would reflect members' new opinions given in previous discussions on improving the cultural and recreational facilities in Sha Tin.

25. Ms Jackie LO gave a consolidated response as follows:

- (a) prior to the opening of the sports centre in Area 24D, Sha Tin, the LCSD would arrange site visits and listen to DC Members' views. On the other hand, regarding the management of the car park, she said that local residents would be consulted and then the content of the tender would be improved, so as to meet the needs of the public;
- (b) she said there was no development plan for the vacant site next to The Riverpark at present, but improvement works would be conducted; and
- (c) in response to Mr YIU Ka-chun's suggestion, she said that the area of Sha Tin Wai Playground was only 4 960 square metres (m²), while the area of the proposed site of To Shek Sports Centre was 6 000 m², and therefore, Sha Tin Wai Playground was not an ideal site for To Shek Sports Centre.

26. Ms LEE Mei-yee, Senior Librarian (Sha Tin) of the LCSD, said that the LCSD noted members' suggestions. She pointed out that the LCSD had launched a pilot scheme to set up a Self-service Library Station each on Hong Kong Island, in Kowloon and in the New Territories. These stations provided round-the-clock services, such as borrowing, return, payment of library charges and pickup of reserved library materials. Around 300-odd items of library resources were available for borrowing at each station. She said that the Self-service Library Station in Tai Wai was expected to be put into service in mid-2019. The LCSD would conduct comprehensive research and analysis based on the usage data collected at different locations after all the stations had been put into service. It would consider evaluating the effectiveness of the pilot scheme based on users' opinions, readers' demand for related services, cost-effectiveness, sustainability, etc. Depending on evaluation results, the LCSD would study whether the related services could be extended to other locations.

27. The views of Mr HO Hau-cheung were summarised below:

- (a) he expressed concern about the LCSD's response to the Tai Wai Library. He opined that a district library should be set up instead of a small library, since there were more than 200 000 residents in Tai Wai. He opined that the STDO was only coordinating and the LCSD should follow up on the standards of libraries; and
- (b) he opined that the trade-off between a car park and an open space was a policy issue. Inter-bureau research should be conducted by the HAB and the Transport and

Housing Bureau (THB). No department could solve the problem alone. He cited the example of the underground public smart car park in Sham Shui Po, suggesting that new technologies be adopted to solve the problem and to balance both needs.

28. The views of Mr WONG Yue-hon were summarised below:

- (a) he pointed out that all LCSD facilities were currently built above ground and suggested studying the feasibility of vacating the space underneath for providing facilities, such as skateboard arenas. He suggested that the LCSD review how to use existing space;
- (b) he opined that public opinion should be included in the project of Sha Tin Public Library, so as to improve its design; and
- (c) he asked whether the LCSD had no position at all on the development of the site of Kitchee Football Training Centre and also asked the LCSD to respond whether Shek Mun Riverside Garden had been included into the GFA of an HD project.

29. Mr Thomas PANG said that he would move a provisional motion.

30. The views of Mr WAI Hing-cheung were summarised below:

- (a) he asked the LCSD about the time required for the subsequent procedures mentioned, and about the conservative estimate for the commissioning date, if the sports centre in Area 24D, Sha Tin could be completed in the second quarter; and
- (b) he enquired again from which year did the calculation for the 5-year study period of the sports park at Whitehead start and asked whether the period could be shortened to speed up the progress.

31. The views of Ms TUNG Kin-lei were summarised below:

- (a) she said that residents had long been waiting for the Tai Wai Library. She was worried that the scale would be reduced if it was developed as a small library. She hoped that the LCSD would develop it as a district library; and
- (b) regarding the restoration of Pok Ngar Villa, she said that although the Antiquities Advisory Board had not yet graded the gatehouse, the DLO/ST and other departments had agreed to make an improvement plan for the project. She hoped that facilities such as planters could be improved as soon as possible, so that the site would not become “unchecked”.

32. Mr YIU Ka-chun asked the LCSD about the total area of the sports centres at Hin Keng, Heng On and Mei Lam. He opined that since the Sha Tin Wai Playground was more accessible, in terms of location and transport, than other sites, the LCSD should consider converting it and develop it in line with local conditions, rather than simply taking into account the area of the site. He opined that the LCSD should consider providing additional facilities to meet related needs based on the plot ratio and the height. And during planning, attention should be paid to the location, traffic, usage rate and other factors, rather than just the area of the site.

