

Minutes of the 11th Meeting of
the District Facilities Management Committee (2018 – 2019) of
the Tuen Mun District Council

Date: 20 August 2019 (Tuesday)

Time: 9:30 a.m.

Venue: Tuen Mun District Council (TMDC) Conference Room

<u>Present</u>		<u>Time of Arrival</u>	<u>Time of Departure</u>
Mr TO Shek-yuen, MH (Chairman)	TMDC Member	9:30 a.m.	End of meeting
Mr MO Shing-fung (Vice-chairman)	TMDC Member	9:30 a.m.	End of meeting
Mr LEUNG Kin-man, BBS, MH, JP	TMDC Chairman	9:30 a.m.	End of meeting
Mr LEE Hung-sham, Lothar, BBS, MH	TMDC Vice-chairman	9:30 a.m.	End of meeting
Mr SO Shiu-shing	TMDC Member	9:30 a.m.	End of meeting
Mr KWU Hon-keung	TMDC Member	9:39 a.m.	12:08 p.m.
Mr CHU Yiu-wah	TMDC Member	9:30 a.m.	End of meeting
Ms KONG Fung-yi	TMDC Member	9:30 a.m.	End of meeting
Mr NG Koon-hung	TMDC Member	9:32 a.m.	End of meeting
Mr CHAN Yau-hoi, BBS, MH, JP	TMDC Member	9:30 a.m.	End of meeting
Ms WONG Lai-sheung, Catherine	TMDC Member	9:30 a.m.	End of meeting.
Mr AU Chi-yuen	TMDC Member	9:30 a.m.	9:58 a.m.
Ms HO Hang-mui	TMDC Member	9:32 a.m.	End of meeting
Mr LAM Chung-hoi	TMDC Member	9:30 a.m.	End of meeting
Mr TSUI Fan, MH	TMDC Member	9:30 a.m.	End of meeting
Ms CHING Chi-hung	TMDC Member	9:30 a.m.	End of meeting
Ms LUNG Shui-hing, MH	TMDC Member	11:16 a.m.	End of meeting
Mr CHAN Manwell, Leo	TMDC Member	9:42 a.m.	End of meeting
Mr CHEUNG Hang-fai	TMDC Member	9:30 a.m.	End of meeting
The Hon HO Kwan-yiu, JP	TMDC Member	9:30 a.m.	11:59 a.m.
Ms CHU Shun-nga, Beatrice	TMDC Member	9:30 a.m.	End of meeting
Mr TSANG Hin-hong	TMDC Member	9:30 a.m.	End of meeting
Ms SO Ka-man	TMDC Member	9:30 a.m.	End of meeting
Mr KAM Man-fung	TMDC Member	9:42 a.m.	End of meeting
Mr YIP Man-pan	TMDC Member	9:36 a.m.	End of meeting
Mr YEUNG Chi-hang	TMDC Member	9:32 a.m.	End of meeting
Mr YAN Siu-nam	TMDC Member	9:30 a.m.	End of meeting
Mr TAM Chun-yin	TMDC Member	9:30 a.m.	End of meeting
Ms LEE Yan-chi, Blair (Secretary)	Executive Officer (District Council)3, Tuen Mun District Office, Home Affairs Department		

Absent with Apologies

Mr CHAN Man-wah, MH TMDC Member

By Invitation

Mr CHENG Kin-man, Raymond Senior Engineer/Projects 3, Civil Engineering and Development Department

Mr CHEUNG SHEK, Jason Engineer/Projects 4B, Civil Engineering and Development Department

In Attendance

Ms FUNG Ngar-wai, Aubrey District Officer (Tuen Mun), Home Affairs Department

Miss TSUI Man-ye, Joanna Assistant District Officer (Tuen Mun)1, Home Affairs Department

Mr NG Chi-keung, Vincent Senior Liaison Officer (3), Tuen Mun District Office, Home Affairs Department

Mr CHEUNG Chi-keung, Endy Senior Executive Officer (District Management), Tuen Mun District Office, Home Affairs Department

Ms SIU Wai-mei, Minnie Liaison Officer i/c (District Facilities), Tuen Mun District Office, Home Affairs Department

Mr LEUNG Kam-wai Senior Inspector of Works, Tuen Mun District Office, Home Affairs Department

Mr LEE Wang-yui, Eddie Architect (Works)7, Works Section, Headquarters Division II, Home Affairs Department

Mr WONG Shu-yan, Francis Chief Leisure Manager (New Territories North), Leisure and Cultural Services Department

Ms TAM Yin-ting, Pat District Leisure Manager (Tuen Mun), Leisure and Cultural Services Department

Ms MAN Pui-shan, Erica Deputy District Leisure Manager (District Support) Tuen Mun, Leisure and Cultural Services Department

Ms LAM Pui-yin, Gloria Senior Manager (New Territories West) Promotion, Leisure and Cultural Services Department

Ms LAM Fong Senior Librarian (Tuen Mun), Leisure and Cultural Services Department

Mr TAM Kwok-leung Administrative Assistant/Lands (Acting) (District Lands Office, Tuen Mun), Lands Department

Mr YU Yun-sang Neighbourhood Police Co-ordinator, Police Community Relations Office (Tuen Mun District), Hong Kong Police Force

I. Opening Remarks

The Chairman welcomed Members to the 11th meeting of the District Facilities Management Committee (“DFMC”). He also extended welcome to the government department representatives in attendance at the meeting.

2. The Chairman reminded Members that Members who had personal interests in any matters discussed at the meeting should declare the interests before the discussion. The Chairman would, in accordance with Order 39(12) of the Tuen Mun District Council (“TMDC”) Standing Orders, decide whether the Members who had declared interests might speak or vote on the matters, might remain at the meeting as observers, or should withdraw from the meeting. All cases of declaration of interests would be recorded in the minutes of the meeting.

