

Summary of Minutes of the 9th Meeting of Tuen Mun District Council
(2012-2015)

Meeting

The Tuen Mun District Council (TMDC) held its 9th meeting on 5 March 2013.

Meeting between Director of Social Welfare and Tuen Mun District Councillors

2. Mr Patrick NIP, Director of Social Welfare attended TMDC's meeting. He briefed Members on the work of Social Welfare Department (SWD) and listened to the views of Members on items of concern of local community.

3. Opinions and enquiries made by several Members about SWD's work in Tuen Mun included: (a) residential care services for the elderly; (b) community support services for the elderly; (c) community canteen and short-term food assistance service projects; (d) allowance to meet the cost of accommodation; (e) posts of Programme Worker and Programme Assistant; (f) mental rehabilitation; (g) disabled persons; (h) community care service voucher for the elderly; (i) child care and nursery services; (j) dental services for the elderly; (k) combat of deception and abuse of social security benefits; and (l) absence limit in respect of old age allowance etc. Mr NIP gave detailed response.

Concerns over the Development of Logistics Centres in Tuen Mun

4. Under Secretary for Transport and Housing (USTH) and representatives of relevant government departments attended TMDC's meeting and exchanged views with TMDC on the proposed logistics centre in Tuen Mun.

5. The Member who submitted the paper said that she was so worried that the transport facilities in Tuen Mun would be overloaded after the establishment of the logistics centre in Tuen Mun Area 38. She also opined that the planning of Tuen Mun West was incomprehensive, and that introducing projects like logistics park, development of Tuen Mun Areas 40 and 46, Tuen Mun Industrial Estate, etc at different periods of time was perplexing.

6. Several Members expressed support for the proposed logistics centre in Tuen Mun and gave the following opinions: (a) suggested that the Government should carry out an overall planning for Tuen Mun district and a more comprehensive and in-depth assessment on environment and traffic; (b) requested the Government to report in detail on the operation mode and internal operation of the high-value logistics centre concerned and the connecting road network and transport facilities of Tuen Mun West; and (c) urged the Government to carry out widening works at Lung Kwu Tan Road and consider the construction of a pier at Lung Kwu Tan.

7. A Member said that he would not reveal his stance on the proposed logistics centre in Tuen Mun for the time being, and that he strongly opposed to Government's cancelation of the original option of the proposed Tuen Mun Western Bypass (TMWB) connecting Deep Bay Link (DBL). He also hoped that the Government would face up

to the issue regarding the transport network of Tuen Mun West. Another Member agreed to the above opinions.

8. USTH thanked Members for their comments. He said that after the announcement of the Financial Secretary indicating that Tuen Mun was suitable for the development of logistics centres, he had looked forward to sharing the initial concept of the proposed logistics centre and hoped that in-principle support from the District Council (DC) could be sought. He was delighted to note that several Members had expressed in-principle support for the proposed logistics centre in Tuen Mun.

9. He continued that the Government was planning to take forward in phases the development under which about ten hectares of land in Tuen Mun Areas 49 and 38 would be involved. After listening to the views of Members, he fully understood their worries in respect of traffic impact as well as concerns of local community over the impact on noise pollution, vehicular flow, landscape, “fung shui” and other aspects which might be brought about by the proposed TMWB. He assured that once a more specific plan was available, traffic assessment would be carried out, and that prior to the formal implementation of the plan, a review on existing roads and traffic control measures in the district would be conducted on a need basis to see if there was any room for improvement. Regarding the strategic traffic network, projects currently being carried out in the district included construction of TMWB and Tuen Mun – Chek Lap Kok Link (TM-CLKL), widening of Tuen Mun Road, projects tying in with the railway development, etc. THB was liaising with parties concerned on issues of different aspects for an early materialization of the enhancement of details of the

TMWB agreed by DC.

10. Several Members expressed disappointment at the response of USTH, adding that Government's traffic assessment and study were just excuses. They requested THB to conduct a comprehensive three-dimensional traffic assessment of Tuen Mun district in a serious manner to examine various proposed works projects in the district.

11. The Chairman concluded that while the development of logistics industry would benefit Tuen Mun, DC's concerns over the traffic issue should not be ignored. He hoped that THB would explain to DC again after considering Members' views.