33. The views of Mr Michael YUNG were summarised below:

- (a) he pointed out that the annual paper submitted by the LCSD failed to give a macroscopic account of the measures to accelerate delayed projects or of the amount local resources for handling issues of new projects. He asked about the LCSD's views on new projects in the district. He pointed out that listing measures alone could not solve problems. He pointed out that for large projects such as the sports centre in Area 34, To Shek and the Tai Wai Library, the LCSD only mentioned the difficulties without considering how to implement the new facilities;
- (b) he wondered why the LCSD did not deal with small projects in On Lai Street and other places urgently, given that they had already been designated as open spaces; and
- (c) he enquired about the development direction of those projects and wondered whether it was advisable for the LCSD to handle them as minor works.

34. The views of Mr MAK Yun-pui were summarised below:

- (a) regarding the development of a leisure park between Lee On Estate and Monte Vista, he pointed out that the site had been designated for recreational purposes many years ago, but it remained idle with mosquito infestation. He opined that it was not a solution to enclose the site with barbed wire and to remove dead trees whenever there were any. He pointed out that trees on the site near the pavement were under the LCSD's jurisdiction, but dead trees within the barbed wire were left unattended. He opined that the LCSD and the DLO/ST were passing the buck to each other; and
- (b) he pointed out that, after Typhoon "Mangkhut", no one had followed up on some pavilions that were damaged. The STDC had inspected pavilions under its jurisdiction in the district but had yet to repair the damaged ones. The chaotic arrangements in management among government departments had delayed the restoration progress. He asked the LCSD to expeditiously implement the development timetable of Sha On Street and urged relevant departments to promptly repair all cultural and recreational facilities.

35. Ms Selina LEUNG gave a consolidated response as follows:

- (a) she said that the LCSD would review members' views on the Tai Wai Library and inspect the facilities under the project, so as to meet the needs of the residents;
- (b) regarding the open space in Area 11, Sha Tin, which was currently used as Kitchee Football Training Centre, she said that it was the LCSD's policy to promote sports development. In line with its policy objectives, the LCSD had no intention to resume the land, since the football field was popular among local residents. For long-term development, the DLO/ST and the Planning Department could offer advice on short-term tenancy and long-term planning;
- (c) regarding whether the open space in Shek Mun had been incorporated into a public housing project, she said that the related works on the site were carried out by the

HD and should be for leisure purposes in principle. As for whether the HD had included the site into the building area of a public housing estate, she would consult the HD after the meeting before providing further information;

(Post-meeting note: Regarding whether the HD included the open space under construction next to Shek Mun Estate Phase 2 in the area of the public housing estate it built, the HD replied that the open space was not part of Shek Mun Estate Phase 2. The site would be taken over by the LCSD after the completion of works. Its area was, therefore, not included in the area of the HD public housing development.)

- (d) she said that it might take a few months for the sports centre in Area 24D, Sha Tin to be commissioned after building inspection, based on previous experiences;
- (e) regarding the development of Pok Ngar Villa, she said that it was necessary to review the maintenance situation together with other relevant departments such as the ArchSD, and to discuss whether it complied with the LCSD standards for such facilities;
- (f) regarding the development of the sports centre in Area 34, To Shek, she said that Sha Tin Wai Playground was an existing facility and therefore should be considered together with new facilities. For example, in planning the long-term development, the LCSD needed to consider whether current users would be affected;
- (g) regarding the solution to delayed works, she mentioned that several projects in the Sha Tin District were prioritised. For example, the sports centre in Area 103, Ma On Shan was included in the Five-Year Plan for Sports and Recreation Facilities in the 2017 Policy Address. The LCSD was actively making the related planning. Some urgent projects could be expedited through the District Minor Works Programme, if they were qualified in terms of the scale, so as to meet the needs of the public; and
- (h) regarding the land development between Lee On Estate and Monte Vista, she pointed out that there were drainage and other facilities on the site and the matter must be handled with care. Besides, the LCSD needed to consult with other relevant departments to ensure the construction of a leisure ground in line with environmental restrictions and the LCSD's standard.