II. Absence from Meeting

3. The Secretariat had received no application from Members for leave of absence.

III. Confirmation of Minutes of the 10th Meeting of DFMC (2018-2019)

4. The above minutes were unanimously confirmed by the DFMC.

IV. Discussion Items

(A) Follow-up on Outstanding Items under District Minor Works Programme

(DFMC Paper No. 49/2019)

5. The Chairman said the DFMC was going to deal with four proposals for initiated works projects. To facilitate discussion, the Secretariat had set out the proposed arrangements for the works projects in paragraph 8 of the paper. If the DFMC agreed to count the four proposals for works projects set out in Appendix 4 to the paper among “(C) Other Works Projects under Planning” in the project programme, the works agents would be expected to implement the works projects in phases starting from 2020-21 at the earliest. The proposals for works projects could be referred to the Working Group on Facilities and Works for follow up.

6. As Members had no further comments, the DFMC agreed that the following four proposals for works projects be counted among “(C) Other Works Projects under Planning” in the project programme and followed up by the Working Group on Facilities and Works:

Working
Group on
Facilities and
Works

- (i) “Provision of Seats and Rain Shelters next to Bus Stops on Ng Lau Road in Both Directions (near San Hing Tsuen) and Tsing Lun Road (near Yan Tin Estate)”;
- (ii) “Provision of Seats off Dor Boa Building”;
- (iii) “Provision of Walkway Cover between Siu Hei Light Rail Stop and Wu Hong Clinic”; and
- (iv) “Levelling of Vacant Land near Lam Tei Light Rail Stop”.

(B) Placing Flower Pots for Festival Greening in Tuen Mun 2019

(DFMC Paper No. 50/2019)

7. Mr LEUNG Kam-wai of the Tuen Mun District Office (“TMDO”) said there were currently more than 700 fibre glass planter pots in the store, among which about 90 were very old and broken pots that could not be used anymore. An application was being made to the committee for funding of \$900,000 towards this year’s works for beautification by installing planter pots. The works included an order for production of 90 new fibre glass planter pots. He appealed for Members’ support.

8. A Member opined that given that the works cost up to \$900,000, the average cost of each planter pot was pretty high. The Member hoped the TMDO could provide details about the quotation for the production of planter pots.

9. A Member enquired about the design of the new fibre glass planter pots.

10. Mr LEUNG Kam-wai of the TMDO responded that currently there were about 750 fibre glass planter pots in the store, among which 90 were very old and broken pots that needed to be replaced. The cost of producing 90 new planter pots was about \$180,000, which meant that each planter pot cost about \$2,000. The remaining funding for the works would be used to hire a contractor, purchase flowers during Christmas and the Lunar New Year, and clear cigarette butts and litter in the planter pots. The design of the old planter pots would be adopted. The design was shown for reference in a picture attached to the paper.

11. A Member opined that the planter pots, which cost \$2,000 each on average, were still expensive.

12. Mr LEUNG Kam-wai of the TMDO further explained that the works cost \$720,000 after deducting the cost of producing 90 new planter pots, and the services

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provided by the contractor included delivery of planter pots from the store to the scenes, purchase of seasonal flowers, placement of planter pots and seasonal flowers at suitable locations, regular litter clearance and watering, replacement of flowers with ones themed around the Lunar New Year, and cleansing of planter pots after the Lunar New Year for storage.

13. A Member reckoned that departments should provide a list detailing the contents and services covered by the project cost for Members' reference.

14. Mr LEUNG Kam-wai of the TMDO said the district office noted Members' comments and would provide the details of the works project next time.

15. A Member enquired about the locations of the planter pots and the target beneficiaries of the other works.

16. Mr LEUNG Kam-wai of the TMDO said the locations of the planter pots were listed in the appendix to the paper and the target beneficiaries of the other works were people who visited Tuen Mun for pleasure or sightseeing.

17. A Member said some residents had told him that flowers hanging on central dividers withered away easily. He opined that the plants were not well watered. Moreover, he said some socially inconsiderate people often dumped waste and cigarette butts into planter pots on roadside dividers. The Member enquired how frequent the contractor would water and clear planter pots on central dividers and roadside dividers. He further asked which departments the public could contact to report on the condition of planter pots.

18. A Member hoped that next time departments could clearly specify the target beneficiaries of the other works.

19. Mr LEUNG Kam-wai of the TMDO said the contractor would undertake watering after the installation of planter pots. The district office would request the contractor to water the flowers every day from the winter solstice to the Lunar New Year period. The public might contact the TMDO or the Secretariat to report on the condition of planter pots. Besides, the district office noted Members' comments and would clearly specify the target beneficiaries of the works next time.

20. As Members had no objection, the Chairman announced that the works

project costing \$900,000 was endorsed.

(C) Replacement of Curtains at Butterfly Bay Community Centre, On Ting/Yau Oi Community Centre and Kin Sang Community Hall

(DFMC Paper No. 51/2019)

21. Mr Endy CHEUNG of the TMDO said the total cost of curtain replacement at the three halls was estimated at \$450,000, which meant \$150,000 for each hall. The cost was higher than that of ordinary replacement of curtains, mainly due to the large size of curtains and the higher ceilings of community centres/halls (“community halls”), which entailed contractors’ erection of high platforms for the replacement works.

22. A Member said many residents had complained that curtains in community halls were covered in dust. The Member asked whether the district office had arranged routine maintenance and regular cleaning of curtains in community halls.

23. Mr Endy CHEUNG of the TMDO said contractors usually cleaned part of the curtains that could be reached by hand. Replacement was recommended as the curtains were so old and shabby that cleaning might cause damage to their fibres. As the removal of curtains required the erection of platforms and a thorough cleaning exercise would be costly, the TMDO would arrange to have all curtains in halls removed and cleaned every one or two years in the future.

24. As Members had no objection, the Chairman announced that the works project costing \$450,000 was endorsed.

(D) Recreation and Sports Activity Programmes Organised by the Leisure and Cultural Services Department in Tuen Mun District in Year 2020-21 (April to June 2020)

(DFMC Paper No. 52/2019)

25. Ms Pat TAM of the Leisure and Cultural Services Department (“LCSD”) said that as the term of the current TMDC would end on 31 December 2019 and the department’s applications for funding towards LCSD recreation and sports activities to be held in the year 2020-2021 could be considered and approved only after the official start of the new term of the TMDC in January 2020. As it took time to organise and promote the recreation and sports activities, the recreation and sports activity programmes for April to June 2020 were proposed and submitted to the current TMDC for Members’ consideration, in order to ensure the public could

continue to join recreation and sports activities next year. A total of 328 recreation and sports activities were proposed to be held from April to June 2020 with estimated funding of \$1,809,065. Expenditures on activity programmes for March 2020 would be paid in the 2020-21 financial year, so the expenditures on activities in March 2020, which amounted to around \$400,000, were also included in this application for Members' endorsement.