12. USTH once again expressed his gratitude for Members' valuable comments, adding that THB would carry out assessment on traffic issues involved in the plan concerned. To maintain the effective and interactive communication, THB would explain to DC when the assessment result was available.

Tuen Mun River Beautification Scheme – the Latest Progress of the Footbridge Construction Project across Tuen Mun River

13. The Representative of Hong Kong Housing Society (HKHS) attended the meeting and said that HKHS participated in the Tuen Mun River Beautification Scheme at the invitation of the Government, and that a consensus between Home Affairs Department (HAD) and HKHS had been reached on the earmark of \$40 million as the maximum works cost for construction of the new footbridge. In October 2012, HKHS noted that

the lowest tender price in the returned tenders was as high as over \$86 million. Since the Traditional Chinese Approach was approved by DC and government departments concerned, HKHS had asked the consultant to review, on the premise of not affecting the aforesaid approach, the engineering planning and design as well as procedures with a view to minimizing the cost. It was expected that the works concerned could be completed with the original budget after the re-tendering exercise.

14. Several Members were disappointed and angry that the government project might not be completed due to over-spending. Views of Members were as follows: (a) suggested that DC should express regret at Mr Donald TSANG, former Chief Executive; (b) to review the engineering planning and design of the project and to complete the project with limited resources as far as possible; (c) to apply for supplementary provision by government departments; and (d) to incorporate the Footbridge Construction Project across Tuen Mun River into the Tuen Mun River Beautification Scheme as other supplementary items.

15. District Officer (Tuen Mun) [DO(TM)] said that the Footbridge Construction Project across Tuen Mun River was definitely not an uncompleted item as efforts were being made by all parties concerned to seek a solution. He pointed out that the procedures of processing funding application and implementation of projects were complicated and relatively time-consuming, and that on many occasions, it might take several years to complete them. In view of this and for an expeditious completion of the project, he proposed that DC could consider HKHS's option of revising the design under which the project would be completed with \$40 million. This was a relatively

simple and direct option. If later, HKHS's option was found undesirable, DC could consider other solutions. The Chairman agreed to the views of DO (TM).

16. The representative of HKHS pointed out that it was HKHS's hope that adjustment and modification could be made to the structural elements with a view to reducing the cost to the original level and proceeding with the construction of the new footbridge, provided that the design agreed by DC could be retained as far as possible and that the safety of the footbridge would not be affected. HKHS would continue the deliberations with HAD and urge the consultant to revise the design for submission to government departments concerned for approval.

17. A Member agreed to the views of DO(TM) and proposed to refer the works concerned to District Facilities Management Committee (DFMC) for follow-up actions. For better monitoring, progress of works should be reported to DC on a bimonthly basis.

18. A Member, who was also the Chairman of DFMC, agreed to the views of the above Member. He opined that it would be a waste of time to continue the discussion on the issue and urged HKHS to study possible options of completing the project with \$40 million. He also hoped that HKHS could conduct assessment on all possible options, arrangements and technical feasibility as soon as possible to facilitate further discussion at DFMC's meeting to be held on 9 April and reporting to and approval of DC at its meeting to be held in May.

19. The Chairman said that he would follow up the issue with DO(TM) and HAD, and agreed to refer the issue to DFMC for further discussion. DC agreed to the above suggestion and resolved to write to the Director of Home Affairs to make its requests.

Request for Additional Lanes on Tuen Mun Western Bypass to Ease Vehicular Flow

20. The Member who submitted the paper briefed the meeting on the paper. He said that a number of essential development projects would be implemented in Tuen Mun West but assessments on individual planning items might not truly reflect the real problems. An overall planning and assessment for Tuen Mun district was therefore needed. He pointed out that the environmental assessment of the proposed TMWB commenced by the Administration in 2011 was estimated to be completed in 2012. However, the assessment report was still not available at the moment. He also pointed out that Government departments had guided DC to choose among options under which access points were located at Tsing Tin Road and Wong Chu Road, and cancelled the original proposal of connecting the northern tunnel section of TMWB directly with DBL. Regarding the problem of air pollution, he pointed out that the average daily traffic flow on Tuen Mun Road was 10 000 vehicles, and that upon completion of TMWB and the logistics centre, problems of traffic congestion and air pollution would worsen, and thus threaten the health of residents. He therefore urged the Government to re-examine the projects concerned and the traffic capacity.