36. Ms Jackie LO gave a consolidated response as follows:

- (a) she said that the areas of the sports centres in Mei Lam, Hin Keng and Heng On, which were constructed by the HD during the development of the estates and later handed over to the LCSD for management, were 2 200m², 1 870m² and 1 200m², respectively. Yuen Wo Road Sports Centre, Ma On Shan Sports Centre and Yuen Chau Kok Sports Centre, which were all constructed and managed by the LCSD, were 8 150m², 6 390m² and 6 050m² in size, respectively. The proposed site was therefore ideal with an area of 6 000m². The LCSD would continue to study the feasibility of replacing the To Shek site with Sha Tin Wai Playground for the development of a sports centre;

- (b) in the case of Yuen Chau Kok Sports Centre, internal refurbishment took about 6 months upon completion of works by the ArchSD, before the facility was officially opened; and
- (c) regarding Pok Ngar Villa, she said that the LCSD would continue to follow up on the plant maintenance work at the above site. It would also follow up on and study the room for improvement in maintenance work at the above site with the DLO/ST and the Highways Department.

37. The Chairman asked members whether they agreed to handle the provisional motion moved by Mr Thomas PANG.

38. Members agreed to discuss the provisional motion moved by Mr Thomas PANG.

39. Mr Thomas PANG moved the provisional motion below:

“With the upcoming intake of Chun Yeung Estate and successive completion of many other housing estates in future, the population of Fo Tan Area is expected to significantly increase. This will exert great pressure on the transportation and community facilities.

It is necessary for the Government to ensure that the traffic and transport in the area will not be affected by the development, and sufficient community facilities including car park, sports centre, library, etc., will be provided to cope with the population growth.

As such, the Committee requests that the Government immediately commence the design of the culture, sports and community complex at Shan Mei Street, including the sports centre, library, community hall and a car park with sufficient parking spaces; it will better serve the needs of the Fo Tan community if Fo Tan Cooked Food Market (West) is resumed for development; the Committee also requests relevant government departments to submit relevant progress reports to the District Council of the current term.”

Mr SIU Hin-hong seconded the motion.

40. The Chairman asked members whether they agreed to endorse the provisional motion in paragraph 39.

41. Members unanimously endorsed the provisional motion in paragraph 39.

Funding Applications

2019-2020 Work Plans and Funding Applications of Working Groups under the Committee
(Paper No. CSCD 28/2019 Revised)

42. No Members declared interests regarding the above paper.

43. Members unanimously endorsed the above work plans and funding applications.

Funding Application of the Sha Tin Arts and Culture Promotion Committee
(Paper No. CSCD 29/2019)

44. Mr CHIU Man-leong and Ms CHAN Man-kuen declared their interests as members of the Sha Tin Arts and Culture Promotion Committee.

45. Members unanimously endorsed the above funding application.

Funding Application of the Sha Tin Celebration Committee
(Paper No. CSCD 30/2019)

46. Ms TUNG Kin-lei declared her interest as the Honorary President of Shatin Youths Association.

47. Mr LI Sai-wing and Mr WONG Ka-wing declared their interests as members of the Sha Tin Celebration Committee.

48. Members unanimously endorsed the above funding application.

Funding Application of the Sha Tin District National Education Committee
(Paper No. CSCD 31/2019)

49. The Chairman welcomed Ms Doris CHIN, Liaison Officer In-charge (East)2 and Ms Zoe CHAN, Chief Liaison Officer (East)2b of the STDO to the meeting to answer members' questions.

50. Mr NG Kam-hung, Ms LAM Chung-yan, Mr TONG Hok-leung and Mr WONG Ka-wing declared their interests as members of the Sha Tin District National Education Committee.

51. Mr Michael YUNG asked whether the relevant item only covered the updates and design of the website and whether the STDO would consider including the management of social media as well. He opined that it would be more convenient and effective to promote related events on social media. He opined that a funding of \$18,000 was too much solely for the purpose of website management.

52. The Chairman opined that social media was the current trend, and that members of the public would not necessarily take the initiative to visit websites. He asked whether the STDO would consider covering the management of social media pages.

