

Minutes of the 5th Meeting in 2020
of the Planning, Housing and Works Committee
of Tai Po District Council

Date: 29 September 2020 (Tuesday)

Time: 9:41 a.m. - 4:26 p.m.

Venue: Conference Room, Tai Po District Council (“TPDC”)

| <u>Present</u> | <u>Time of Arrival</u> | <u>Time of Withdrawal</u> |
|-----------------------------|-------------------------------|----------------------------------|
| <u>Chairman</u> | | |
| Mr. AU Chun-wah | Beginning of the meeting | End of the meeting |
| <u>Vice-chairman</u> | | |
| Mr. YIU Yeuk-sang | Beginning of the meeting | End of the meeting |
| <u>Members</u> | | |
| Mr. AU Chun-ho | Beginning of the meeting | End of the meeting |
| Mr. CHAN Chun-chit, Richard | Beginning of the meeting | End of the meeting |
| Ms. CHAN Wai-ka, Olive | Beginning of the meeting | End of the meeting |
| Mr. CHOW Yuen-wai | 10:16 a.m. | 4:00 p.m. |
| Mr. HO Wai-lam | Beginning of the meeting | End of the meeting |
| Mr. KWAN Wing-yip | Beginning of the meeting | End of the meeting |
| Mr. LAM Ming-yat, Nick | 9:43 a.m. | 12:51 p.m. |
| Mr. LAM Yick-kuen | Beginning of the meeting | End of the meeting |
| Mr. LAU Yung-wai | Beginning of the meeting | 1:09 p.m. |
| Mr. LI Yiu-ban, BBS, MH, JP | Beginning of the meeting | 1:10 p.m. |
| Mr. LIN Kok-cheung, Dalu | 10:00 a.m. | 1:09 p.m. |
| Mr. MAN Nim-chi | Beginning of the meeting | End of the meeting |
| Mr. SO Tat-leung | Beginning of the meeting | 1:10 p.m. |
| Mr. TAM Yi-pui | 9:52 a.m. | End of the meeting |
| Mr. WONG Siu-kin | 10:11 a.m. | 1:09 p.m. |
| Mr. WU Yiu-cheong | 10:09 a.m. | 1:09 p.m. |
| Mr. YAM Kai-bong | Beginning of the meeting | End of the meeting |
| Mr. YIU Kwan-ho | Beginning of the meeting | End of the meeting |

Secretary

| | Beginning of the meeting | End of the meeting |
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| Ms. SY Ling-ling, Phoebe Executive Officer (District Council) 1 / Tai Po District Office (“TPDO”) / Home Affairs Department (“HAD”) | | |

In Attendance

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| Ms. CHAN Cheuk-ling, Kathy | Senior Town Planner / Tai Po / Planning Department (“Plan D”) |
| Mrs. CHIU TSE Shuk-yin | Senior Housing Manager (Tai Po, North and Shatin 2) / Housing Department (“HD”) |
| Mr. YIP Pui-lam, Paul | Engineer / 22 (North) / Civil Engineering and Development Department |
| Mr. NG Wing-hung | Senior Engineer / Tai Po / Drainage Services Department (“DSD”) |
| Mr. HUANG Keng | Engineer / Tai Po 5 / DSD |
| Mr. LIN Tang-tai | Senior Engineer / Consultants Management 4 / Water Supplies Department (“WSD”) |
| Ms. WONG Dik-chi | Engineer / New Territories East (Distribution 4) / WSD |
| Mr. CHENG Wun-chee | District Engineer / Tai Po (1) / Highways Department (“HyD”) |
| Mr. WONG Wing-wah | Senior Structural Engineer / C2 / Buildings Department (“BD”) |
| Mr. SUEN Kwok-wai, Frankie | Administration Assistant (Acting) / Lands / District Lands Officer, Tai Po (“TPDLO”) / Lands Department (“Lands D”) |
| Mr. HUI Kam-chau, Calvin | Estate Surveyor / North (TPDLO) / TPDLO / Lands D |
| Mr. WONG Chi-kin | Senior Health Inspector (Cleansing & Pest Control) Tai Po 1 / Food and Environmental Hygiene Department (“FEHD”) |
| Ms. CHAN Yin-ting, Eunice | Assistant Commissioner for Innovation and Technology (Infrastructure) / Innovation and Technology Commission (“ITC”) / Innovation and Technology Bureau (“ITB”) |
| Mr. CHAN Che-kong | Senior Manager (Capital Works) / ITC / ITB |
| Ms. CHAN Lok-nga, Joyce | Senior Manager (Infrastructure) / ITC / ITB |
| Ms. SHEK Wai-man, Emily | Manager (Capital Works) / ITC / ITB |
| Mr. WONG Yuk-sun, Simon | Chief Project Development Officer / Hong Kong Science and Technology Parks Corporation (“HKSTP”) |
| Mr. MOK Wai-hin, Peter | Head of Strategic Partnerships / HKSTP |
| Mr. TANG Pak-ling, Felix | Project Director / HKSTP |
| Ms. YAN Yuk-sam, Sam | Senior Manager, Corporate Communications / HKSTP |
| Ms. LAW Suet-lun, Sharon | Development Manager / HKSTP |
| Mr. LIN Ming-ying, Axon | Project Director / Llewelyn-Davies Hong Kong Limited |
| Mr. NGAI Lik-tsang, Eric | Project Manager / Llewelyn-Davies Hong Kong Limited |

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| Mr. SOOTOO Yuk-lun, Francis | Director / MVA Hong Kong Limited |
| Mr. LEE Pui-hung, George | Associate Director / MVA Hong Kong Limited |
| Mr. LEE Yu-sau, Terence | Senior Executive Officer (District Council) / TPDO / HAD |
| Ms. WONG Yu-hang, Anita | Senior Liaison Officer (2) / TPDO / HAD |

Opening Remarks

The Chairman welcomed participants to this Planning, Housing and Works Committee (“PHWC”) meeting. He also indicated that Ms. WONG Yu-hang, Anita, Senior Liaison Officer (2) would be attending the meetings from now on in place of Ms. LEUNG Wing-yin, Assistant District Officer, as the standing representative of the TPDO.

I. Confirmation of the minutes of the 4th meeting in 2020 of the PHWC on 14 July 2020 **(TPDC Paper No. PHW 32/2020)**

2. The TPDC Secretariat (“the Secretariat”) had not received any proposed amendments to the captioned minutes before the meeting. The Chairman asked whether Members had any proposed amendments.

3. As Members did not have any proposed amendments, the captioned meeting minutes were confirmed.

II. Innovation and Technology Commission – Phase 2 of the Science Park Expansion Programme **(TPDC Paper No. PHW 33/2020 [Revised])**

4. The Chairman welcomed the following participants to the meeting for the discussion of the captioned agenda item:

ITC

Ms. CHAN Yin-ting, Eunice, Assistant Commissioner for Innovation and Technology (Infrastructure)

Ms. CHAN Lok-nga, Joyce, Senior Manager (Infrastructure)

Mr. CHAN Che-kong, Senior Manager (Capital Works)

Ms. SHEK Wai-man, Emily, Manager (Capital Works)

HKSTP

Mr. WONG Yuk-sun, Simon, Chief Project Development Officer

Mr. MOK Wai-hin, Peter, Head of Strategic Partnerships

Mr. TANG Pak-ling, Felix, Project Director

Ms. YAN Yuk-sam, Sam, Senior Manager, Corporate Communications

Ms. LAW Suet-lun, Sharon, Development Manager

Llewelyn-Davies Hong Kong Limited

Mr. LIN Ming-ying, Axon, Project Director

Mr. NGAI Lik-tsang, Eric, Project Manager

MVA Hong Kong Limited

Mr. SOOTOO Yuk-lun, Francis, Director

Mr. LEE Pui-hung, George, Associate Director

5. Ms. CHAN Yin-ting, Eunice, went through the captioned paper.
6. Mr. MOK Wai-hin, Peter, went through pages 1 to 11 of the PowerPoint slides (see Annex I).
7. Mr. TANG Pak-ling, Felix, then went through pages 12 to 25 of the PowerPoint slides (see Annex I).
8. The Chairman indicated that Sha Tin District Council (“STDC”) had written to the TPDC expressing its objection to the expansion of Hong Kong Science Park (“Science Park”) without improving the traffic in the area of Chak Cheung Street Roundabout. He asked Members to take note of the tabled paper (Annex II).

(Post-meeting note: Annexes I and II mentioned in paragraphs 6 to 8 above had been uploaded to the TPDC website. Members could refer to TPDC Papers No. PHW 33A/2020 and PHW 33B/2020.)

9. Mr. YIU Kwan-ho’s comments were as follows:
 - (i) He supported the expansion but had doubts about the proposed traffic improvement measures at Chak Cheung Street.
 - (ii) His questions were as follows: (1) whether the relevant traffic impact assessment reports could be provided; (2) what means of transport (e.g., buses, feeder buses or private vehicles) Science Park staff mostly used for going to work; (3) during the previous expansion of Science Park, it was expected to have a total of 18 000 staff, but there were only 13 000 at present. Therefore, he asked about the expected

number of additional staff after Phase 2 of Science Park Expansion Programme (“Phase 2 Expansion”) was conducted; (4) there would be buses passing through the proposed public transport interchange in Science Park. However, as the roads in the vicinity were narrow, he asked whether there was sufficient space for large buses to turn; (5) at present, there was a roundabout to the right of Building 22E of Science Park. However, the picture on page 22 of the PowerPoint slides (see Annex I) showed that this roundabout had its size reduced and been relocated to a location connecting to Science Park East Avenue. As such, he asked whether it was planned to use part of the existing roundabout to construct a concourse; and (6) how works vehicles’ access would be arranged during the works.

- (iii) His suggestions were as follows: (1) Science Park should increase its interaction with Pak Shek Kok residents; (2) although the suggestion might involve land lease issues, given the lack of parking spaces at Pak Shek Kok and the availability of sufficient parking spaces at night in Science Park, he asked whether night-time parking concessions could be provided by the new car park for Pak Shek Kok residents, so as to make good use of the parking spaces; and (3) whether it would consider adding more types of shops, such as supermarkets and restaurants, to the concourse, so as to make up for the inadequacy in the planning of Pak Shek Kok. As there was currently only one supermarket in Pak Shek Kok, if more shops could be added to the concourse, not only would Pak Shek Kok residents reduce the use of Chak Cheung Street for access and therefore lower the traffic burden at that junction, but also provide more choices for Pak Shek Kok residents.

10. Mr. MAN Nim-chi asked whether the improvement measures for the transport facilities in the vicinity of Science Park were initiated by the HKSTP, or followed up in conjunction with other departments instead. In this connection, he asked whether the HKSTP could provide more information and data on the traffic impact assessment conducted by the consultancy for Phase 2 Expansion, including the expected increase in the usage of major transport interchanges and Chak Cheung Street Roundabout after Science Park expansion, as well as the travel pattern of Science Park staff.

11. Mr. WONG Yuk-sun, Simon, responded as follows:

- (i) The HKSTP could provide Members with the data of the traffic impact assessment after consolidation.
- (ii) Science Park staff went to work by various means, including feeder buses, buses and private vehicles. Owing to the epidemic, there was currently an increased demand for feeder buses.