21. The representative of Transport Department (TD) said that TD noted that a number

of development projects would be carried out in Northwestern Tuen Mun and had requested the relevant parties to conduct traffic assessment for the projects. To facilitate the traffic assessment of various approved projects, crucial years and material circumstances had already been taken into account. Since a planning exercise for TMWB was being carried out by TD, there was room for new opinions on the alignment and location of tunnel portals. TD would study the opinions received from Members conscientiously.

22. Views given by several Members on the issue to TD and HyD were as follows : (a) suggested that the Administration should extend the tunnel whose exit would be located at Tsing Tin Road to minimize nuisance caused to residents; (b) requested the Government to relaunch the Route 10 project; (c) suggested that the Government should consider extending TMWB to the new development areas of Lung Kwu Tan at Tuen Mun West, widening Lung Kwu Tan Road and linking up Lung Kwu Tan Road with Pak Nai; (d) requested the Government to reconsider the proposal under which portals of the northern tunnel section of TMWB would be located at San Sang San Tsuen to provide connection to DBL; and (e) suggested that the Government should consider revising the alignment of TMWB to link up the access between Yuen Tau Shan and Sai Shan with Pillar Point in the form of tunnel.

23. The Representative of HyD said that HyD had submitted ten alignment proposals to DC after balancing relevant factors including transport function, impact on community and environment, economic benefit, construction cost, operation cost and technical risk. At the meeting held on 2 November 2010, DC resolved to support

Option 7: the southern section would be built in the form of a 5 km-long tunnel linking up TM-CLKL with Tsing Tin Road; for the northern section, a viaduct of 4 km long would be built next to Tuen Mun Road. Tsing Tin Road would serve a transport function which would be essential in diverging the traffic on Tuen Mun Road and relieving the traffic burden of Tuen Mun Road. HyD submitted the project concerned to Heung Yee Kuk (HYK) for discussion on 16 November 2012 and support from HYK was secured. HyD then consulted the Rural Committee and relevant district parties to gauge views from different channels. Areas of concern identified were: (a) noise pollution; (b) landscape; (c) “fung shui” of burial ground; and (d) private land issue. To enhance the design of alignment as far as possible, HyD had, over the past two years, conducted in-depth study and analysis on these aspects, duly handled the views of different parties, and carried out reviews and made adjustments accordingly. As the Environmental Protection Department announced the new Air Quality Objectives (AQOs) in 2012 and the new Air Quality Parameters in mid-2012, HyD had revised the environmental assessment with reference to the new AQOs to comply with the legislation requirements.

24. In response to Members’ proposal of replacing the northern viaduct section of TMWB with a tunnel section, the representative of HyD said that HyD had made an overall consideration in the design of the project. The proposal would not only increase the length of the whole tunnel but would also complicate the construction works. Moreover, the chance of geological changes and delay of works would be relatively high. The maintenance and operation expenditures and costs incurred would also be relatively high compared with other designs. Moreover, HyD had to consider

the safety issue regarding the merge of traffic at the branch tunnel of Tsing Tin Road.

25. The Member who submitted the paper expressed anger over the Government's insistence on the proposed alignment of connecting TM-CLKL and Tsing Tin Road and opined that the Government should be people-oriented and should not only focus on cost and geological issues.

26. Several Members opined that to facilitate Government's expeditious implementation of the project with a view to dovetail the completion of Hong Kong-Zhuhai-Macao Bridge in 2017-18 in Tuen Mun, DC should put the interest of the community as a whole in the first place, handle matters according to rule by consensus and make an early decision though Members' views were divergent. Members also considered that the project might not be completed with 2007's estimated cost of \$20.1 billion due to the increasing construction cost. Another Member said that DC should discuss issues according to the principle of "discussion with decision and decision with execution" and honour its pledges.

27. The Chairman opined that Members should not argue about the issue of TMWB anymore to avoid hurting each other's feeling and requested TD and HyD to provide options with their merits and demerits for DC's consideration.

28. The Representative of TD pointed out that the Government was highly concerned about the possible impact of the project on air quality, landscape and traffic. To ensure that the design of TMWB would be in compliance with the new AQOs, TD

could proceed with other items related to TMWB only after the re-examination of the environmental assessment. He emphasized that TD would request parties concerned to submit traffic assessment report for each development item, and conduct an overall strategic study to see how the recommendations could be implemented.