53. Ms Doris CHIN responded that the STDO would consider members' opinions and would study the suggestion of adding publicity on social media, depending on the tender results. She added that the funding would be used, not only for website updates, but uploading event photos and videos and supporting web accessibility.

54. Mr SIU Hin-hong asked whether the administrator of the website would be appointed internally or hired externally, and whether the funding would cover the maintenance expenses.

55. Ms Doris CHIN responded that a professional company would be selected through the tendering exercise to carry out maintenance work, the cost of which was included. She said that the website administrator would be hired externally.

56. Members unanimously endorsed the above funding application.

Question

Question to be Raised by Mr WAI Hing-cheung on Street Performance in Public Places
(Paper No. CSCD 32/2019)

57. The views of Mr WAI Hing-cheung were summarised below:

- (a) he pointed out that the police only mentioned 1 prosecution on street performance in 2018, which was inconsistent with what he remembered, that there were 2 prosecutions in 2016-2017. In addition, he pointed out that the police and the STDO had different views on busking hot spots. The police did not mention the ones outside Sha Tin MTR Station. In his opinion, relevant departments might have neglected the fact that buskers received money for their performances, not only along Shing Mun River, but also at exits of MTR stations along the way;
- (b) he said that, by “busking”, he referred not only to singing performances, but performances that involved receiving money. He pointed out that departments other than the Immigration Department (ImmD) only mentioned noise nuisance or street obstruction. They failed to mention whether such receipt of money was illegal;
- (c) he said that the noise complaints received by the Environmental Protection Department (EPD) were far fewer than the ones received by the police. This showed that the public believed it could not depend solely on the EPD to address noise problems;
- (d) he asked whether the FEHD would notify the police for law enforcement upon receiving related complaints. If yes, he asked how the police would handle the cases; if no, he wondered why the FEHD did not inform the police;
- (e) at a previous CSCDC meeting, regarding the Open Stage scheme of the Sha Tin Town Hall for performance purses, he had asked whether performers were allowed to receive money for their performances. He opined that such a practice could easily mislead members of the public into thinking that performers could receive money for their performances, as it was difficult for the public to understand that practices were different for areas within and outside of the Town Hall area; and
- (f) he supported the space sharing scheme advocated by the HAB and asked how the HAB encouraged members of the public to make good use of public space for performance activities.

58. The views of Mr Michael YUNG were summarised below:

- (a) he enquired about the police’s criteria mentioned in point (5) of the reply, including how to define a conduct as undermining social peace and causing public nuisance, how to deal with different defences, and the definition of reasonable complaints from the public. He asked how the police would deal with performers without a Hong Kong Identity Card or a work visa, and whether it would refer related cases to the

ImmD;

- (b) regarding the ImmD's "beggar watch list", he asked whether faked monks receiving alms would be considered beggars, and what the Administration would do if it was accused of suppressing religious freedom;
- (c) regarding the HAB's "Street Performance Scheme", he opined that the related reply failed to address the busking problem at Shing Mun River and other locations. He pointed out that the HAB had only two options: to combat or to regulate busking; and
- (d) he asked how the EPD handled noise complaints and whether related complaints were valid. He also asked whether the EPD communicated with the police to handle such complaints.

59. The views of Mr LAI Tsz-yan were summarised below:

- (a) he asked the police on what charge and for what reasons the prosecution in 2018 was instituted. He asked the police why there were only 1 successful prosecution, when the number of complaints received by the police kept rising. He wondered whether it was because the prosecution procedure was too complicated. He also asked what reasonable complaints were;
- (b) he said that the police mentioned an inter-departmental meeting in point (6) of the reply. He asked about the effectiveness of the meeting and the items handled at such meetings; and
- (c) he asked the ImmD whether anyone was prosecuted for paid busking and asked about the number of relevant cases. He also asked the police whether such busking behaviours were considered begging. Besides, he asked whether the ImmD would prosecute the heads of busking gangs or the performers, and whether it had placed those persons on the watch list.