26. The Chairman said the funding applications considered at this meeting were about LCSD activities to be held in the new term of the TMDC (i.e. March to June 2020). The current TMDC could only endorse in principle activities to be held in the new term of the TMDC, and these activities should be subject to official approval by the next TMDC at its first meeting, which would be held in early January 2020.

27. As Members had no objection, the Chairman announced that the proposal for activity programmes was adopted and the application for funding of \$2,209,065 for March to June 2020 was endorsed in principle. The application would be tabled at the first meeting of the next TMDC for consideration and approval. After being endorsed in principle, the above funding application would be tabled at the meeting of the Finance, Administration and Publicity Committee ("FAPC") to be held on 30 August this year. As the funding being applied for topped \$100,000, the application should also be tabled at the TMDC meeting to be held on 24 September this year for endorsement.

(E) Formation of Government Land near Sites 1 & 1A and Sites 3 & 4 (East) in Area 54

(DFMC Paper No. 53/2019)

28. The proposer of the paper said the captioned sites were left over after public housing development and were currently managed by the District Lands Office, Tuen Mun ("DLO"). Overgrown with weeds, the sites attracted snakes and insects, which seriously affected the public housing that would be occupied very soon and residents who lived in nearby rural areas. She hoped the Government would put the site to good use, with an emphasis on urban-rural integration. Thus, she proposed land formation works be carried out there.

29. A Member expressed no objection to the captioned proposal. But given the captioned proposal involved the development of Area 54, the Member wondered if further discussion on the development of the whole area should be left to the

Working Group on the Development and Complementary Facilities in Area 54 under the Environment, Hygiene and District Development Committee (“EHDDC”).

30. A Member said it was difficult to ameliorate the problem of overgrown weeds on the captioned sites, since grass cutting arranged by the DLO was subject to time limits and could hardly be carried out on a permanent and regular basis. Hence, the Member hoped the land formation works could be carried out under the District Minor Works (“DMW”) programme, so that the environment could be improved as soon as possible.

31. A Member opined that the proposer of the paper was making a forward-looking proposal with insight into land use and management issues during development. He expressed support for the captioned proposal but wondered if it should be carried out under the DMW programme. In his view, the sites concerned should be handed over to the Civil Engineering and Development Department (“CEDD”), which played a leading role in the development of Area 54.

32. A Member expressed support for the captioned proposal and opined that the DFMC should decide whether this matter should be followed up by relevant departments or under the DMW programme.

33. A Member said the CEDD had turned the captioned sites back over to the DLO, which usually arranged only regular grass cutting for government land; therefore, neither the CEDD nor the DLO would undertake the formation works on the above sites. Hence, she believed that the captioned proposal could hardly be implemented unless it was followed up under the DMW programme.

34. The Chairman invited the DLO to report on the current management of the captioned sites first. He said that from experience in major works like the construction of Hong Kong-Shenzhen Western Corridor and Tuen Mun West Rail Station, relevant departments would usually return the sites to the DLO after the works were complete, and the DLO would fence the sites off; therefore, Members would usually find it difficult to follow up on the situations of the sites and carry out land improvement works. Moreover, he suggested that the Working Group on the Development and Complementary Facilities in Area 54 should first discuss and follow up on the captioned proposal and request relevant departments to properly carry out formation works on the sites yet to be returned to the DLO, following which the DFMC would consider whether to take follow-up action in the light of the

situations of the sites.

35. Mr TAM Kwok-leung of the DLO said the CEDD had returned Sites 1 & 1A and Sites 3 & 4 (East) in Area 54 to them. The DLO had carried out monthly grass cutting on the periphery of Sites 1 & 1A since March this year, while the regular grass cutting on the periphery of Sites 3 & 4 (East) would start this month. He further said the DLO was not a works department and therefore could not carry out this kind of site formation improvement works. If other works departments undertook the site formation works on the captioned sites, they might apply for temporary land allocation from the DLO.

36. A Member said the DLO had clearly stated that the CEDD had returned the sites to them and the DLO had no resources for the site formation works. Therefore, the Member hoped Members would support having the captioned proposal followed up under the DMW programme and carrying out the improvement works on the sites as soon as possible.

37. The Chairman said that as far as he knew, the Working Group on the Development and Complementary Facilities in Area 54 was yet to follow up on land issues about the captioned sites. He opined that the question of whether the CEDD and other relevant departments could follow up on the captioned proposal should be discussed by the working group. After discussion, if the working group could not decide which department should follow up on the captioned proposal, then the DFMC might consider whether to follow it up under the DMW programme.

38. A Member hoped that instead of rejecting the captioned proposal, the DFMC would count it as a project to be followed up.

39. The Chairman reiterated that according to a progress report by the Working Group on the Development and Complementary Facilities in Area 54, so far relevant departments had neither stated that the works had been complete nor reported on the current management of the land. He again suggested that the working group follow up on the captioned proposal first, and then consideration be given to whether the DFMC should follow it up in the light of circumstances.

40. A Member noticed that the two CEDD representatives shown on the seating plan for this meeting were not yet present. The Member opined that departments should send representatives to meetings to answer Members' questions.

41. The Secretary said the two CEDD representatives specified on the seating plan were present mainly to give Members a brief introduction to the works for reducing loss of sand on Golden Beach. As the proposal for the captioned works was still at the preliminary conceptual stage, the Secretariat had not invited any CEDD representatives to the meeting.

42. The Chairman said the sites in the captioned proposal involved CEDD works projects, and he opined that all departments involved in the captioned proposal should send representatives to the meeting for full examination of the works and follow-up plans.

43. District Officer (Tuen Mun) said that as mentioned by the Secretary, the two CEDD representatives present at this meeting were mainly responsible for other projects. As for the follow-up plans for the captioned proposal, the Chairman had suggested the Working Group on the Development and Complementary Facilities in Area 54 follow up on it first, and then consideration be given to whether the DFMC should follow it up in the light of circumstances. She added that the comments of the proposer of the paper were noted and would be followed up actively.