- (iii) The HKSTP expected an increase of 2 000 to 3 000 staff after Phase 2 Expansion.
- (iv) When studying the construction of a public transport interchange in Science Park, the traffic consultancy had taken into account that there would be sufficient space for large buses to turn.
- (v) Although the architect had considered changing the design of the existing roundabout to the right of Building 22E of Science Park, no changes would be made for the time being as the land lease of Science Park did not cover that roundabout.
- (vi) The HKSTP did not want tenants and users of Science Park to be affected by the works. Therefore, they would require the works vehicles to enter and exit at the specific time periods, and ask the construction workers to pay attention to the noise generated during the works as well as the relevant safety issues.
- (vii) Apart from Member's suggestions to provide parking spaces for and increase the interaction with Pak Shek Kok residents, some Pak Shek Kok residents and DC Members had also told the HKSTP that it was inconvenient for them to walk on the carriageway of Fo Yin Road so as to reach Science Park. In this connection, they planned to build a staircase at the concourse between Buildings 20E and 22E of Science Park, so that residents could walk from the waterfront to Science Park via that staircase.
- (viii) The HKSTP was currently studying with the Lands D to open the car park for Pak Shek Kok residents during night time. However, due to lease restrictions, that car park was currently available for the HKSTP staff and monthly car park tenants only, and was therefore not available for Pak Shek Kok residents.
- (ix) The HKSTP had earmarked 7% to 8% of the area of the captioned programme for the provision of restaurants and shops.

12. The Chairman asked whether the TPDLO could provide additional information relating to the modification of lease conditions of Science Park.

13. Mr. HUI Kam-chau, Calvin, indicated that as he was not the surveyor in charge of the area concerned, he believed that it should be up to the relevant surveyor to deal with the modification of lease conditions of Science Park.

14. The Chairman then asked the TPDLO if it could tell from its experience whether it was feasible to modify the lease conditions.

15. Mr. Calvin HUI indicated that for modifying lease conditions, the applicant had to apply to the Lands D first. If the lease was of a special nature, such as the land was granted to an organisation at nil or nominal premium, the relevant government departments supporting the

organisation had to indicate to the Lands D whether they supported the modification of lease conditions. The Lands D would follow the standard procedures of paper circulation and local consultation, and gave its approval at the relevant meetings. If all procedures were successfully completed, lease conditions could then be modified.

16. The Chairman hoped that the ITB and ITC would do their best to support the HKSTP in modifying the lease conditions. If the lease conditions were modified, it could improve the shortage of parking spaces for Pak Shek Kok residents, and he also believed that the DC Member of the constituency concerned would also support the captioned programme.

17. Ms. Eunice CHAN indicated that the ITC had received proposals to open up the car park at Science Park for Pak Shek Kok residents, and would continue to study the lease conditions with the Lands D, while Mr. Simon WONG was also looking into the feasibility of the afore-mentioned proposals. She opined that these were good proposals in principle as they could make the best use of the facilities in the area. Therefore, she would follow up on the matter in a proactive manner.

18. Citing a BBC news report on 30 June this year, Mr. SO Tat-leung said that the United States announced restrictions on the exports of defence equipment to and technology trading with Hong Kong in response to the National Security Law put in place by China in Hong Kong. At the same time, the United States Department of Commerce also announced the suspension of preferential treatment to Hong Kong over other regions in China, including the issuance of export license and exception permits. In this connection, he asked whether the HKSTP had assessed the impacts of these restrictions on the future development of Science Park.

19. Mr. YIU Yeuk-sang, the Vice-chairman, asked the HKSTP (1) whether it had studied the relevant traffic impact assessment report with the TD; (2) whether it would arrange for new bus routes to go past the proposed public transport interchange, or it would only arrange for the existing bus routes to go through Pak Shek Kok, Tai Po or other areas and add a stop at Science Park; (3) whether the TD would provide support for the HKSTP, such as discussing the service adjustment of new bus routes with the HKSTP; and (4) whether the overall traffic capacity of Tolo Highway had been taken into account in the traffic impact assessment conducted by the consultancy.

20. Mr. YAM Kai-bong's comments were as follows:

- (i) Members visited Science Park last week. Apart from learning about technological developments, they also discussed the relevant transport arrangements.
- (ii) Although Members did not talk about Chak Cheung Road / Science Park Road roundabout on the day of visit, they had suggested the ITC or relevant policy bureaux consider building an East Rail Line station in Pak Shek Kok or in the middle of Science Park. Many people working or living in Pak Shek Kok had to go to

University Station to change to other means of transportation. Meanwhile, construction of Pak Shek Kok Station or Science Park Station was not a new suggestion. As the working and living population there had been increasing, he hoped that the Government would consider it, and that the ITC could convey the views to the relevant policy bureaux, such as Transport and Housing Bureau.

- (iii) The construction of a public transport interchange in Science Park alone would not be sufficient to cope with the traffic demand, as the interchange would highly likely become the traffic hub of Pak Shek Kok in the future. Therefore, Members doubted whether the interchange would be able to cope with the substantial traffic volume in the future, and hoped that the HKSTP would study the overall traffic condition.
- (iv) He was disappointed that the TD had not sent any representatives in charge of works and bus services to attend this meeting. As a result, there was no departmental representative responding to Members' comments, even though Members were highly concerned about the relevant traffic measures. As it would be difficult to modify the captioned programme after its completion, he opined that more caution should be exercised before proceeding with the expansion works.
- (v) Regarding the proposal for Chak Cheung Street / Science Park Road roundabout set out on page 23 of the PowerPoint slides (see Annex I), he had reservations about the effectiveness of the proposal in improving the existing conditions of the roundabout. Several Members visited the roundabout yesterday. During the evening peak hours, there were vehicles travelling from roads such as Shing Mun Tunnel and Route 8 to Tolo Highway (northbound). They would then travel from the roundabout to Sha Tin Sewage Treatment Works and then to Ma On Shan via the relevant vehicular bridge. As such, the afore-mentioned roundabout was very busy, and there were doubts as to whether it could cope with the traffic flow. However, he opined that the traffic consultancy's proposal to turn the roundabout into a signalised intersection would likely result in serious traffic congestion as a large number of vehicles would stop at the traffic lights. The congestion might extend all the way back to the roundabout near the new private hospital of the Faculty of Medicine of the Chinese University of Hong Kong ("CUHK"), and result in serious traffic congestion in the area of the University Station, thus affecting the buses, estate feeder buses and minibuses on their way to Ma On Shan and Sai Kung North. He believed those were the reasons why STDC Members had expressed strong opposition against the proposal for Chak Cheung Street / Science Park roundabout. He questioned the effectiveness of resolving the heavy traffic simply by adding traffic signals at the afore-mentioned roundabout. Members opined that the opening of new junctions, such as the one near Science Park which allowed vehicles to access Tolo Highway (southbound), would help reduce the usage of Chak Cheung Street / Science Park Road roundabout. In this connection, he asked about the data of traffic impact

assessment, including the traffic flow at different times of the day and in different directions. As Members' observation was the same as the picture on page 23 of the PowerPoint slides (see Annex I) regarding the current situation, i.e., vehicles heading towards the relevant direction always used Chak Cheung Street Roundabout, congestions and slow traffic, he opined that they had to study for a solution carefully. However, he understood that land was needed to promote innovation and technological development. Therefore, there was still room for discussion as to whether Members would disagree to carry out the captioned programme because the situation at the roundabout could not be resolved. However, residents and passers-by concerned were indeed concerned about the traffic condition.

21. Mr. TAM Yi-pui's comments were as follows:

- (i) He opined that urban planning should achieve a job-housing balance, i.e., residents could save the cost and time of going to work if they could work in the area they lived. As such, he asked about the number of job opportunities currently provided by Science Park and the number of additional job opportunities that would be created by the expansion of Science Park. He pointed out that at present, the traffic problems in Tai Po District mainly arose in the morning on Tolo Highway (Kowloon bound) and in the MTR. He opined that the main reason was that the Government had put most of the job opportunities in Kowloon and Hong Kong Island when carrying out urban planning. Therefore, if Science Park, which was in the middle of Sha Tin and Tai Po, could provide more job opportunities for members of the public, it might alleviate the traffic problem as the residents could work in the area they lived and would not have to travel to other districts for work.
- (ii) He had studied with Members the setting up of a recruitment platform or the launch of programmes to help members of the public to find a job in Tai Po District, and he opined that he could also explore with the HKSTP ways to help residents of Tai Po District get employed in such a difficult economic environment. He also supported the technology industry as it was a high value-added industry and Hong Kong people were no less capable than foreigners or Mainlanders.
- (iii) A friend who was working in Science Park opined that the traffic flow of bus route 272K or private vehicles might be reduced if people could go to work by electric scooter, bicycle or ferry, and his family member also went to work in Science Park by bicycle. He opined that the HKSTP could consider different measures to deal with the traffic problem, such as providing night-time parking spaces in the car park of Science Park for Pak Shek Kok residents.
- (iv) He supported the captioned programme, but the relevant departments had to address the traffic concerns of STDC. Even the Cheung Muk Tau Village Development

Scheme in his constituency (i.e., Sai Kung North) talked about the roundabout at University Station which was under the STDC's purview. He pointed out that the roundabout was also very busy during the morning peak hours, and he sometimes experienced traffic congestion when he took minibus route 26 from Ma On Shan to the Secretariat for meetings in the morning. Therefore, he was also concerned about the relevant traffic problems, but was pleased to see that the HKSTP had put in place the captioned programme.

22. Mr. Peter MOK responded as follows:

- (i) Science Park and the innovation and technology ecosystem were faced with different challenges and problems every day. The HKSTP was also aware of the impact of the Sino-US trade war, such as technological research and embargoes. While these situations had some impact on core research and it was rather difficult for them to assess the impact, they should mainly affect the major electronics industry. Science Park focused on core research rather than mass-produced technological products. Since much of the core research had to be original, they did not necessarily rely on other countries, and biomedical technology was one of the fields that had greater potential for development.
- (ii) He opined that Hong Kong was a leader in biomedical technology. During the visit to Science Park, he had also provided Members with the relevant statistics, including: (1) in 2018, of the 10 most influential medical articles around the world published in a journal, two were written by CUHK professors who owned four companies in Science Park, indicating that Science Park was researching cutting-edge technologies; and (2) Hong Kong was also among the world-wide leaders in artificial intelligence and robotic technologies. From these examples, it was clear that Hong Kong was different from other Asian-Pacific regions in the sense that it did not merely promote business model innovation in the market, such as using mobile phone applications, but focused on core scientific research. He said that the Government began providing annual funding to universities four to five years ago to support the technology start-ups established by teams from six universities, and the amount had increased from \$4 million to \$8 million to promote the creativity of university teams and commercialise their research outcomes. In the past four years or so, the Government had provided funding for over 200 companies working on various projects, of which 100 had joined Science Park. They all focused on core scientific research and independent research and development, rather than relying on imported components from overseas for development. Therefore, although the Sino-US trade war would affect Science Park, the impact on Science Park, which focused on core research, was not substantial.

- (iii) As for nurturing the foundation of start-ups, the relevant companies had to adapt to the market flexibly from the time they joined Science Park to graduation, and they would face different problems at different times. Therefore, he opined that Science Park could cope with the challenges of the Sino-US trade war. In addition, Hong Kong currently ranked 11th in the world, and he hoped that Science Park would crack the top 10 in 2021.
- (iv) Science Park noticed six to seven years ago that there was not enough investment in the start-up ecosystem. Even when there was, it found that many major companies might not be willing to buy the products of start-ups. Science Park was now faced with the lack of talents, who were crucial to Science Park. Therefore, Science Park was not about creating jobs and helping people, but about nurturing talents for the technology industry. Science Park had launched different programmes with primary schools, secondary schools and universities to let students, parents, teachers and principals know that innovation and technology was now a very important industry. He also hoped that DC Members would work with Science Park so as to provide more job opportunities there.
- (v) Some three years ago, the HKSTP joined hands with the Hong Kong Jockey Club to provide training for grassroot teenagers at the community centres in various districts (including Tai Po District), and invited them to work as interns in start-ups in Science Park upon the completion of training. The programme turned out to be rather successful. As Science Park needed a lot of talents, he also hoped to work with the DC to promote employment.