60. Mr LUI Chun-kok, Station Sergeant, Administration and Support Sub-unit, Shatin Division of the Hong Kong Police Force (HKPF), gave a consolidated response as follows:

- (a) regarding prosecution figures for street performances, he remembered that there was 1 prosecution in 2016, involving 2 persons each being fined \$3,000. As for the case in 2018, the police prosecuted 1 person-in-charge on 30 April, who later pleaded guilty in court on 15 October and was fined \$3,000. On 28 April, the police prosecuted a 62-year-old local resident, who was singing with a loudspeaker opposite Jat Ming Chuen;

(Post-meeting note: Prior to April 2018, there was only 1 prosecution on 3 May 2014, involving 2 persons, who were each fined \$2,000 at the Shatin Magistrates' Courts after the trial. In addition, between 10 May 2019 and 7 June 2019, the Sha Tin Police Station handled a total of 8 noise-related complaints within the Sha Tin MTR Station, issuing advice on 4 occasions and 2 verbal warnings.)

- (b) he pointed out that street performances were mainly clustered around 3 hot spots along Shing Mun River. Individuals were also performing along the river, without a fixed schedule or fixed locations;
- (c) he said that the police mainly communicated with the FEHD on the matter for exchanging information for analysis. According to what he saw during patrol this month, all the warnings were issued to local residents and none of them was non-local residents;
- (d) he said that regarding complaints about street performances, the police mainly prosecuted persons who used loudspeakers in public places and caused annoyance to others, according to the Noise Control Ordinance (Cap. 400). The police exercised both subjective (i.e., whether the complainant and the police officer found the conduct annoying) and objective observation to see if passers-by felt disturbed, when deciding whether the complaint was reasonable, before instituting prosecution;
- (e) in response to the question about fake monks, he said that the relevant behaviour was not considered begging, according to the police guidelines. The police would take action and institute prosecutions for violation of the conditions of stay;

(Post-meeting note: If a fake monk remained in Hong Kong as a visitor, the person could not take up any employment, whether paid or unpaid or establish or join in any business; otherwise, the person might be violating Section 2(1) of the Immigration Regulation (Cap. 115A) under the laws of Hong Kong.)

- (f) regarding the prosecution procedures on complaints, he said that the police relied on complainants' assistance to take action. For example, after receiving a noise complaint from a resident, police officers would be deployed to inspect the complainant's home, so as to determine the source of the noise and make subjective and objective observation, before issuing a warning to the person being complained. If the complainees later turned down the volume or left, the police would not take further action but would just put the case on record. If the nuisance continued, the police would institute a prosecution with the complainant's assistance; and
- (g) he said that the police did not have a list of beggars. However, they would make detailed records in the files upon receiving complaints.

61. Ms Charis LEE, Liaison Officer In-charge (West) 4 of the STDO, gave a consolidated response as follows:

- (a) she said that the STDO's reply focused on busking and was therefore different from the police's. She said that prosecuting buskers was not within the STDO's purview. The STDO would refer relevant complaints to relevant departments for follow-up; and
- (b) regarding the noise nuisance caused by singing and dancing activities along Shing Mun River, she pointed out that the relevant inter-departmental meetings were held every 6 months and the next meeting was scheduled to be held at the end of May. At the inter-departmental meeting held in November last year, the STDO maintained

close contact with the police, the EPD, the FEHD and the LCSD, and exchanged information on relevant complaints for follow-up. In the past 6 months, the STDO had also stepped up efforts in issuing advice on site and patrolling Shing Mun River. It also disseminated messages to the public on relevant prosecution situations and the requirements of regulations.

62. Mr NG Raymond Tjeng, Senior Environmental Protection Officer (Regional North) 4 of the EPD, responded that the EPD cooperated with other departments but the relevant complaints were mainly handled by the police. Besides, upon receiving complaints, EPD staff would be deployed to inspect the situation, advise persons concerned to turn down the volume and distribute relevant leaflets to them. He said that the police would be notified about all complaint cases.

63. Ms CHOW Choi-fung said that the Place of Public Entertainment Ordinance did not apply to entertainment held in any public place to which the public has right of access and the organiser has no right to control the admission of the public, such as in the case of busking. Besides, the relevant busking activities had not been found to involve illegal hawking under current observation; therefore, they did not breach regulations on hawking. As a result, the FEHD had no legal basis to follow up on complaints about busking.