44. The Chairman said the Working Group on the Development and Complementary Facilities in Area 54 would meet on the next day. He suggested the working group follow up on the matter and make a site visit to understand the situations of the sites. Besides, he urged relevant departments to take follow-up action and improve the sites.

45. A Member reckoned that department representatives at a meeting represented the whole department, no matter what their duties were. The Member was dissatisfied as the CEDD's representatives at the meeting were unable to answer Members' questions.

46. A Member suggested the DFMC further discuss this matter.

47. The Chairman concluded by saying that the responsibility for land and road development on Sites 1 & 1A and Sites 3 & 4 (East) in Area 54 fell mainly on the CEDD. As the Working Group on the Development and Complementary Facilities in Area 54 had been following up on the development of the area, he suggested that the working group discuss at its meeting to be held on the next day whether the

captioned works proposal could be followed up by the CEDD and other relevant departments. After discussion, if the working group could not decide which departments should follow up on the captioned proposal, then the DFMC might consider whether to follow it up under the DMW programme.

[Post-meeting note: The Working Group on the Development and Complementary Facilities in Area 54 followed up on the captioned proposal at its meeting on 21 August 2019 and made a site visit in respect of the proposal on 5 September 2019.]

(F) Provision of Leisure Facilities and Greening of Environment

(DFMC Paper No. 54/2019)

48. The proposer of the paper hoped the Government would make good use of government land by providing more fitness and leisure facilities for residents. She appealed for Members' support.

49. The Chairman asked if Members agreed to count the works among "(C) Other Works Projects under Planning" in the project programme.

50. A Member asked whether the proposed locations for the captioned works were the same as those for the works discussed under the previous agenda item.

51. The proposer of the paper said the locations for the two works projects were not the same.

52. As Members had no objection, the Chairman announced that the proposed works project was put on the DMW waiting list and counted among "(C) Other Works Projects under Planning" in the project programme. He asked the Secretariat to follow it up in due course.

(G) Provision of a Rain Shelter and Benches at Nim Wan Tsuen Minibus Stop

(DFMC Paper No. 55/2019)

53. The proposer of the paper said that for people waiting for public light buses at the location proposed above, the existing rain shelter was too old to serve as an effective protection against wind and rain, and all the existing chairs came from residents' homes. He added that the wait for a minibus was sometimes 20 minutes. He suggested the rain shelter be rebuilt to improve the environment near the minibus stop.

54. A Member expressed support for the captioned proposal. She noted that works of this kind were time-consuming, as exemplified by the similar rain shelter construction works carried out at a minibus stop in So Kwun Wat before. She hoped that the captioned works could be commenced and completed as soon as possible, and that relevant departments would give an account of the process and timeframe for the construction of the rain shelter.

55. The proposer of the paper hoped Members would first confirm the initiation of a project on the captioned proposal, following which they might ask about other details about work progress.

56. A Member expressed support for the captioned proposal. He noticed that while the procedures and steps for the examination, approval and implementation of DMW proposals were set out in Appendix 3 to DFMC Paper No. 49, the actual timeframes for the implementation of each procedure and step were not specified there, so Members found it difficult to estimate the completion time for the works.

57. A Member concurred with the view of the above Member. He noticed that the construction of rain shelters near stops of public transport was undertaken by different works agents, sometimes by public light bus/minibus operators and sometimes by the TMDO Works Section. The Member opined that the DFMC should discuss which department should undertake the captioned works.

58. The Chairman said that from experience, wind shelters and seats were usually built by the TMDO Works Section. As for the timeframe for the works, the Working Group on Facilities and Works of the DFMC would follow up on the progress of the works.

59. Miss Joanna TSUI, Assistant District Officer (Tuen Mun)¹, said the procedures and steps for the examination, approval and implementation of DMW proposals were clearly set out in Appendix 3 to DFMC Paper No. 49. Generally speaking, after the DFMC agreed to put a works project on the waiting list, a works agent would join the works promoter to examine the details of the works based on such factors as the reasons for and the effectiveness and feasibility of the works, and then priorities would be set. The four works projects set out in Discussion Item (A) of the agenda for this meeting had just been counted among “(C) Other Works Projects under Planning” in the project programme, and they would also be included

in the plan and implementation schedule for works to be further followed up by the Working Group on Facilities and Works. Generally speaking, after the DFMC confirmed the initiation of a project, a works proposal would be further followed up by the Working Group on Facilities and Works.

60. Mr LEUNG Kam-wai of the TMDO said that according to the report in DFMC Paper No. 58, a number of works projects initiated at the DFMC meetings held in 2018 had been moved upward from “(C) Other Works Projects under Planning” to “(B) Works Projects Expected to be Completed/Scheduled to be Commenced in 2019-2020 Financial Year”. This showed that the working group and works agents had been actively following up on and implementing the works. Subject to the availability of funding each year and the progress in implementing “(B) Works Projects Expected to be Completed/Scheduled to be Commenced in 2019-2020 Financial Year”, the district office would move the works under “(C) Other Works Projects under Planning” upward to “(B) Works Projects Expected to be Completed/Scheduled to be Commenced in 2019-2020 Financial Year” when appropriate.

61. The Chairman asked if Members agreed to count the works among “(C) Other Works Projects under Planning” in the project programme as well.

62. As Members had no objection, the Chairman announced that the works proposal was adopted, put on the DMW waiting list, and counted among “(C) Other Works Projects under Planning” in the project programme for the Secretariat to follow up in due course. Secretariat

(H) Request for LCSD’ Report on the Management of Tuen Mun Park

(DFMC Paper No. 56/2019)

63. The Chairman said that at the 10th meeting of the DFMC (2018-2019), Members had commented on the management of Tuen Mun Park, and he had invited the LCSD to give Members a detailed report on the management of Tuen Mun Park and relevant follow-up measures at this meeting.