23. Mr. LEE Pui-hung, George, responded as follows:

- (i) The traffic consultancy had provided the relevant traffic impact assessment report for the TD, which had no comments on the report.
- (ii) According to the analysis of the traffic impact assessment, the increased traffic flow arising from the captioned programme was minimal and would be diverted to the trunk roads in different directions. Therefore, with the junction improvement works at Chak Cheung Street / Science Park Road roundabout, the junction would be able to cope with the increased traffic flow.
- (iii) There would be new bus routes going past the proposed public transport interchange in Science Park, and the traffic consultancy would further discuss with the relevant departments and HKSTP on the arrangement of the new routes.
- (iv) On whether the junction at Chak Cheung Street / Science Park Road roundabout could cope with the traffic flow after being turned into a signalised junction, he indicated that apart from turning it into a signalised junction, the existing two-lane carriageway

on Chak Cheung Street (eastbound) would also be changed to a three-lane one so as to increase the capacity of this road section. The capacity of the junction could also be maximised by extending the duration of the relevant traffic signals to the longest possible during the peak hours of traffic flow.

24. Ms. Eunice CHAN responded as follows:

- (i) While the Sino-US trade war and the current economic environment were indeed hindering the development of innovation and technology, and some companies might re-consider whether to invest and expand their business, the ITC believed that the innovation and technological development in Hong Kong was gradually bearing fruits, and Science Park was a good example. Therefore, they had full confidence in the strengths of Hong Kong. The captioned programme mainly aimed at setting up more laboratories in Science Park, and the industry had also told the ITC that setting up more laboratories could meet their long-term needs for core research and development in Science Park. Therefore, despite the current economic downturn, the ITC still needed to plan for an expansion so as to keep pace with the industry's development when the economy gradually recovered.
- (ii) The ITC had noted Mr. YAM Kai-bong's suggestion on setting up an MTR station in the area, and would closely monitor the transport demand of Science Park and the surrounding areas so as to make timely responses and cope with the development of the area.
- (iii) As regards Mr. TAM Yi-pui's comments on job-work balance, Science Park would complete the InnoCell project by the end of 2020. InnoCell was a residential project that catered to the needs of innovation and technology talents, so that they could work and live in Science Park. It could meet their work and living patterns and create an innovation and technology ecosystem.

25. The Chairman's comments were as follows:

- (i) He asked the HyD to take note of the above suggestion of setting up a railway station. He also asked the department to convey the views to the HyD's Railway Development Office, and that the ITC had also indicated that it would follow up on the suggestion in a proactive manner.
- (ii) He agreed with Members' comments on Chak Cheung Street / Science Park Road roundabout. He opined that even if the captioned programme would not increase the traffic flow substantially, the junction at the roundabout was currently very congested every morning. If vehicles from Tai Po had to use Tate's Cairn Tunnel on their way to Ma On Shan and then Kowloon, even though they might not have to

go past the roundabout, they still had to go past the road section in its proximity, which was why the road section was seriously congested. Therefore, even if the captioned programme would only slightly increase the traffic flow, it would already create substantial traffic pressure on the road section that was already seriously congested. In addition, the construction of a private hospital near University Station would also create pressure on the traffic. The traffic consultancy indicated that it had submitted a traffic impact assessment to the TD. The department opined that there was no problem with the assessment simply because it had found nothing wrong with the traffic impact assessment of Phase 2 Expansion. However, as there were other development projects near Science Park, the TD was obliged to look into the afore-mentioned traffic condition as well. He hoped that the ITC would take the initiative to study with the relevant departments, so that all these traffic measures could actually benefit the nearby residents.

26. Mr. YIU Kwan-ho's comments were as follows:

- (i) He had asked the HKSTP by email to provide night-time parking at the Science Park car parks for Pak Shek Kok residents. He was pleased to see that the HKSTP was following up on the suggestion, but hoped that it could put in place the measure as soon as possible given the gradual completion of a number of housing estates in Pak Shek Kok and the lack of public car parks in the area.
- (ii) He hoped that, where feasible, buses travelling past Science Park could also travel past Pak Shek Kok to serve the Pak Shek Kok residents.
- (iii) The traffic impact assessments of different planning projects, such as those of Tsiu Hang, Yau King Lane, Pak Shek Kok and Sai Kung North, all indicated that widening Chak Cheung Street / Science Park Road roundabout would allow the junctions to cope with the traffic flow. However, he opined that widening the roundabout would affect the road capacity of the junction and hence might affect the traffic impact assessment results of other planning projects. He pointed out that vehicles from Yau King Lane, Tsiu Hang, Pak Shek Kok and Science Park had to travel on Chong San Road to reach Science Park Road, and he opined that the relevant road capacity would not be enough to cope with the increased traffic flow upon the completion of new housing estates, especially with the upcoming completion of public housing in Tsiu Hang. DC Members of the previous term had also suggested constructing an additional road at Pok Yin Road to connect Tolo Highway. Although the suggestion would have limited impact on Science Park, he hoped that the HKSTP would give it a thought as there would be fewer vehicles from Pak Shek Kok using Chak Cheung Street / Science Park Road roundabout as an access.
- (iv) He had asked the prospective owners of ONTOLO about the suggestion of narrowing

the area of the roundabout on Fo Yin Road near ONTOLO (i.e., the roundabout next to Building 22E of Science Park) and moving it forward. They opined that the suggestion was feasible, but the vehicle gate of ONTOLO required attention. According to the comments he had collected so far, the owners had responded positively to the above suggestion as there would be a direct access to the concourse. However, he suggested consulting the owners of Mayfair By The Sea 8 and ONTOLO before taking forward the suggestion.

- (v) If Pak Shek Kok railway station could not be built, the relevant departments could consider building a light rail to connect the University Station.
- (vi) According to the map in Annex II (1. Establishment of Public Transport Interchange) to the captioned paper, there were two lay-bys between Buildings 5W and 6E of Science Park. However, according to the map on page 20 of the relevant PowerPoint slides (see Annex I), there were no such lay-bys. As such, he asked whether the HKSTP was planning to set up a public transport interchange there as well, or whether it was just a mapping error.

27. Mr. LAM Ming-yat, Nick, opined that the development of innovation and technology was a general trend and therefore supported in principle the Government's allocation of resources in developing innovation and technology. However, he opined that apart from resources, the development of innovation and technology also required facilities. He had learnt from the news that the Hong Kong Polytechnic University ("PolyU") had developed a rapid virus test system for Wuhan Pneumonia, but the ITB had refused to provide funding for the project. As such, he asked whether political considerations were involved, and expressed concerns that even if Science Park was supposed to launch new products, they dared not do so because of the need to avoid reducing the revenue for the Mainland.

28. Mr. LIN Kok-cheung, Dalu's comments were as follows:

- (i) The relevant departments and HKSTP had to address the afore-mentioned traffic problems, and changing the road design would have an instant effect on improving traffic problems.
- (ii) Apart from the conventional traffic improvement measures, such as constructing railway stations and building infrastructure at roundabouts, the relevant departments should also consider other flexible solutions, such as monorails. Although a certain amount of land was required for the construction of monorails, the amount required was certainly less than what the construction of a railway station needed. Therefore, the suggestion was worth considering as the land supply was limited. However, he did not think that a single suggestion alone could resolve the traffic problem. In this connection, he suggested considering the use of driverless vehicles and studying how

they could be used in Science Park, CUHK and Pak Shek Kok. However, the relevant departments would have to study how to apply the relevant technology.

- (iii) The cycling track network in the New Territories was more or less completed, and he fully supported encouraging the public to travel by bicycle to improve the traffic problem. As the suggestion would also help promote environmental protection and a green economy, he hoped that the relevant departments would put in place plans to promote the use of electric mobility devices for travelling. Although the relevant departments were planning to conduct site trials of electric mobility devices at a section of the cycling track, the section between Tai Po and Science Park was not covered by the trial. Therefore, he opined that the relevant departments should also give it a thought. He indicated that assuming that Tai Po, Ma On Shan and Sha Tin were the bases of Science Park, Science Park should then provide a quicker and more convenient way for the residents of these areas to go to work there, such as allowing the use of electric mobility devices on the cycling track. Despite the various safety issues involved, he opined that it stood a better chance of improving the traffic problems.
- (iv) He asked whether the InnoCell project was similar to a dormitory project, whether the dormitory was located in Science Park, and whether the HKSTP would look for housing in the community near Science Park, so as to roll out the staff dormitory project with Science Park.

29. Mr. LAU Yung-wai's comments were as follows:

- (i) He asked whether the site of the proposed building in the captioned programme was originally intended to be used as a public transport interchange.
- (ii) According to the data provided by the TD at the Traffic and Transport Committee meeting, the traffic flow in the southbound and northbound Tolo Highway had exceeded its capacity in recent years. Therefore, Members were seriously concerned about the current traffic infrastructure issues. He opined that the relevant departments should not only study the situation at Chak Cheung Street / Science Park Road roundabout, as changes to that roundabout would also affect the traffic conditions of other junctions. He, therefore, hoped that the ITC would ask the TD not to formulate traffic measures targeted at a small area, but to take into consideration the severe traffic problems in the vicinity. That was why the STDC had specifically written to the TPDC to reflect its views.
- (iii) He had also visited Chak Cheung Street with a few Members earlier to inspect the traffic condition of the junction. They disagreed that the problem could be resolved by turning the existing Chak Cheung Street / Science Park Road roundabout into a signalised intersection, as that would only aggravate the problem. Although the TD

had no comment on the traffic impact assessment conducted by the consultancy, he did not think that it meant that there was no problem with the relevant measures. Therefore, he believed that the consultancy had to collect more relevant data. In their reply to Members' enquiries about traffic data, they only indicated that the traffic impact assessment did not show any problems with the relevant measures, but failed to provide specific data and justifications to convince Members that there would not be any problems in implementing the afore-mentioned traffic measures.

- (iv) There was a cycling track near Science Park. In this connection, he suggested offering more commuting options, and opined that cycling should be promoted and consideration should be given to provide the relevant facilities. He pointed out that the cycling track between Tuen Mun and Ma On Shan had been opened recently. In this connection, he asked whether the HKSTP would refer to the major train stations in Japan in their planning by introducing underground bicycle depot in Science Park. Such kind of bicycle depot, which was a safe place to park bicycles, would not occupy too much space above ground, and could encourage the public to travel by bicycle and thus slightly alleviate the traffic congestion problem.

30. Mr. Simon WONG responded as follows:

- (i) The HKSTP would continue to work with the ITC and Lands D on the lease conditions to follow up as far as possible on the proposal to open up the night-time parking spaces in the Science Park car parks for Pak Shek Kok residents.
- (ii) Bus routes travelling past the proposed public transport interchange in Science Park would also go past Pak Shek Kok. The HKSTP would discuss the above matters with the TD and Kowloon Motor Bus Company (1933) Limited ("KMB").
- (iii) He believed that the traffic data of Chak Cheung Street was calculated by the traffic consultancy with scientific calculation methods. However, he did not have the relevant information at the moment, and would give it to Members for reference after the meeting.
- (iv) The roundabout near Fo Yin Road was not covered by the land lease of Science Park. However, if Mr. YIU Kwan-ho opined that the roundabout on Fo Yin Road near ONTOLO (i.e., the roundabout next to Building 22E of Science Park) should be narrowed and the suggestion of moving it forward was feasible, the HKSTP would continue to discuss with him and consult the residents on whether they agreed to take it forward.
- (v) The HKSTP would study the feasibility of constructing a monorail with the relevant departments.