64. Mr WAI Hing-cheung expressed disappointment with the FEHD's response. He opined that the FEHD had only repeated its reply in the paper, without giving direct answers. He said that the police did not have information on buskers outside of the area of Shing Mun River, because he had observed busking activities by people of different nationalities near Sha Tin MTR Station. He asked whether it was legal for buskers to receive donations, and what relevant departments would do if it was illegal. As far as he knew, someone sold performance slots to members of the public at the riverside of Shing Mun River. He wondered whether it was an act of illegal hawking.

65. Mr LAI Tsz-yan enquired about the watch list that the police would notify the ImmD about, as mentioned in the paper. He pointed out that it was not effective to just issue warnings and advice to buskers. In addition, he disagreed that all buskers were locals. For example, he had seen Japanese buskers being given advice. He opined that cost of complaints was high and the penalties had no deterrent effect on buskers. He therefore suggested simplifying the prosecution procedure.

66. Mr Michael YUNG opined that the FEHD was not sincere in its response and that repeating contents in the paper was not ideal. He asked whether prosecution criteria, as mentioned in the police's reply, were internal guidelines or a customary practice deriving from the law. He pointed out that relevant departments should conduct joint operations to combat public nuisances such as illegal busking, and even unauthorised business activities in public places.

67. Mr LUI Chun-kok responded that the police's reply mainly focused on the information about the situation in the vicinity of Shing Mun River. He said that if the performers receiving donations were local residents, without charging clearly set out prices or displaying containers for money, they did not commit any offence in the police's opinion. However, they might be violating the FEHD's regulations on hawkers if they charged clearly set out prices and displayed containers for money. He agreed that the prosecution procedure should be simplified. He pointed out that the police had sought legal advice on the prosecution criteria and would follow the guidelines in law enforcement to the greatest extent possible.

68. Ms Charis LEE responded that the police should enforce the law since the riverside of Shing Mun River was unallocated government land. She pointed out that the STDO would review and pay attention to the situation at the inter-departmental meeting for discussion on appropriate follow-up actions.

69. Mr NG Raymond Tjeng pointed out that the EPD would provide opinions at the inter-departmental meeting and would participate in joint operations whenever necessary.

70. Ms CHOW Choi-fung said that she currently had no information on the complaints about busking activities outside the MTR station in 2019. She said that under the Public Health and Municipal Services Ordinance, a hawker was defined as a person hiring or offering for hire his skill in handicraft or his personal services in any public space. She said that those persons were not hawkers unless they charged clearly set out prices for their performances. Regarding the case of persons letting out performance slots, the FEHD would further study the issue.

71. The Chairman said that the FEHD and the police should conduct “decoy” operations to follow up on whether the busking activities involved the charging of clearly set out prices. In addition, he asked the police and the FEHD to provide further information after the meeting, to be included in the matters arising at the next meeting.

Information Item

Reports of Working Groups
(Paper No. CSCD 33/2019)

72. Members noted the reports submitted by the Working Group on Recreation and Sports Development and the Working Group on Festive Celebrations.

Information Papers

Report and Plan by the Leisure and Cultural Services Department on Organisation of Cultural Activities and Utilisation of Facilities in Sha Tin District (1st and 2nd Quarters of 2019)
(Paper No. CSCD 34/2019)

Report and Plan by the Leisure and Cultural Services Department on Organisation of Recreation and Sports Activities and Management of Facilities in Sha Tin District (1st and 2nd Quarters of 2019)
(Paper No. CSCD 35/2019)

Report and Plan on Public Libraries Promotion Activities Organised by the Leisure and Cultural Services Department in Sha Tin District (1st and 2nd Quarters of 2019)
(Paper No. CSCD 36/2019)

Progress Report of the Sha Tin Arts Association
(Paper No. CSCD 37/2019)

Progress Report of the Sha Tin Sports Association
(Paper No. CSCD 38/2019)

2019-2020 Approved Estimates of Expenditure Heads under the Committee
(Paper No. CSCD 39/2019)

73. Members noted the 6 information papers.

Date of Next Meeting

74. The next meeting was scheduled to be held at 10:00 am on 4 July 2019 (Thursday).

75. The meeting was adjourned at 12:46 pm.

Sha Tin District Council Secretariat
STDC13/15/25

May 2019