64. Ms Pat TAM of the LCSD gave a PowerPoint presentation (Annex 1) to briefly update Members about the regulation of singing activities in Tuen Mun Park. She said that under the current legislation, neither park keepers nor nearby residents were deemed to be venue users, so the department could hardly prosecute persons who created noise nuisances in a park unless there were venue users who made

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complaints and were willing to act as witnesses. For this reason, the department proposed an amendment to the text of Section 25 of the Pleasure Grounds Regulation (“PGR”), by which the words “users of the pleasure grounds” in the section would be replaced by “person” to enable more people to act as witnesses. The Panel on Home Affairs of the Legislative Council (“LegCo”) had been consulted about the proposed amendment on 29 April 2019. The panel’s members had expressed support for the amendment and suggested the department undertake a more comprehensive review of the legislation. In another PowerPoint presentation, she gave Members a brief about figures on complaints against singing groups in Tuen Mun Park in 2019, the current situation of singing activities, relevant improvement measures, and figures on prosecution from July to 15 August 2019. She explained that figures on prosecution from July to 15 August 2019 had significantly increased because more people were willing to act as witnesses in the wake of the “liberating Tuen Mun” march. The department would continue to closely monitor singing activities in Tuen Mun Park and keep in close touch with the Police. Prosecution action would be taken when appropriate to maintain order in Tuen Mun Park.

65. The first proposer of the paper noted that according to the LCSD, part of Tuen Mun Park had been fenced off for improvement works. He enquired about the completion date of the works, worrying that the noise problem in Tuen Mun Park would arise again if the works were done in the short future while the legislative amendment was not yet complete. Besides, he opined that the above improvement works would merely drive singing performers to continue their singing activities elsewhere in Tuen Mun Park. He asked what measures the department would take in response. Moreover, he asked whether, for witnesses’ safety, the department would stop requesting witnesses to give evidence against performers face-to-face. Furthermore, he noted that the department might invoke Section 7 of the PGR to take enforcement action. He asked whether the department would invoke the legislation to take enforcement action against performers who had committed indecent acts in Tuen Mun Park on 16 May 2019. He further said elderly members of the local community who liked to watch singing performances seldom joined singing activities held in community halls, mainly for reasons related to the services of community halls. For example, community halls failed to provide better sound effects, users of community halls had to move such facilities as tables and chairs themselves, and performing groups often found it difficult to book venues due to the extremely high usage of community halls. He hoped the TMDO could make improvements to encourage performing groups to perform at appropriate venues like

community halls instead. Besides, he asked whether, after the legislative amendment, the department would consult the public on how to make good use of space in Tuen Mun Park, so as to gauge the opinions of various stakeholders in the district.

66. A Member said members of the public were not allowed to bring loudspeakers to Kowloon Park and parks in North District and Tai Po District. She suspected that the LCSD used different standards to manage different parks and felt that the department was not determined enough to enforce the law. Moreover, she opined that with just part of Tuen Mun Park fenced off for improvement measures, the department could only address the symptoms rather than the root causes of the problem. She expected the noise problem would occur again in Tuen Mun Park very soon.

67. A Member said the noise nuisance in Tuen Mun Park had greatly reduced after the “liberating Tuen Mun” march held on 6 July, but she noticed that some singing performers held singing activities as usual on days with fewer security guards in the park, and they might even perform on the nearby footbridges instead, making it difficult for the LCSD to enforce the law. She opined that even though singing performers moved to somewhere nearby to continue their singing activities, the noise they created still affected nearby residents. The Member suggested they hold activities near Tin Hau Temple. She also suggested the department conduct joint operations on a permanent and regular basis and invite district councillors to observe the operations at the scenes to assess their effectiveness.

68. A Member said the TMDC unanimously agreed that the noise problem in Tuen Mun Park should be tackled at its root, and the council also understood that the abolition of the self-entertainment zones was just the first step in solving the problem rather than an effective permanent cure. He was worried that the legislative amendment exercise would still be in progress even after a long period of time. He further said the LCSD used different standards to manage parks in different districts. He also doubted the effectiveness of the department’s regulation. Besides, he asked under what circumstances the department could invoke Section 7 of the PGR to combat indecent behaviour in parks.

69. A Member believed the legislative amendment could tackle the problem at its root, but it was a pity that the legislative amendment exercise could progress only after the LegCo resumed in October. He reckoned that for the time being the

department could just put some improvement measures in place to mitigate the situation. He hoped the department would show its determination in tackling the noise problem in Tuen Mun Park.

70. A Member pointed out that the PGR (Cap 132BC) gave Director of Leisure and Cultural Services the discretion to set rules for parks internally. He hoped the department would put up controls at the entrances of Butterfly Beach Park to restrict the public from bringing loudspeakers to the park, and put in place noise control standards or alternatively confine performances to places far away from dwellings. He further said the Government should enhance community hall facilities in a bid to encourage singing groups to perform in community halls instead.

71. Ms Pat TAM of the LCSD said the fenced-off area in Tuen Mun Park was undergoing greening works that mainly served to expand a nursery and, thus, facilitate the growth of banyan tree aerial roots. The works required root surveys, and therefore took several months to complete. Currently the department took two main steps in relation to park users who acted as witnesses to give evidence. First, park security guards would invite the park users who felt annoyed to stay somewhere far away from the performing groups and clearly point out to park security guards where the noise came from and who created the nuisance. Then, another team of park keepers and security guards would prosecute the accused singing performers. The witnesses would not be required to give evidence in front of the performers throughout the course. With regard to the use of Section 7 of the PGR, the department was seeking legal advice to ascertain whether it was possible to invoke the legislation in enforcement operations. The department had also sought advice from the Department of Justice (“DoJ”) on the video clips about singing performers being suspected of committing indecent behaviour in Tuen Mun Park on 16 May 2019, and it would take further action based on such legal advice. Moreover, the department would keep in close contact with relevant departments to explore feasible measures that could encourage singing groups to perform in community halls instead. She further said all LCSD-managed parks were governed by the same PGR and there was no difference in standard. In the future, the department would continue to carry out joint operations with the Police and, when appropriate, arrange for TMDC Members to act as observers. As for the completion date of the legislative amendment exercise, the department would seek further legal advice on LegCo members’ proposal for a full review of Section 25 of the PGR, and submit the proposed amendment to the LegCo for discussion as soon as possible after the resumption of the LegCo.