- (vi) Due to drawing error, there were two lay-bys between Buildings 5W and 6W of Science Park in the map in Annex II (Establishment of Public Transport Interchange) to the captioned paper, but none at the corresponding location on page 20 of the PowerPoint slides (see Annex I).
- (vii) Science Park had been exploring with the TD a pilot scheme for driverless vehicles. It would be carried out on Science Park East Avenue and Science Park West Avenue. Based on the results of the pilot scheme, they would further consider whether to expand the area of the pilot scheme and continue to follow up on the matter.
- (viii) Science Park always supported the use of bicycles for travel and a large number of bicycle parking spaces were provided in Science Park to meet the demand of cyclists.
- (ix) InnoCell was a residential project of Science Park that provided accommodation mainly for tenants, business incubator owners and their non-local staff, as well as visiting researchers. Apart from providing accommodation at Science Park for these people to facilitate their commutes, the HKSTP also aimed to bring together innovation and technology workers and start-up owners from different sectors, so as to create a new ecosystem and provide a co-living environment to nurture their innovative minds together. By providing a total of 500 residential units, the project aimed to create a job-work balanced environment and alleviate the traffic pressure.
- (x) The proposed buildings of the captioned programme were mainly built on vacant land, and the large concourse at the existing sitting-out area. However, it would not reduce the sitting-out area and green area as the HKSTP would cover the concourse with vegetation.

31. Mr. Peter MOK indicated that he was not sure the research project of which innovation and technology company of PolyU had been denied funding by the Government. However, based on the Government's scheme to fund the start-ups of six universities, and having served on the assessment panel, he indicated that there were five criteria in assessment, including: (1) market potential of the proposal; (2) competitiveness of the proposal, i.e., whether there were competitors also carrying out the proposal. If there were already competitors carrying out the proposal in the market, the assessment panel might not support it even if it was feasible; (3) technology threshold; (4) composition of the team: as the industry would not succeed by research and development alone and had to take into account factors such as marketing, the assessment panel would consider the composition of the organisation; and (5) attractiveness to investors: it would be difficult for the core technology start-ups to succeed if they could not attract investors. The research mentioned by Mr. Nick LAM should be in the area of biomedical technology, which should be able to apply for Government funding if it had scored high marks in all the above criteria. In addition, the HKSTP was also working with major pharmaceutical companies and mainland organisations whose members included the largest pharmaceutical investors in China. Therefore, if PolyU's research project was worth investing, he believed that it would not be difficult to find investors.

32. Ms. Eunice CHAN had noted Members' suggestions on means of transport, such as the use of sustainable and eco-friendly means of transport, and would consider space-saving and innovative means of transport as well. She added that the HKSTP was conducting a number of pilot projects, such as driverless vehicles, and was open to the use of new modes of transport, so as to set a good example and improve the environment of the community.

33. The Chairman asked whether electric mobility devices, such as electric unicycles (which were currently illegal for use on roads) and other devices, could be used in Science Park.

34. Mr. Peter MOK indicated that illegal electric mobility devices could not be used in Science Park.

35. The Chairman indicated that he understood that Science Park was private premises managed by the HKSTP. Therefore, theoretically speaking, the use of electric mobility devices should be allowed in Science Park if approved by the HKSTP.

36. Mr. Simon WONG indicated that the roads in Science Park were private ones and governed by the relevant road control ordinances.

37. The Chairman indicated that this meant that electric mobility devices could not be used in Science Park. He added that some housing estates were patrolled by security guards using electric mobility devices.

38. Mr. KWAN Wing-yip's comments were as follows:

- (i) The Government indicated some years ago that as the land next to Science Park (i.e., the land currently used for the construction of several blocks of new luxury homes) was of limited use, the site was changed from the development use for Science Park to be sold for the construction of buildings. He objected to the change of land use at that time because he opined that no one could predict the future development of Science Park, and even if Science Park needed the land in the future, no further changes could be made after buildings were constructed.
- (ii) The expansion was not of a large scale. However, on the day of their visit to Science Park, the staff there indicated that other expansion plans in the future, if any, might not take place near Science Park, but in other areas instead. He opined that it was the result of the Government's decision at that time to turn the land next to Science Park into residential development. It showed that the decision was short-sighted and rather utilitarian, and would limit the future development of Science Park. He expressed regret over this.

- (iii) He lived in Ma On Shan and often travelled past the interchange of Chak Cheung Street / Science Park Road roundabout, and could always see a certain amount of traffic there. In addition, with the upcoming opening of the CUHK Medical Centre, vehicles had to use this roundabout on their way to University Station and then the medical centre. On the other hand, with the increase in population in Ma On Shan and the considerable population in Sai Kung North, the number of minibus and bus routes had also been increasing. Therefore, he had reservations about the argument that turning Chak Cheung Street / Science Park Road roundabout into a signalised intersection would be sufficient to cope with the traffic flow.
- (iv) There were traffic lights on Tolo Highway (southbound) towards Chak Cheung Street / Science Park Road roundabout some 11 to 12 years ago. However, due to the reclamation works at the marine police base to expand the bridge deck, the traffic lights were removed and the junction was turned into a large roundabout. However, the traffic consultancy now proposed turning Chak Cheung Street / Science Park Road roundabout into a signalised intersection. As such, he asked whether the traffic consultancy had considered the reasons for turning the junction into a large roundabout at that time, and the justifications to propose turning the roundabout back into a signalised intersection again. He opined that the response regarding the proposal was too casual, and the information and data provided were insufficient. Therefore, Members would not agree to the proposal based on the response just now.
- (v) Mr. Simon WONG had just mentioned that the proposal was not included in the captioned programme for the time being due to the controversial nature of Chak Cheung Street / Science Park Road roundabout and the fact that the above location was not covered by the land lease of Science Park. It was mentioned in the captioned paper that Phase 2 Expansion and traffic improvement measures would be carried out at the same time. In this connection, he asked whether this meant that even if Science Park was expanded, the above roundabout works would not be carried out at the same time. In addition, as a number of STDC Members opposed to Phase 2 Expansion, he asked whether their decision would affect the works progress.

39. The Chairman indicated that during a visit to Science Park a few years ago, Mrs. LAW FAN Chiu-fun had said that after allocating the relevant reserved land for the development of Pak Shek Kok, certain land in Qianhai would be reserved for the future expansion of Science Park if everything went well. He asked the ITC whether the above statement was correct.

40. Ms. CHAN Wai-ka, Olive's comments were as follows:

- (i) She asked whether there was a pressing need to expand Science Park. The captioned paper only briefly stated that the occupancy rate of Science Park was 86% at the end

of July 2020, and she opined that the HKSTP should at least provide the occupancy rates of recent years for Members' reference as the above occupancy rate was not sufficient to prove that there was a pressing need to expand Science Park.

- (ii) The captioned paper mentioned that there were about 860 local, Mainland and overseas research and development companies operating in Science Park as at the end of July 2020. In this connection, she asked about the respective numbers of local, Mainland and overseas companies to assess whether the current development of Science Park was in line with the statement of encouraging research and development, and supporting the development of local technology enterprises, and to assess whether Science Park had allocated resources to support the scientific research development of Mainland or local companies. She was highly supportive of local research development and there were many professionals in the local universities. Therefore, she opined that it was necessary for the HKSTP to provide more detailed information for Members to assess whether to support the captioned programme, so that Science Park could provide support for local companies in research development. The above information was the data at the end of July this year. However, many research companies had arranged for their staff to work from home owing to the epidemic. In this connection, she asked whether the afore-mentioned companies were still renting offices in Science Park.

41. Mr. MAN Nim-chi's comments were as follows:

- (i) He asked which of the studies in the traffic impact assessment that the TD had no comments on.
- (ii) What could Members do if they disagreed with the traffic improvement measures, regardless of whether they supported the captioned programme or not?
- (iii) According to the minutes of a STDC committee meeting in 2017, some DC Members at that time also had doubts about the TD's statement that it had no comments on the traffic impact assessment.
- (iv) The captioned paper stated that both the TD and HyD had expressed their support. However, did they support all the proposed traffic improvement measures or the captioned programme instead?
- (v) While he supported Science Park in carrying out research and development, he had reservations about the captioned programme if Members' concerns on the traffic improvement measures suggested by the captioned programme could not be allayed.

42. Mr. YAM Kai-bong suggested that apart from widening certain junctions and providing a public transport interchange under the concourse, the ITC and traffic consultancy could also consider

the provision of bus interchanges, similar to Tuen Mun Road Bus Interchange, on both southbound and northbound Tolo Highway, as well as conveying this proposal to the TD or relevant policy bureaux, so that Science Park staff could change to different bus routes for their commute. He believed that this proposal was easier than building a railway station and could also relieve the traffic demand of Science Park and Pak Shek Kok.

43. Mr. YIU Yeuk-sang, the Vice-chairman, asked whether Members could refer to the traffic impact assessment report submitted to the TD by the traffic consultancy and the TD's specific response to the report. In addition, he had asked the shipping companies, and some at Ma Liu Shui Ferry Pier had indicated their interest to provide ferry services at the landing of Pak Shek Kok to send members of the public to Ma On Shan and the pier at Tai Po Waterfront Park. He hoped that the TD supported the proposal so as to relieve the pressure on land-based traffic. Also, Science Park could also explore the use of new technology (such as electricity) for the operation of vessels as this would not only improve the traffic in Science Park, but also facilitate residents of Tai Po and Ma On Shan to travel between various districts.

44. Mr. Simon WONG responded as follows:

- (i) The three proposed traffic improvement measures mentioned in the captioned programme would be put in place by the HKSTP. Member's proposal to narrow the roundabout on Fo Yin Road near ONTOLO (i.e. the one next to Building 22E of Science Park) and move it forward for the construction of a plaza was only a concept. The area was not covered by the land lease of Science Park and the HKSTP had to conduct local consultation in this regard so as to take it forward.
- (ii) Members were concerned about the proposed traffic improvement measures at Chak Cheung Street / Science Park Road roundabout. They would provide Members with the relevant traffic data that clearly explained the scientific calculations involved. However, as mentioned by the traffic consultancy, they did not anticipate that the expansion of Science Park would increase the visitor flow substantially as the expansion covered a small area and was mainly for the construction of laboratories.
- (iii) A Member asked whether there was a pressing need to expand Science Park. He indicated that the existing offices of Science Park were mainly used for research and development. There were not that many wet laboratories and engineering laboratories with a high ceiling and high loading capacity, and where laboratory equipment could be delivered directly on the ground level. These laboratories accounted for some just 10% of the total number only. Science Park was now at a bottleneck as many experiments had to be conducted in these laboratories. As Members who visited Science Park last week would know, these laboratories were fully occupied as many companies were researching and developing the related

products, and these laboratories were the only ones with sufficient space to test the products and carry out further data testing, etc. In addition, as private companies in other regions could not provide these laboratories, the captioned programme was focused on building these laboratories so as to meet the demand and make up for the inadequacy of the market.

- (iv) The HKSTP was also one of the stakeholders of Pak Shek Kok. Therefore, if Members opined that the provision of bus interchanges on southbound and northbound Tolo Highway would help improve the traffic problem, the HKSTP would explore with the TD in a proactive manner.

45. Ms. Eunice CHAN responded as follows:

- (i) Regarding the Chairman's question on whether the Government had reserved sites for further expansion of Science Park in the future, she had to check the information after the meeting.