29. The Representative of HyD said that in-depth discussion on the ten alignment options for TMWB proposed by the Government had been carried out to consider alternative sites other than Tsing Tin Road. Since one of the objectives of the project was to link up Tuen Mun Road and the Hong Kong-Shenzhen Western Corridor, the alignment concerned should run along Castle Peak Road and Tuen Mun Road. Moreover, given that there were architectural constraints on the bridge-cum-tunnel design, HyD submitted the Tsing Tin Road Option to DC after in-depth study. He stressed that all proposed items should be assessed before their implementation to ensure that statutory requirements on level of pollution were met. HyD and TD would conduct a review on the aforesaid factors to see how the design could be improved to meet the aspiration of DC and consult DC again.

30. The Chairman urged HyD and TD to provide research data for DC's reference and seriously consider views of Members.

Request for Review of the Outdated Squatter Policy by Lands Department

31. The Member who submitted the paper opined that Lands Department (LandsD) should revise the existing regulations on control of building materials for squatter huts

because materials like asbestos sheet and bituminous felt used a few decades ago were outdated. He also pointed out that the inconsistency in enforcement against individual cases by staff of Lands D had caused confusion. He said that LandsD should revise the internal guidelines to provide the Squatter Control Unit (SCU) with clear enforcement practice to avoid causing nuisance to squatter residents. He also pointed out that due to previous improper enforcement actions, quite a number of squatter residents had mistaken that repair carried out on their own and the switch to relatively suitable materials were allowed by the Government. Some of them had even received the notification of reinstatement and rectification from LandsD after the completion of repair works. He therefore suggested that LandsD should step up the promotion of guidelines on repair of squatter huts and procedures of enforcement for the knowledge of squatter residents.

32. Several Members agreed to the views of the Member who submitted the paper and made the following suggestions: (a) hoped that LandsD could exercise flexibility in implementing policy and advise squatter residents on the proper practice of alteration; (b) requested the Government to offer compensation to owners of squatter huts which had to be demolished due to potential danger and arrange public housing units for them as soon as possible with a view to improve their livelihood; and (c) proposed that the LandsD should understand the daily life of squatter residents and revise the guidelines on materials for repair and rebuilding.

33. A Member pointed out that instead of directly responding to questions related to squatter huts, LandsD just stated in the written reply that “the Government does not

encourage squatter residents to use permanent materials to repair squatter huts”. He opined that the words “does not encourage” could not clearly reflect the stance of LandsD which might cause confusion to both the enforcement staff and squatter residents.

34. The representative of LandsD said that LandsD was responsible for the execution of the squatter policy. Under the existing policy, all surveyed squatter huts were allowed to remain in existence on a temporary basis. In case of repair and rebuilding, recorded building materials had to be used. She emphasized that the use of permanent materials for repair and rebuilding would be allowed if such materials had already been recorded. If irregularities were identified by staff of SCU during routine inspection, they would contact the occupants as soon as possible, and issue verbal advice first and then written warning to allow them to carry out rectification. If irregularities persisted, enforcement staff would take further control actions. Staff of SCU would be happy to answer enquiries from squatter residents during routine inspection. Alternatively, squatter residents could approach the SCU for the handbook for squatter residents which covered information on the relevant ordinance and practices. There were two types of building materials recorded by squatter residents, i.e. temporary materials and permanent materials. The use of permanent materials for future repair and rebuilding would be allowed if such materials had already been recorded. This was why LandsD had used the words “does not encourage” in the written reply.

35. The Chairman said that the Government implemented the squatter policy in 1980s and indicated that squatter residents would be allowed to apply for turning their squatter

huts into the form of village houses during the specified ten-year period. HYK had discussed the repair of squatter huts with LandsD in 2008, and a number of amendments, which were logical and in line with the humanitarian principle, had been made by the Government which included: to relax the height restriction from nine feet to 17 feet, to allow construction of additional floor to the squatter huts to two-storey, and to permit the use of more solid materials in alteration works due to safety reason. He pointed out that the squatter policy was an issue affecting the whole New Territories rather than a district, and it should not be followed up only at DC level. He promised to check the records of HYK and fight for the interest of squatter residents though he had no idea about the reasons for the change in existing policy. He also urged LandsD to check relevant records for a better understanding of the issue and consider the views of DC.

Secretariat, Tuen Mun District Council

28 March 2013