72. Mr Francis WONG of the LCSD said that generally speaking, the department's approval was required for non-designated activities in LCSD-managed parks, but self-entertainment activities like singing and playing musical instruments in the parks were not subject to this requirement. In a preceding court case, the judge had ruled that the department should not prohibit members of the public from signing in a park as long as there were no nuisances to other people in the venues or nobody made an allegation about nuisance behaviour. Moreover, due to the lost court case about Hoi Sham Park many years before, the department could hardly impose regulations on the bringing of loudspeakers. At that time, the department director had used discretion to set a rule for park serving to restrict the public from bringing loudspeakers into parks and limit the volume of loudspeakers. But regrettably, the court had ruled against the department in the Hoi Sham Park case. However, this time the department would follow up on the legislative amendment exercise for Section 25 of the PGR as soon as possible after the LegCo resumption, hoping that the noise problem in Tuen Mun Park could be solved as early as possible.

(Post-meeting note: In 2013, the department had set the "rules for parks" in a bid to prohibit members of the public from bringing loudspeakers to and using loudspeakers in Hoi Sham Park and King Wan Street Playground even if no nuisance had been created. But when dealing with one of the prosecution cases, which was about Hoi Sham Park, in May 2015, the court had ruled against the department on the grounds that the "rules for parks" were in contradiction to Section 25 of the PGR. The department had lodged an appeal against the ruling, and the magistrate had decided to uphold the ruling of the prosecution case after reviewing it in March 2016. Having sought legal advice, the department had scrapped the "rules for parks". Section 25 of the PGR was currently the sole basis for LCSD officers' law enforcement.)

73. A Member opined that the LCSD was duty-bound to address the noise problem in Tuen Mun Park. The Member urged the department to enforce the law strictly.

74. A Member was dissatisfied as the department dealt with noise problems and enforced the law only after receipt of complaints. He reckoned that it was park security guards' duty to maintain order in parks and they should take enforcement action immediately if they spotted any noise nuisance. He hoped the department

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would be more proactive in law enforcement. In addition, he noticed that generally, security guards did not know how to handle complaints or manage singing performers. He suggested regular training and evaluation for security guards.

75. A Member wondered why, although all LCSD-managed parks in Hong Kong were governed by the same legislation, the noise problem similar to that in Tuen Mun Park was not seen in other parks. He observed that after the abolition of the pedestrian precinct in Mong Kok, a number of singing performers had gone to the area outside the Cultural Centre in Tsim Sha Tsui instead, but they had found it difficult to perform there due to strict enforcement by the department's officers. Besides, he reiterated that the department should consult with the public after the legislative amendment to understand what ideas different stakeholders in the district had about the use of space and facilities in Tuen Mun Park.

76. A Member asked whether the ruling on the Hoi Sham Park case had been made by a district court. He held the view that generally, rulings made by a district court did not have a strong legal binding. He opined that whether the department should use its discretion to set by-laws for parks had nothing to do with the Hoi Sham Park case - it was a matter of the department's determination to enforce the law.

77. Mr Francis WONG of the LCSD said the department kept an open mind about the proposal that the legislative amendment be followed by a public consultation on how to use facilities in Tuen Mun Park. After the legislative amendment exercise, the department would discuss with relevant departments the details of the public consultation. He further said the ruling on the Hoi Sham Park case had been made by the Kowloon City Magistracy, and the DoJ had initiated a review of the ruling, which had nevertheless been unsuccessful.

LCSD

78. A Member opined that rulings made by magistracies, which were the lowest-level courts in the judiciary system, might not be correct. The Member urged the LCSD to join the DoJ to initiate another judicial review, saying that the LCSD should not be bounded by the Hoi Sham Park case and deterred from formulating by-laws for parks to control noise problems in parks.

79. A Member hoped all departments would seriously follow up on problems in Tuen Mun Park to seek improvement.

80. Members had no further comments. The Chairman would like the LCSD to consider Members' views and continue to follow up on issues about the management of Tuen Mun Park.

V. Reporting Items

(A) Report of Working Group on Community Involvement

(DFMC Paper No. 57/2019)

81. The Convenor of the working group reported that at a meeting of the working group, the LCSD's representative had said the standard for regulation of noise (i.e. the difference between the level of background sound and the level of music performers' voice) would be further lowered from three to two decibels. He further said the content of paragraph 8 of the paper, which was about the standard for regulation of noise, should be amended accordingly.

[Post-meeting note: The content of paragraph 8 of the paper, which was about the standard for regulation of noise, was amended on 26 September 2019.]

82. The Chairman asked whether Members agreed to approve an application made by the working group for funding of \$113,896.

83. As Members had no objection, the Chairman announced that the DFMC approved the above funding application and endorsed in principle the application for funding of \$113,896 for the period from April to June 2020. The application would be tabled for approval at the first meeting of the next TMDC. The above application, having been endorsed in principle, would be tabled for endorsement at the FAPC meeting to be held on 30 August this year. As the amount of the funding applied for topped \$100,000, the application should be further submitted for endorsement at the TMDC meeting to be held on 24 September this year.

84. The DFMC endorsed the working group report.

(B) Report of Working Group on Facilities and Works

(DFMC Paper No. 58/2019)

85. A Member said she had recently viewed a video clip showing a gap between the rain shelter in the works project "Building of Rain Shelter over Footbridge between Siu Hong Court Phases 1 and 2 and Siu Hong West Rail Station C2" and the footbridge, which rendered the rain shelter ineffective in serving its purposes. She hoped relevant departments would make improvements without delay.

86. The works promoter of the above works project said that in view of the above situation, he had carried out an inspection with the Works Section of the TMDO and found that there was quite a big gap between the new roof and the original roof of the footbridge. He had requested the TMDO Works Section to seek improvements by putting up cover panels, in a bid to prevent rainwater from getting in. He hoped relevant departments could carry out the improvement works as soon as possible.

87. Mr LEUNG Kam-wai of the TMDO said remedial works would be arranged as soon as possible.

88. A Member enquired about the latest progress of the works project “Provision of Hot Shower Facilities at Golden Beach, Tuen Mun”.

89. Ms Pat TAM of the LCSD said the works project “Provision of Hot Shower Facilities at Golden Beach, Tuen Mun” was underway and due for final testing and completion on 10 or 11 September this year.

[Post-meeting note: The committee visited Golden Beach, Tuen Mun, to inspect the shower facilities on 18 September 2019.]