(Post-meeting note: The ITC added that regarding Members' questions on whether sites in Ma Liu Shui had been reserved for the future expansion of Science Park, the department had no such plans yet, but would follow up with the relevant departments in a timely manner.)

- (ii) The HKSTP could not provide detailed data of the traffic impact assessment report at this meeting, but understood that Members had questions about the proposed traffic improvement measures. Therefore, they would provide the relevant information later. However, the traffic consultancy had submitted the report to the TD and the proposed traffic improvement measures had addressed the traffic problems in detail. That was why the ITC had put forward these suggestions.
- (iii) Regarding Ms. Olive CHAN's question in paragraph 38 above, the ITC would provide the relevant data after the meeting. The data in the captioned paper was the most up-to-date data available when the department was drawing up the paper. However, Ms. CHAN might want to keep abreast of the latest situation in light of the epidemic's development in recent months. In this connection, she would ask Mr. Peter MOK, the HKSTP representative, to provide supplementary information.
- (iv) The captioned programme focused on the construction of laboratories, which was different from the construction of normal offices. As the construction of laboratories had to comply with the relevant building specifications, the ITC had to plan ahead. The department noticed that an increasing number of local start-ups and universities were transferring their research outcomes in recent years, and they had told the department and HKSTP that they had certain spatial requirement for research and development activities. Therefore, the department found it necessary to carry out the captioned programme.

46. Mr. Peter MOK responded as follows:

- (i) There were over 800 companies in Science Park, of which about 30% were non-local companies. The HKSTP and Members were keen to provide assistance for the enterprises, research teams and students in Hong Kong. However, as technology development knew no boundaries, even though Hong Kong had moved from 13th to 11th in the worldwide ranking, other Asian-Pacific regions with a lower ranking, such as Shenzhen, Taiwan (which was developing rapidly in recent years), Thailand, Vietnam, Indonesia, etc., were all catching up. If Hong Kong was to become an innovation and technology hub in the future, it could not rely solely on local talents, but also had to be open to talents from outside Hong Kong.
- (ii) For example, Hong Kong is a financial centre. While there were few local banks in Central, almost all the world's largest banks had set up branches in Hong Kong. Developing scientific research was the same as developing the financial industry, which meant that while Science Park supported local enterprises, it also had to attract foreign talents so as to create an internationalised ecosystem, and every country would like to attract talents from around the world.
- (iii) For example, for precision engineering, Science Park had to recruit talents from places such as Switzerland and Germany to work in Hong Kong. For financial technology, it would recruit talents from the United Kingdom, especially London, where the financial industry was flourishing. For robotics, it would recruit talents from Germany, Japan, Switzerland and China. For biomedical technology, it would recruit talents from Singapore and Hong Kong. Science Park had to work with many foreign countries, including countries that rarely came to people's mind, such as the Scandinavian countries, which were very well-developed in food technology and Asia was their biggest market.
- (iv) The HKSTP hoped that Science Park would become the centre of scientific research and technological development in Hong Kong, where the highest value-added technological research could be completed and then developed throughout Asia. Therefore, the HKSTP hoped that companies from different places could learn from each other in Science Park and provide job opportunities, given that foreign companies usually had to hire three to 20 additional staff to develop in Hong Kong. The collaboration among companies from different places could also serve as a network for the local companies to expand their business overseas once their technologies matured. After all, Science Park was primarily aimed at helping the enterprises, students and researchers in Hong Kong.

47. Mr. YIU Kwan-ho's comments were as follows:

- (i) He asked (1) whether car park would be provided in the expansion programme. If yes, he would like to know where it would be; (2) as the preliminary plan of the site trials of electric mobility devices proposed by the TD was to use the cycle track in Science Park as the testing point, whether the relevant departments would include Pak Shek Kok in the site trial; (3) whether buses would be arranged to travel from Building 1E of Science Park to the proposed public transport interchange, or from Fo Yin Road to the interchange before leaving; and (4) the number of bus turning areas in the transport interchange.
- (ii) During the siege of CUHK in 2019 (i.e. the clash at CUHK), the HKSTP had hired vessels for use by Science Park staff and subsequently by Pak Shek Kok residents. In this connection, he suggested the HKSTP consider providing such services in the future to alleviate the burden of land-based traffic.

48. Mr. MAN Nim-chi's comments were as follows:

- (i) He asked whether the previous traffic consultancy studies conducted by the HKSTP had studied the marine transport. He pointed out that Science Park was by the sea, and questioned whether it should rely on land transport in the long run. He also asked whether the ITC had suggested the TD conduct a study on marine transport, or whether it was also of the view that Science Park would only rely on land transport. Apart from research staff, there were also grassroots workers such as security guards and cleaners in Science Park, and he had also been there to work on electrical wiring. Therefore, Science Park did not only have researchers, and consideration should be given as to whether other means of transport should be provided for other staff to commute to work. In this connection, he opined that as Science Park was by the sea, marine transport should be developed, and a designated pier should be constructed as well.
- (ii) On the day Members visited Science Park, Mr. Simon WONG indicated that expanding the concourse was a change in the original land use. However, as it was mentioned in the captioned paper that a one- to two-storey laboratory and related facilities would be built at part of the concourse, he opined that it was adding facilities to the site with existing facilities. In this connection, he would like to know how it could be done technically, as Members had suggested at the meeting that healthcare facilities should be added to certain facilities, but the relevant departments indicated that it was not feasible to add facilities to the building.

49. While recognising the importance of attracting foreign talents and skills, Mr. Nick LAM was worried that foreign companies would hire a small number of Hong Kong people only, which would affect the employment rate. In this connection, he asked (1) whether the HKSTP would impose restrictions on foreign companies joining Science Park, such as stipulating the percentage of Hong Kong people among the staff; (2) the number of Hong Kong staff employed by foreign companies which had joined Science Park at present; and (3) as in the case of universities, each of them had reserved a certain number of school places for local and non-local students. Would Science Park make reference to the universities' practice?

50. Mr. LAU Yung-wai's comments were as follows:

- (i) Page 20 of the PowerPoint slides (see Annex I) mentioned that there was currently no transport interchange in Science Park (Phase 3), which was actually because the original one was removed during Phase 1 Expansion. Nonetheless, there was suggestion to set up a new one a few years later. He opined that this was due to the lack of foresight during the planning of the relevant departments, and it made him question whether it was necessary to set up a public transport interchange. In addition, the STDC letter (see Annex II) also mentioned that the scale and size of the proposed public transport interchange in Science Park were smaller than the old one, and the scale was so small that it was like a bus interchange. Therefore, he hoped that the relevant departments would seriously study and consider the proposal to provide more facilities or carry out expansion programme, so as to avoid making conflicting decisions.
- (ii) For years, Members had been suggesting the provision of bus interchanges on Tolo Highway to improve its traffic. Therefore, he hoped that the ITC was well aware of the TPDC's demand. The relevant data of the TD showed that the traffic flow on Tolo Highway had exceeded its road capacity for 10 years and the traffic flow had been increasing. However, the relevant departments had no plans for any substantial changes, which was also due to their lack of foresight. He opined that the relevant departments should seriously reflect on the situation, consider the situation of New Territories East as a whole, and should not think that the problem could be resolved with minor changes. As minor changes might affect other districts, the relevant departments seriously consider the overall traffic facilities in New Territories East. Tai Po District was particularly concerned about the traffic problems on Tolo Highway and whether bus interchanges would be set up there to encourage people to travel by buses instead of private vehicles, so as to alleviate the traffic congestion problem.

51. Mr. WONG Siu-kin's comments were as follows:

- (i) He opined that the consultation conducted at this meeting and the visit to Science Park last week showed the sincerity of the HKSTP.
- (ii) The HKSTP could not proceed with the captioned programme while ignoring the big picture and changes in the situation. He cited the findings of a survey conducted by the American Chamber of Commerce in Hong Kong last month, which showed that 40% of its members were pessimistic about the business prospects of Hong Kong and nearly 40% of the companies planned to leave Hong Kong. In addition, he opined that apart from the epidemic, the political manoeuvring behind the epidemic, the economic downturn, as well as the development of the Sino-US trade war into a cold war situation were also affecting Hong Kong. Given the differences between western countries and China, he was worried and pessimistic that Hong Kong, as a middleman, might not be able to develop scientific research with the same ease as before. In this connection, he asked about the number of American companies currently in Science Park, and how many of them were planning to leave Hong Kong in the near future.
- (iii) The original public transport interchange in Science Park (Phase 3) was removed in late 2017 during Phase 1 Expansion, and there were now plans to rebuild one. However, it was expected that the works would not be completed until 2024. This meant that from the end of 2017 to the completion of construction in 2024, all Science Park staff could only commute to work by bus in Science Park (Phase 1). In this connection, while he understood that each works had its own schedule, he asked whether it was possible to complete the afore-mentioned interchange construction works as soon as possible, or to provide additional bus stops at other locations without affecting the original planning, instead of waiting for the completion of all buildings before opening the interchange. The interchange should be completed as soon as possible to open for use by the residents and staff of Science Park.

52. Ms. Olive CHAN did not think that the development of Science Park was the same as that of the financial industry. As Science Park was created to support the development of local scientific research, Science Park must take up its share of responsibility. She understood the need to broaden one's horizon and refer to the developments around the world when developing scientific research, but opined that Hong Kong should absorb foreign technologies rather than Mainland's ones. As the Mainland had many places and resources to develop scientific research, it was not necessary for them to conduct scientific research in Hong Kong. Therefore, she opined that Science Park had to focus on supporting the local research workers to start their own businesses and develop more new technologies, so that Hong Kong could catch up with the scientific research development around the world. If Science Park allocated a lot of resources for the development of Mainland companies in

Science Park, it would cost the local companies the opportunities to start their own businesses and develop scientific research technologies. When developing in Science Park, many Mainland companies would import Mainland talents through the relevant programmes, thus reducing the job opportunities for young people in Hong Kong. To assess whether Science Park was really helping Hong Kong people, she asked whether the HKSTP could provide the following information, including (1) the use of each building in Science Park, such as the content of research; (2) the occupancy rates of the buildings; and (3) the respective proportion of local, foreign and Mainland companies in terms of occupancy rate.

53. Mr. Simon WONG responded as follows:

- (i) Although the open-air public transport interchange at Science Park (Phase 3) was removed during Phase 1 Expansion, transport facilities were provided in Science Park. They had simply been relocated to the roadside and the open-air lay-bys had been scattered along the roadside of Science Park West Avenue. After the completion of Phase 1 Expansion, some staff said that it was far from desirable for them to wait for transport in the open air. Therefore, the facilities of the proposed public transport interchange in Science Park would be further enhanced. A cover would be built for the interchange, and a covered walkway connecting the interchange would also be built, so that staff could go there without the need for umbrella even during rainy days.
- (ii) The HKSTP would add foundations to the annex buildings or concourse before constructing other facilities on top. In view of Members' positive response to the provision of public transport interchange, the HKSTP would proactively explore the feasibility of completing the construction of public transport interchange as soon as possible by taking into account the progress of foundation works, so that Science Park staff could use the facilities as soon as possible.
- (iii) The captioned programme would add a car park and parking spaces at the proposed public transport interchange, and they would be connected to the existing car park in Science Park (Phase 3).

54. Mr. Peter MOK responded as follows:

- (i) He did not want to see Science Park develop into a financial centre. He was only using Hong Kong being a financial centre as an example to illustrate the importance of internationalisation in the development of innovation and technology, and it was not limited to attracting Mainland talents.
- (ii) The HKSTP acknowledged the importance of nurturing and supporting local students and companies. For example, in recent years, the HKSTP had organised a great diversity of activities in collaboration with the local universities, so as to provide

support for businesses set up by local university students, such as (1) in 2019, Science Park organised an innovation and technology competition called “TECHATHON” in collaboration with seven universities, so that students and professors could start their entrepreneurial journey from the activities; (2) the HKSTP launched recruitment programmes in all universities and non-university institutions, and was pleased by the students’ increasingly positive response. Therefore, he clarified that Science Park was not against serving Hong Kong people. Instead, it had to mainly serve Hong Kong people with an international vision. For companies (especially innovation and technology start-ups) to succeed, they could not focus on the local market only, but also required a large amount of capital provided by investors, and investors would invest on the products only if the market had a demand for it. Therefore, at a very early stage, the HKSTP had started helping the companies it funded to look into which markets that were suitable for them to promote and develop their products. He cited the example of LALAMOVE, a graduate start-up of Science Park that had expanded its business in different regions, such as Hong Kong, Mainland, Asia and South America. In biomedical technology, the T21 screening technology developed by Professor LO Yuk-ming was also widely used around the world. Therefore, only start-ups that were needed by the market would attract investors, and the development of start-ups required international vision. Nevertheless, Science Park’s primary goal was to support the local businesses and students.

- (iii) Regarding Mr. WONG Siu-kin’s question in paragraph 49(ii) above, three years ago, Science Park launched the Global Acceleration Academy, a one-to-three-month programme participated by the leading companies in eight major industries, including Hong Kong and overseas companies. About 60 to 70 participating companies had been working closely with Science Park, and some 90% of them were among the largest companies in Hong Kong. It showed that Hong Kong companies were increasingly supportive of the research achievements of Hong Kong. While not all 60 to 70 companies above were local ones, such as those in the property development industry, their businesses covered regions outside Hong Kong. Therefore, Science Park was not focusing its investment in a single country, such as the United States or China. Instead, it had invested its resources, be it capital or talent, in a wide range of sectors.

55. Mr. YIU Kwan-ho supported the captioned programme as Science Park provided a platform and opportunity for the development of innovation and technology. However, he disagreed with the third proposed traffic improvement measure – improvement works at Chak Cheung Street / Science Park Road roundabout. In addition, as Members had put forward many comments on the captioned programme, he hoped that the ITC and HKSTP would provide the traffic impact assessment and take into account Members’ comments, including looking into the different travel

patterns and related facilities, and presented the captioned programme at the PHWC again after amending the traffic improvement measure at the said roundabout, so as to secure the support from more Members.

56. The Chairman asked the ITC (1) whether the captioned programme required the PHWC's endorsement before proceeding; and (2) whether it would attend PHWC meetings again in response to Mr. YIU Kwan-ho's suggestion.

57. Ms. Eunice CHAN indicated that as the ITC had to proceed to the next step of the captioned programme, it had to consider whether there was enough time to attend another PHWC meeting to present the captioned programme. She suggested that the ITC should first consolidate Members' views, as well as the papers and relevant information it had been asked for. If Members would like to have another opportunity to meet and exchange views, so as to allow the department to explain the suggestions of the captioned programme again, the department would do its best to accommodate them.

58. Mr. YIU Kwan-ho agreed with the afore-mentioned arrangement.

59. Mr. MAN Nim-chi asked whether the relevant information would be consolidated by the ITC representative or by Members.

60. The Chairman indicated that, to his understanding, the relevant departments would consolidate the information in response to the questions that went unanswered at this meeting, and see if there were other suitable occasions to exchange views with Members. Alternatively, they could disseminate the relevant information to Members via the Secretariat and schedule another meeting depending on the situation.

61. Mr. CHAN Chun-chit, Richard, supported the captioned programme in principle. However, he found the discussion on the captioned programme not satisfactory as the ITC wanted to secure Members' support for the programme or let the public know more about it. The programme was of a large scale and they had consulted the STDC, and were aware of the issues Members and STDC Members were concerned about. However, the papers submitted were largely inadequate. For instance, the relevant research report could not be provided at the meeting. In addition, while he was not picking on any official, he opined that the TPDLO's response was far from ideal as the representative said that the area was not under his purview. In this connection, he opined that the departmental representative responsible for the captioned programme should be invited to the meeting. In addition, the ITC did not invite the relevant departments, such as the TD, to attend this meeting to respond to Members' questions on the captioned programme. As such, this presentation was not convincing, and Members' questions went unanswered. Therefore, he agreed with Mr. YIU Kwan-ho's suggestion that the ITC should prepare the papers relating to the information

of the captioned programme that Members and the public should know about, and work with the relevant departments to attend the meeting together.

62. Mr. LAU Yung-wai opined that the TD representative of Sha Tin District and the representative of Sha Tin District Lands Office should also attend the meeting for the captioned programme, so as to brief Members on the actual traffic condition.

63. The Chairman opined that the comments of Mr. YIU Kwan-ho, DC Member of the constituency concerned, should be respected. As Mr. YIU and other Members supported the captioned programme, except that the ITC and HKSTP should further enhance certain facilities and improvement measures, he therefore suggested that the ITC and HKSTP should prepare the relevant information for questions that went unanswered at this meeting and, if necessary, schedule an official or unofficial meeting with Members via channels such as the Secretariat, so as to respond to the relevant questions. He also asked Ms. Eunice CHAN to co-ordinate the matter and contact the Secretariat if necessary.

(Post-meeting note: Regarding paragraph 63 above, an unofficial meeting was held on 30 October 2020; and the relevant supplementary information was sent to Members via email on 7 December 2020.)

64. Members and Ms. Eunice CHAN agreed with the Chairman's conclusion and suggestions in paragraph 63 above.

III. Arrangement relating to the land lot (GLA-TTP 771) next to Pak Shek Kok Substation
(TPDC Paper No. PHW 34/2020)

65. The Chairman welcomed Mr. LIN Tang-tai, Senior Engineer / Consultants Management 4 of the WSD and Mr. Calvin HUI, Estate Surveyor / North (TPDLO) of the TPDLO to the meeting for the discussion of the captioned agenda item.

66. Mr. YIU Kwan-ho went through TPDC Paper No. PHW 34/2020.

67. The Chairman asked the WSD and TPDLO to make a response.

68. Mr. LIN Tang-tai responded as follows:

- (i) Since 2015, the WSD had been using Lot GLA-TTP 771 by way of temporary government land allocation to store construction materials for the expansion of Tai Po Water Treatment Works. In March 2019, the WSD applied for the continued use

of the above land to store the construction materials for the upcoming waterworks. In late July 2020, the department received an enquiry from the ward office of Mr. YIU Kwan-ho regarding the above site, and a suggestion for the department to use another site in Tsiu Hang in Tai Po District for the afore-mentioned purpose. Regarding the suggestion, the department had applied to the TPDLO in August 2020 for the use of the above site in Tsiu Hang in place of Lot GLA-TTP 771.

- (ii) The WSD needed to use land in Tai Po District for waterworks, but not necessarily Lot GLA-TTP 771.

69. Mr. Calvin HUI indicated that if the WSD was willing to return Lot GLA-TTP 771 to the TPDLO, the department was willing to propose to use the site as an open-air car park under short-term tenancy. As regards the procedures of granting short-term tenancy for car parks, the department generally invited tenders from car park operators via open tender, and the car park would be managed and operated by the successful tenderer. The process would take six to nine months starting from the date the WSD returned the site. He added that short-term tenancy was for the temporary use of sites pending the confirmation of long-term planning, so as to make good use of land resources. However, it could not address the shortage of parking spaces in Pak Shek Kok in the long run.

70. The Chairman asked if the WSD was willing to return Lot GLA-TTP 771 to the TPDLO, whether the TPDLO could provide another land lot in Tai Po District for use by the WSD.

71. Mr. Calvin HUI indicated that the WSD had applied to the TPDLO in August 2020 for the use of the afore-mentioned land in Tsiu Hang. He believed that if the WSD's application was approved, the department would be willing to return Lot GLA-TTP 771 to the TPDLO.

72. The Chairman asked about the progress of the afore-mentioned application.

73. Mr. Calvin HUI indicated that upon receiving Mr. YIU Kwan-ho's request, he had immediately referred it to the relevant colleagues for follow-up action. As such, the relevant colleague should be processing the said application from the WSD. If Members would like to know the details of the application, the TPDLO could provide supplementary information for the TPDC.

74. The Chairman asked how long it would usually take for the TPDLO to process applications submitted by departments.

75. Mr. Calvin HUI indicated that it would usually take six to nine months.

76. Mr. TAM Yi-pui indicated that since assuming office, he had not received any comments from members of the public on the use of land on Sai Sha Road and Nin Wah Road. In this connection,

he asked if the WSD was using the land concerned to store construction materials for the expansion of Tai Po Water Treatment Works, whether this meant that the land could be freed up for other uses upon completion of the works, and how long it would take for the land to be freed up.

77. Mr. MAN Nim-chi indicated that while Mr. YIU Kwan-ho submitted the captioned paper on 20 August 2020, the relevant departments had never submitted any written reply for Members' reference. He respected the relevant departments for attending the meeting and giving verbal replies to the questions, but they had never submitted any paper for possible follow-up actions. As it was rare for the departments to submit written reply for discussion items of the PHWC, and no department had submitted any written reply for the discussion item he had proposed at this meeting, he asked whether it was a regular practice.

78. Mr. LEE Yu-sau, Terence, responded that the Secretariat generally would not require the relevant departments to attend a meeting and submit a written reply at the same time. Therefore, Members could inform the Secretariat of their special requests, if any, and the Secretariat would refer them to the relevant departments for follow-up action. Generally speaking, if a department had sent representative to attend a meeting, it would not submit a written reply at the same time. The common practice was that a department would submit a written reply if it could not send anyone to attend the meeting.

79. Mr. MAN Nim-chi opined that the submission of a written reply by the department would make it easier for Members to go through the records later. However, he understood that departments had their own ways to respond to Members' questions.

80. The Chairman indicated that in general, if a department sent its staff to attend a meeting, the Secretariat would not ask the department to submit a written reply at the same time. If Members would like the department to submit a written reply before the meeting, he suggested that they should make the request when submitting the discussion paper or inform the Secretariat for the arrangement.

81. Mr. YIU Kwan-ho's comments were as follows:

- (i) He was not happy with the departments' response.
- (ii) He did not understand why it still took the TPDLO six months to process the application for the use of the above site in Tsiu Hang made by the WSD in August 2020. Pointing out the fact that there were already vehicles parked on Lot GLA-TTP 771, and there was a serious shortage of parking spaces in Pak Shek Kok as well, he asked whether the TPDLO still planned to spend about a year to deal with the WSD's application. In this connection, he asked (1) whether the WSD had cleared all the materials stored on Lot GLA-TTP 771 and had returned the land to the TPDLO; and (2) if the WSD had returned the land, whether the TPDLO could designate Lot

GLA-TTP 771 as a temporary car park, carry out an open tender exercise, and process the WSD's application for using the land in Tsiu Hang at the same time.

- (iii) While he understood that the short-term tenancy was only related to the temporary use of the site concerned, given the serious shortage of parking spaces in Pak Shek Kok, he proposed designating Lot GLA-TTP 771 as a temporary car park as a short-term measure to temporarily alleviate the situation. However, the TPDLO indicated that the open tender exercise would take six to nine months. In this connection, he asked whether the TPDLO could expedite the process.