90. The DFMC endorsed the working group report.

(C) Report of Working Group on 2019-2020 Tuen Mun Large Scale Festive Displays and Lighting Decorations

(DFMC Paper No. 59/2019)

91. The Chairman, who was also the Convenor, asked if Members agreed to entrust the captioned working group with the selection of the contractor for the lighting decorations.

92. As Members had no objection, the Chairman announced that the DFMC endorsed the report by the captioned working group and agreed to entrust the working group with the selection of the contractor for the lighting decorations. A report on the result of contractor selection would be provided together with the committee’s report for the TMDC in September this year.

(D) Report of Working Group on Tuen Mun District Organising Committee

for the Seventh Hong Kong Games

(DFMC Paper No. 60/2019)

93. The Convenor of the working group thanked the working group's members, LCSD officers and participating athletics for taking an active part in the 7th Hong Kong Games ("HKG"). The working group would issue a commendation letter to each athletic who had represented Tuen Mun in the game and members of the cheering team as a token of encouragement. Moreover, the LCSD had recently sent a questionnaire to 205 athletics in the game asking for their feedback on the locations of race venues. The feedback would be passed on to the HKG organising committee later.

94. The DFMC endorsed the working group report.

(E) Report on LCSD's Cultural Activities in Tuen Mun District and Usage of Tuen Mun Town Hall

(DFMC Paper No. 61/2019)

95. Members noted the captioned paper.

(F) Work Report on Management of Recreation, Sports and Passive Facilities in Tuen Mun District by LCSD

(DFMC Paper No. 62/2019)

96. The Chairman said that at the 10th meeting of the DFMC (2018-2019), Members had commented on the LCSD's plan to convert a 7-a-side soccer pitch in the district into an 11-a-side soccer pitch. He had invited the LCSD to give a detailed account of the above plan at this meeting.

97. Ms Pat TAM of the LCSD said the preliminary assessment of the plan to convert the 7-a-side soccer pitch in Tsing Tin Playground into an 11-a-side soccer pitch had been completed. Results showed that due to the insufficient space of the 7-a-side soccer pitch in Tsing Tin Playground, the building of an 11-a-side soccer pitch was possible only if the soccer pitch was moved southwards, the areas of the existing jogging track and children's playground were devoted to that purpose, and a considerable number of trees were removed. She said that if Members agreed, the department would further explore the feasibility of the redevelopment of Tsing Tin Playground.

98. A Member noted that given the very high usage of the jogging track in Tsing Tin Playground, the LCSD should balance the views of different park users. While

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soccer lovers could benefit from the extension of the soccer pitch, the benefits of other facility users should also been taken into account. She suggested the department consult residents of nearby housing estates about the extension plan.

99. A Member said despite its small size, Tsing Tin Playground had a lot of popular facilities. He found the plan to build an 11-a-side soccer pitch at the expense of other existing facilities was not desirable. He suggested that before the plan was confirmed, the LCSD should submit a proposal to the DFMC for discussion.

100. A Member asked if any other venues than Tsing Tin Playground had been selected for consideration.

101. Mr Francis WONG of the LCSD said that this time the department was present mainly to report on the results of the study on the extension of the soccer pitch in Tsing Tin Playground and to seek Members' opinions. In fact, the department was looking for other venues than Tsing Tin Playground and would report to the DFMC on the results of the studies on other selected venues in due course.

102. A Member hoped the department would let the DFMC know the exact locations of other selected venues.

103. Mr Francis WONG of the LCSD said there was another venue in the district selected for the department's consideration of soccer pitch extension, though other 7-a-side soccer pitches in the district were not spacious enough for an 11-a-side soccer pitch. Yet, the venue selected was quite remote and the department had to make a site visit with relevant departments to examine how to fit a soccer pitch to the venue. Thus, he believed it was not an appropriate time to disclose the selected venue. After relevant studies were complete, the department would provide a proposal for the DFMC's consideration.

104. Then, Ms Pat TAM of the LCSD reported to Members on the arrangements for the camping site in Butterfly Beach Park. She said nine camps were provided in the camping site of Butterfly Beach Park for campers to use for free after registration, which was on a first-come, first-served basis. The department's records showed that over the previous five years, the average usage rate of the camping site had been about 65% only, with quite a lot of regular users. In the

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previous year, for example, the average monthly usage rate had been 77%, with regular users making up about 75% of it. This showed that the camping site had long been used by a small group of people. In view of this, the department had conducted a questionnaire survey at Butterfly Beach Park in May 2019. Among the 250 interviewees, about 87% had responded that they went to the park for a stroll and morning exercise; about 81% opined that more fitness and children's playing facilities should be provided in the park, and only less than 4% saw the camping site as something they needed. For more effective use of resources, the department proposed the camping site be converted into a fitness area, where outdoor fitness facilities suitable for people of different ages should be provided to answer the demand for venues for outdoor fitness activities among most residents in the district. To facilitate the conversion works, the camping site would be closed from 1 November this year.

105. The Chairman welcomed Mr Raymond CHENG, Senior Engineer/Projects 3, and Mr Jason CHEUNG, Engineer/Projects 4B, the CEDD, to the meeting.

106. Mr Francis WONG of the LCSD said the DFMC was always concerned about the loss of sand at Golden Beach. The department and the CEDD had provided an improvement plan for the DFMC's consideration in 2014, proposing that four groynes be built to mitigate the loss of sand at Golden Beach in the long term. At that time, Members had held the view that groynes could spoil the overall appearance of Golden Beach and render it meaningless as a beach, so it had been suggested that the proposal to build groynes should be reconsidered. After that, the department had sought funding from the DFMC for other works that could mitigate the loss of sand at Golden Beach, but the problem still had not been completely solved. Again, at the invitation of the department, the CEDD had worked out a new proposal to alleviate the problem, and at this meeting, it was going to introduce the preliminary concept (Annex 2) of the proposal to Members.