82. Mr. YAM Kai-bong asked the Plan D or other relevant departments whether there was any planning on the use of Lot GLA-TTP 771 for the time being. He opined that if there was not, the site could be designated as a temporary car park in the short run. In the long run, they should consider building other facilities at the site, such as a bus interchange, multi-storey facilities (such as bus interchange on the lower levels and car park at the upper levels), activity space or commercial area, instead of leaving it idle. He opined that Lot GLA-TTP 771 had mostly been used for storage due to its remote location. However, the situation had changed as its vicinity had been developed into a residential area, and the residents there had a considerable demand for transport, commercial and parking facilities. Therefore, he hoped that the relevant departments would make good use of the site, plan it carefully and consult Members so that members of the public and the TPDC could participate in the land planning process.

83. Regarding the comments of Mr. TAM Yi-pui and Mr. YIU Kwan-ho, Mr. LIN Tang-tai indicated that the WSD adopted the principle of "optimising the land use" when using the land. Therefore, before its long-term planned use had been confirmed, it would apply for borrowing the land by way of temporary Government allocation, so as to carry out the works in the vicinity. In this connection, the WSD had been borrowing Lot GLA-TTP 771 to store materials for the expansion of Tai Po Water Treatment Works. As the works was about to be completed, the department had just cleared the materials but also applied for the continued use of the site for other waterworks in Tai Po District. However, he reiterated that the department did not necessarily have to use that site for storing materials. Therefore, as long as the TPDLO approved the department's use of the site in Tsiu Hang, the department could use the site instead, so as to fall in line with the principle of "optimising the land use".

84. Mr. Calvin HUI responded as follows:

- (i) The general procedures for processing short-term tenancy included (1) consultation with the public and relevant departments; (2) endorsement of the short-term tenancy and its fundamental terms by the relevant meeting; and (3) detailed review of the tenancy terms by solicitors. The TPDLO had to complete the above procedures before carrying out a tender exercise for the short-term tenancy. As it took time to

prepare the tender documents, tenderers had to be given enough time to read the documents, and the department had to analyse the information submitted by tenderers, it generally took the department six months to deal with the process.

- (ii) The TPDLO had given priority to the WSD's application for borrowing the land in Tsiu Hang and would deal with it as soon as possible. However, based on their experience, it generally took six to nine months to complete the process.

85. The Chairman suggested the TPDLO deal with the applications for Lot GLA-TTP 771 and the land in Tsiu Hang as soon as possible.

86. Mr. YIU Kwan-ho asked whether the WSD still had to use Lot GLA-TTP 771 in the six months starting from today (before the land in Tsiu Hang became available). If not, would the department consider returning Lot GLA-TTP 771 to the TPDLO immediately, so that the TPDLO could invite tenders for the use of Lot GLA-TTP 771 as a temporary car park, and deal with the WSD's application for the site in Tsiu Hang at the same time? In addition, he asked the Plan D about the long-term planning of Lot GLA-TTP 771.

87. The Chairman asked whether the WSD still had to use Lot GLA-TTP 771 in the coming six months.

88. Mr. LIN Tang-tai indicated that some of the waterworks had been launched, and the WSD was having a lot of difficulties in identifying suitable sites for storing construction materials. He indicated that while he could not answer whether the department had to store the relevant materials on Lot GLA-TTP 771 in the coming six months, he would try to cope with Members' suggestion wherever possible. He explained that it was stipulated in the contract between the WSD and contractor that the department had to provide a site for the contractor to store construction materials. Therefore, if the department could not do so, it would not only delay the works, but the contractors might also seek damages from the department.

89. The Chairman indicated that if the WSD did not have to use Lot GLA-TTP 771 in the next three to six months, he hoped that the department would inform Members and the TPDLO via the Secretariat, so that the application for using Lot GLA-TTP 771 as a temporary car park could be dealt with early.

90. Mr. LIN Tang-tai agreed with the afore-mentioned arrangement.

91. Ms. Eunice CHAN indicated that the long-term plan of Lot GLA-TTP 771 was for the construction of a fire station and ambulance depot. She believed that when the TPDLO consulted the departments for the use of Lot GLA-TTP 771 as a temporary car park, the Fire Services Department ("FSD") would provide the TPDLO with the relevant information, including when the

site had to be handed over to the FSD for the commencement of the relevant works.

92. Mr. YIU Kwan-ho asked the TPDLO, while he understood that it would take time to deal with the open tender exercise, if the WSD did not have to use Lot GLA-TTP 771 in the coming six months, whether the WSD's application to borrow the land in Tsiu Hang and the open tender exercise for the use of Lot GLA-TTP 771 as a temporary car park could be dealt with at the same time.

93. Mr. Calvin HUI indicated that after the WSD had returned Lot GLA-TTP 771, the TPDLO would invite tenders for the short-term tenancy. However, if the WSD could not return Lot GLA-TTP 771 until being allocated the land in Tsiu Hang by the TPDLO, the TPDLO could not invite tenders until the WSD had returned the land.

94. The Chairman asked the TPDLO and WSD to step up their communication and co-operation for the afore-mentioned matter. He also announced a recess.

95. The meeting resumed afterwards.

IV. Request for the Housing Department to clarify the maintenance rights and obligations between Fu Heng Estate and Chung Nga Court
(TPDC Paper No. PHW 35/2020)

96. Mr. MAN Nim-chi went through TPDC Paper No. PHW 35/2020.

97. Mrs. CHIU TSE Shuk-yin indicated that the HD had explained in detail the maintenance rights and obligations between Fu Heng Estate and Chung Nga Court at the TPDC and PHWC meetings on 5 May and 11 May respectively, and the relevant minutes of the meetings had also recorded the replies in detail. Therefore, there was nothing to add as regards the above matters.

98. Mr. HO Wai-lam's comments were as follows:

- (i) Although the HD representative had indicated that the HD would co-ordinate on the matters relating to the maintenance rights and obligations between Fu Heng Estate and Chung Nga Court, he opined that no co-ordination had been made by the department regarding the flush water pipe burst at a section of the carriageway between these two housing estates in July. He pointed out that whenever they held a meeting with the property management company (i.e., Modern Living Property Management Limited ["Modern Living"]), its representatives would repeat that the letter submitted by the HD representative was the final reply and they had nothing else to add. Therefore, he opined that the Modern Living representatives had

completely failed to co-ordinate on the above issue.

- (ii) The then DC Member, Mr. TAM Wing-fun, Eric, wrote to the HD's Regional Property Manager on 4 June 2019. In the reply, the Property Manager clearly stated that "if the common facilities are also provided for the adjacent land, including Chung Nga Court, all owners are responsible for the maintenance or repair of these facilities at their own expense, and they should be co-ordinated by the Owners' Corporation ("OC") of Fu Heng Estate. If the facilities are provided for the exclusive use of Chung Nga Court, it is the sole responsibility of Chung Nga Court to inspect, maintain, repair and replace the facilities, and to complete the proper restoration of any damage caused to the facilities". However, according to the latest reply from the HD representative, the letter did not mention the above content. It only stated that Fu Heng Estate should take up all the maintenance rights and obligations, as well as the co-ordination duties, without stating clearly whether there was no need to share the rights and responsibilities. In addition, the HD mentioned in point 5 of the letter that if the housing estates had any doubts when clarifying the lease, they should seek legal advice so as to look for a solution. In this connection, he opined that the HD should not merely provide such a response, but to explore the possibility of co-ordinating the above matter. As there might be another flush water pipe burst at the section of carriageway between Fu Heng Estate and Chung Nga Court in the future, it meant that the issues involving the maintenance rights and obligations between the two housing estates would be never-ending and unresolvable. He opined that there was a lack of clarity in the maintenance rights and obligations among these two housing estates, which had to be clarified and dealt with. Therefore, the HD could not merely use the relevant terms of the deed of mutual covenant ("DMC") as a response by saying that the housing estates concerned should deal with the matters on their own. Otherwise, the carriageway between Fu Heng Estate and Chung Nga Court should be regarded as a private road instead of a public one.

99. Mr. MAN Nim-chi's comments were as follows:

- (i) He pointed out that Fu Heng Estate's DMC talked about shares in aggregate, and the road belonging to the Housing Authority ("HA") accounted for 10%. In this connection, he asked about the HD's role in the above road of the HA.
- (ii) In the written replies previously submitted by the HD, the section of carriageway between Fu Heng Estate and Chung Nga Court was divided into several parts, including road surface, underground facilities and facilities on road surface. He cited an example that a pedestrian walkway connecting Fu Heng Estate and Chung Nga Court damaged by a fallen window grille a few years ago had not been repaired, and that might be the result of the HD not having clearly set out the share of rights

and obligations in the DMC or other terms and conditions. In light of the flush water pipe burst at the section of carriageway between Fu Heng Estate and Chung Nga Court, Members now really wanted the HD to set out clearly the relevant maintenance rights and obligations, i.e., which housing estate should be responsible for which part of maintenance works.

- (iii) The relevant lease conditions stipulated that the HD was responsible for the maintenance of three lamp posts, while the OC of Fu Heng Estate was responsible for the maintenance of the others. In this connection, he did not understand why the HD did not clearly set out in the lease the maintenance rights and obligations of the facilities on the carriageway or the pipes underneath, and would like the department to provide an explanation. The HD had also clearly set out the rights and obligations of the carriageway between Fu Shin Estate and Ming Nga Court in the sales brochure when selling Fu Shin Estate, but not when selling Fu Heng Estate.

100. Mr. CHIU TSE Shuk-yin responded as follows:

- (i) According to the land lease of Fu Heng Estate, the HA currently owned some of the residential units and some non-residential facilities in Fu Heng Estate, as well as some non-residential facilities and underground spaces in Chung Nga Court. For divested properties, including the shopping centre and car park of Fu Heng Estate, the HA, being one of the owners of the relevant land lot, had been paying management fees and sharing the maintenance and management costs of the two housing estates in accordance with the shares in aggregate (the HA accounted for 10%) set out in the DMC. Fu Heng Estate and Chung Nga Court, like private housing estates in general, were also responsible for the management, repair and maintenance of the common facilities of the estates in accordance with the land lease, DMC and lease conditions, and the owners were also required to share the maintenance costs in accordance with the lease conditions. The HD reiterated that according to Section 5.11(A) of Fu Heng Estate's DMC, "the lessees of the land (i.e., all owners of Fu Heng Estate) shall allow the neighbouring land, including Chung Nga Court, to use facilities such as pipes and ducts of Fu Heng Estate to transfer and supply common facilities and other service facilities, such as water, electricity and town gas, to and from the aforementioned neighbouring land".
- (ii) Clause 5.11(B) of the lease of Fu Heng Estate stipulated that "the right is reserved to the lessees and tenants, etc., of the neighbouring land to have free access to Fu Heng Estate for the inspection, maintenance, repair and replacement of the facilities such as pipes and ducts of the estate mentioned in Clause 5.11(A) of the said lease. However, if damages are caused to Fu Heng Estate as a result of the exercise of the rights of maintenance and repair, the cost should therefore be borne by the person

concerned”.

- (iii) Clause 5.11(C) of the lease of Fu Heng Estate stipulated that “owners of Fu Heng Estate shall be responsible for the maintenance, repair and recovery of the aforementioned pipes, ducts and facilities at their own expense”. The DMC of Fu Heng Estate stipulated that “the maintenance, repair and co-ordination of the common areas and facilities of the estate shall be the responsibility of the OC of Fu Heng Estate and their appointed companies. The DMC of Fu Heng Estate stipulates that for pipes, electrical wiring and drains which are underneath the roads of the HA, if they are provided for the use and benefit of the entire estate instead of any particular part of the estate, the facilities shall be regarded as common areas and facilities, which means that the maintenance and repair of such facilities shall be the responsibility of the OC of Fu Heng Estate. In case of doubt, housing estates may seek advice from the legal consultant of their OCs in clarifying the rights and obligations of stakeholders in relation to the DMC and lease, so as to confirm and clarify the rights and obligations of stakeholders in relation to the lease, DMC and relevant contracts”.
- (iv) The HD co-ordinated the clarification of the rights and obligations for Fu Heng Estate and Chung Nga Court. Whenever the relevant OCs and management companies had any questions, the HD would make every effort to answer them. The HD would also send staff to attend the meeting if necessary, so as to co-ordinate with the relevant stakeholders and discuss the situation.