107. A Member asked whether the CEDD would redesign the groynes to reduce the impacts of currents on sand.

108. Mr Raymond CHENG of the CEDD said the department had carried out a consultant study on the loss of sand at Golden Beach in 2014. In fact, there was no loss of sand at Golden Beach, but the relatively strong northward currents carried sand at Golden Beach northwards to other beaches to its north, with the most serious loss of sand seen in the area near Dolphin Square. In 2014, the department had put

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forward a proposal to build four groynes. But having considered the views of Members, the department had realised that the proposal was deficient as it would not only occupy much of the beach but also impair its integrity. Therefore, it was proposed that a breakwater or groyne extending northwards should be built off the existing Dolphin Square to protect sand near Dolphin Square from the relatively strong northward currents; furthermore, with a still-water area so created off Dolphin Square, consideration could be given to setting up an ecological coastline and water-friendly facilities. It was believed that the proposal could solve the problem of sand loss at Golden Beach in the long run.

109. A Member expressed support for the above new proposal. He remembered that the Working Group on Facilities and Works had discussed at length the proposal submitted by the CEDD in 2014. At that time, some had expressed worries that the construction of breakwaters or groynes would affect the channels for yachts sailing to and from Gold Coast and that the currents and waves generated by sailing yachts would exacerbate the loss of sand.

110. A Member asked whether the groyne construction would affect the water quality in the still-water area.

111. A Member expressed support for the new proposal put forward by the CEDD.

112. Mr Raymond CHENG of the CEDD said that after the groyne construction, a still-water area with relatively calm water would be created off Dolphin Square. In the feasibility study, the department would examine in depth the water quality implications of the groyne construction. But in addition to water currents, tides were another major cause for water exchange. When determining the length of the groyne to be built, the department would also consider whether it was necessary to increase inlets and outlets on the groyne to ensure water exchange and reduce impacts on water quality.

113. A Member criticised the CEDD for just saying that a groyne would be built under the new proposal but giving no details such as the length and design of the groyne.

114. Mr Francis WONG of the LCSD said the main purpose of this report was to tell Members in what direction the new proposal was heading, i.e. building one

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groyne instead of four. If Members agreed to such a direction, the department would join the CEDD to study in depth the details and feasibility of the proposal, and would provide the results of studies for the DFMC's discussion in due course.

115. A Member hoped the LCSD would provide the details of the new proposal for consultation with Members at a meeting in the next term of the DFMC.

116. Then, Ms Pat TAM of the LCSD gave updates on Siu Lun Sports Centre, saying that Siu Lun Sports Centre was undergoing decoration, testing and cleaning after the completion of its major works in February 2019. If the decoration and testing works progressed smoothly, it was expected that services could be provided in phases from the fourth quarter of 2019.

117. A Member enquired about the details of the services to be provided in phases from the fourth quarter of 2019.

118. Ms Pat TAM of the LCSD said the works for the activity rooms and children's playroom in Siu Lun Sports Centre had been substantially complete. As the Electrical and Mechanical Services Department was still carrying out wire connection works to the score-board in the core venue, the department planned to open the completed facilities to the public in phases from the fourth quarter of 2019.

119. Members noted the captioned paper.

[Post-meeting note: The committee visited Tuen Mun Siu Lun Government Complex for a site inspection on 20 September 2019.]

(G) Report on Usage and Extension Activities of LCSD's Public Libraries in Tuen Mun District

(DFMC Paper No. 63/2019)

120. Members noted the captioned paper.

VI. Any Other Business

121. The Chairman said the LCSD had written to the TMDC Chairman on 14 August inviting the TMDC to take part again in "Green Promotional Stalls", an activity in the Hong Kong Flower Show to be held in March next year, to promote greening awareness among the public. The activity had always been followed up by the LCSD and the Secretariat before. As the above activity would be held

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within the term of the next TMDC (i.e. March 2020), the matters concerned should be deferred to let the next DFMC discuss at its meeting in February 2020 whether the TMDC should again agree to join the flower show next year. The Chairman asked the Secretariat to follow up on matters relating to participation in the Hong Kong Flower Show 2020 in due course.

122. A Member enquired about the progress of the works for “Sports Ground in Area 16, Tuen Mun” and “Open Space in Area 27, Tuen Mun”. The Member said the works proposal for “Sports Ground in Area 16, Tuen Mun” had been mooted years before but no headway had been made as yet, and little progress had been made on “Open Space in Area 27, Tuen Mun” over the years too. The Member expressed dissatisfaction with this.

123. A Member said that at the DFMC meeting held in February this year, the LCSD and the Transport Department had consulted Members about the preliminary proposed facilities in the sports ground and the proposal to build a car park there. Members had said the DFMC supported the construction of a car park there, provided that the commencement date of the sports ground works would not be affected. The DFMC always paid attention to the commencement date of the works for “Sports Ground in Area 16, Tuen Mun” and hoped the LCSD would give a clear account of the progress of the works.

124. Mr Francis WONG of the LCSD said that at its meeting in April this year, the DFMC had agreed to the phased development of “Open Space in Area 27, Tuen Mun”, with priority given to the development of Site B2. The department was following up on the matter according to established procedures. To dovetail with the plan to build a car park, the next step would be to launch the design work for Sites A1 and B1. The department would provide a preliminary design proposal for the DFMC’s consideration and, if the DFMC agreed to the design, the department would seek funding from the LegCo and fix the commencement date of the works. He added that the works projects “Sports Ground in Area 16” and “Open Space in Area 27, Tuen Mun” would both progress in accordance with a five-year plan.

125. A Member asked whether the entrance and exit of the proposed car park in “Open Space in Area 27, Tuen Mun” would face Sam Shing Street and Hoi Wah Street respectively.

126. A Member questioned the point made by the LCSD that the two works

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would be launched within five years, worrying that the department was ineffective in following them up. The Member requested the department to report on the latest progress of the above two works projects and provide the preliminary design of the car park at the meetings in the next term of the DFMC.

127. The Chairman asked the LCSD to follow up on the matter.

LCSD

128. A Member said that in recent days, some users of Lung Yat Community Halls and nearby residents were affected by several young people who shouted, smoked and played with laser pointers in the hall and its vicinity. The Member hoped the TMDO would follow up on this issue.

129. Mr Endy CHEUNG of the TMDO said the Police would be called upon to step up patrol and attempts would be made to liaise with social welfare organisations for follow-up action on the above issue.

130. The Chairman said this was the last DFMC meeting before the recess of the current TMDC. He thanked all departments and Members for their participation and support in the term of the current TMDC.

131. There being no other business, the Chairman closed the meeting at 12:09 p.m.

Tuen Mun District Council Secretariat

Date: October 2019

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