101. Ms. WONG Yu-hang, Anita, responded as follows:

- (i) Regarding the above maintenance rights and obligations issues between Fu Heng Estate and Chung Nga Court, she indicated that maintenance of buildings was a complicated and tedious issue, and the TPDO was aware of the disputes between Fu Heng Estate and Chung Nga Court as regards the maintenance of common facilities. While the HD representative indicated that the relevant DMC had stipulated that Fu Heng Estate had the maintenance obligations, the OC of Fu Heng Estate opined that Chung Nga Court should share part of the obligations as it was also using the area.
- (ii) The TPDO could provide support services for the above situation. The relevant OCs might consider participating in the Free Mediation Service Scheme for Building Management launched by the HAD in collaboration with Hong Kong Mediation Centre and Hong Kong Mediation Council. This free-of-charge scheme mainly aimed at helping the different parties look for resolutions, and the agreement signed was legally binding. If Chung Nga Court, the OC of Fu Heng Estate or the HD was willing to participate in it, the TPDO would be happy to refer the case to the HAD. She indicated that many cases had found a solution through the professional mediators in the past, and the TPDO would gladly provide details of the scheme for

the stakeholders after the meeting.

102. Mr. HO Wai-lam's comments were as follows:

- (i) The HD failed to co-ordinate in dealing with the issues of rights and obligations because Modern Living failed to answer the relevant questions at the meeting.
- (ii) He asked whether the owners of Chung Nga Court were covered by the contract which stated that all owners of Fu Heng Estate had to take up the maintenance obligations.
- (iii) Since there were still tenants living in Fu Heng Estate, he understood why the HD still had to pay the management fee. However, Chung Nga Court did not pay any management fee to Fu Heng Estate. He pointed out that after shutting the flush water valve at the burst location, there would be no flush water supply to Chung Nga Court while Fu Heng Estate remained unaffected. Therefore, he did not understand why Fu Heng Estate was still responsible for the maintenance. Although the HD indicated that the DMC had set out that Fu Heng Estate was fully responsible for the maintenance, including repair and co-ordination, he did not think that it meant that Fu Heng Estate was responsible for paying all the costs.
- (iv) He would try to contact the relevant OCs and TPDO to participate in the Free Mediation Service Scheme for Building Management launched by the HAD.
- (iv) He agreed with Mr. MAN Nim-chi's suggestion to meet the stakeholders, and hoped that the HD would send representatives, not just the representative of Modern Living, to the meeting as the latter could not answer any questions.

103. Mr. Richard CHAN's comments were as follows:

- (i) He declared that he had been a member of Hong Kong Mediation Centre for over 10 years and was also a qualified mediator.
- (ii) Mediators hoped that all participants of the mediation were aware of the incident so as to come up with a solution that all parties would find feasible. Therefore, he opined that the HD was an important stakeholder and should send a representative to attend the mediation meeting if it was to be held.

104. The Chairman's comments were as follows:

- (i) Mr. HO Wai-lam pointed out that at present, Fu Heng Estate had to pay for the daily maintenance and management of a pipe it was not using. Therefore, the residents of Fu Heng Estate did not understand why. In addition, the HD was willing to pay

according to its shares in aggregate in Fu Heng Estate.

- (ii) The contract stipulated that Fu Heng Estate was responsible for the relevant maintenance matters and had some shares in the housing estate. In this connection, he asked Mr. HO Wai-lam and Mr. MAN Nim-chi whether Chung Nga Court were aware of the situation, and whether they were willing to take up some of the maintenance obligations. He opined that if Chung Nga Court was not willing to do so, they might had to deal with the matter through mediation.
- (iii) He asked whether the HD had ever sent its higher-ranking staff or staff responsible for the matter to have a higher-level meeting, instead of a district-level meeting, with the stakeholders. If the HD had never arranged for such a higher-level meeting, could it do so? He believed that the HD would not want Chung Nga Court, Fu Heng Estate, or even Mr. HO Wai-lam or Mr. MAN Nim-chi to complain to the Office of the Ombudsman or the Public Complaints Office of the Legislative Council Secretariat about the above matter, as the departments concerned would exercise their statutory power to summon the HD to the meeting. Therefore, he suggested the HD send higher-ranking staff to have a higher-level meeting with the stakeholders first. If the rights and obligations issued could not be clarified, mediation services should be used.

105. Mrs. CHIU TSE Shuk-yin indicated that the Management Committee (“MC”) representative of the HA, who was responsible for the management of Fu Heng Estate, had attended the MC meeting for the afore-mentioned matter between Fu Heng Estate and Chung Nga Court, and briefed MC members on the situation.

106. The Chairman pointed out that the HD had a designated unit to manage the sold housing estates. As such, he suggested this unit discuss the rights and obligations issues with Mr. HO Wai-lam, Mr. MAN Nim-chi, as well as the representatives of Fu Heng Estate and Chung Nga Court, and that would be more appropriate than sending MC representative of the HA who managed Fu Heng Estate to attend the meeting. He opined that the representatives were merely relaying the comments of the department responsible for the relevant matters, and might not understand the problems involved. As such, it would be meaningless to meet with them. In this connection, he asked whether the HD could arrange for the unit responsible for the management of the sold housing estates to attend the meeting, so as to discuss with Mr. HO Wai-lam, Mr. MAN Nim-chi, as well as the representatives of Fu Heng Estate and Chung Nga Court on the rights and obligations issues.

107. Mrs. CHIU TSE Shuk-yin indicated that she would discuss with the Housing Managers of the housing estates concerned and the property managers of the management companies so as to reach a consensus to schedule the meeting.

108. Mr. HO Wai-lam opined that it was meaningless if the HD continued to send only the representative of Modern Living to attend the meeting. He pointed out that among the two replies at present, one indicated that all stakeholders should take up the responsibility, while the other indicated that Fu Heng Estate should take up all the responsibility. If the stakeholders could not reach a consensus, they should resolve the matter via legal means. In this connection, he opined that as the above replies could not resolve the problem, he hoped that a higher-level meeting could be held to discuss the matter.

109. Mr. MAN Nim-chi's comments were as follows:

- (i) If a higher-level meeting was to be held, he suggested inviting the TPDLO as well. He and Mr. HO Wai-lam had written to the TPDLO before, and he had also asked them about what the relevant lease conditions meant. Although a comprehensive reply was provided, the rights and obligations issues could not be clarified due to the lack of clarity of some lease conditions. In the end, the TPDLO could only suggest the OCs of the housing estates seek legal advice, and the problem remained unresolved since January.
- (ii) Which stakeholder should be responsible for the maintenance of the common facilities, such as the carriageways in Chung Nga Court and Fu Heng Estate, that were built by the HD? At present, there was no stakeholder dealing with the matter, and Chung Nga Court and Fu Heng Estate had their own arguments. He was the DC Member of Chung Ting constituency, which included residents of both Fu Heng Estate and Chung Nga Court. As such, he would draw people's ire no matter whom he sided with. However, what he wanted the most was resolving the rights and obligations issues.

110. The Chairman did not object to inviting the TPDLO to attend the meeting. However, he asked Mr. MAN Nim-chi whether sending TPDLO staff to attend the meeting could clarify the definition of the relevant lease conditions, as it would not be meaningful to do so if they could not be clarified.

111. Mr. MAN Nim-chi opined that the TPDLO could explain certain wordings of the lease conditions at the meeting. He pointed out that the lease conditions talked about aspects he was not familiar with, such as lamp posts. Therefore, he opined that whether the conditions were related to light, water or electricity, the departments familiar with them should attend the meeting and even specify in written form how the rights and obligations should be shared, so that he and Mr. HO Wai-lam could have a clear understanding of the rights and obligations of Chung Nga Court and Fu Heng Estate in case of damages in other areas in the future.

112. Mr. Richard CHAN's comments were as follows:

- (i) As the handling of land leases, such as the conditions for land allocation, DMC or relevant legislation, was also within the purview of the Lands D, the department had a statutory role in clarifying the lease conditions. Therefore, although inviting the TPDLO to attend the meeting would not result in any decision made, the department could try its best to explain the lease conditions and answer participants' questions, which would facilitate the discussion.
- (ii) He suggested the stakeholders deal with the rights and obligations issues through the mediation mechanism above, as it could work out a way to deal with the matter. According to Hong Kong's legislations, it was difficult to change the terms of a DMC, and it was far from ideal to ask Chung Nga Court and Fu Heng Estate to sign the terms. However, an agreement made at the mediation meeting, if any, would be legally binding, enforceable and documented, and could avoid further disputes when there was a change in OC representatives in the future.

113. The Chairman agreed with Mr. Richard CHAN, and asked Mr. MAN Nim-chi about the opinion of the OC of Chung Nga Court.

114. Mr. MAN Nim-chi indicated that the OC of Chung Nga Court had also checked the DMC and land lease, and the lease conditions had only specified the area for which Chung Nga Court should be responsible, without mentioning the carriageway concerned, whereas the land lease of Fu Heng Estate specified that the housing estate should be responsible for the carriageway. Therefore, the OC of Chung Nga Court considered it inappropriate even if Chung Nga Court was willing to bear the cost of the works.

115. The Chairman indicated that for one pipe being used by Chung Nga Court at present, Fu Heng Estate had to take up the responsibility before the rights and obligations were clarified. If they would like to discuss the rights and obligations issues with Chung Nga Court, was Chung Nga Court willing to do so to reach an agreement? If Chung Nga Court was unwilling to do so, it would have to be dealt with by a mediator. If they were willing to do so, they should discuss with the stakeholders, including the HD, or refer the matter to a mediator as soon as possible.

116. Mr. MAN Nim-chi indicated that he had accompanied the OC of Chung Nga Court to the meetings on several occasions. They were willing to discuss the matter, but opined that the land lease of Chung Nga Court did not stipulate that they had to take up the rights and obligations. Therefore, they did not have to pay for the repair cost even if the flush water pipe was damaged and they had no flush water to use as a result.

117. The Chairman indicated that, to his understanding, Chung Nga Court was fighting for their

rights under the DMC, while Fu Heng Estate wanted Chung Nga Court to take up its share of responsibility under the user-pay principle. As such, he opined that Members could only try their best to facilitate communication with the departments at the meetings, and it was difficult to coordinate. Therefore, it should be handed over to mediators as the stakeholders might have their own arguments.

118. Mr. HO Wai-lam indicated that from the previous meetings, it could be seen that the OC of Chung Nga Court was willing to discuss the matter. They were not unwilling to take up the responsibility, but had no idea how to. The OCs of Chung Nga Court and Fu Heng Estate asked the HD to clarify their rights and obligations at every meeting, but the HD had failed to do so and only asked them to seek legal advice. Meanwhile, he would also like mediation done as soon as possible.

119. Ms. Anita WONG briefed on the mediation procedures of the Free Mediation Service Scheme for Building Management. Firstly, the mediator would hold a preparatory meeting with each party to learn about the problems and concerns of the case. After listening to the views of both parties, the mediator would then carry out mediation. In addition, as the mediation agreement signed was legally binding, mediation service could only be carried out after the OC had endorsed the resolution at MC meeting to authorise the MC chairman or relevant persons to participate in mediation. If the OCs of Chung Nga Court and Fu Heng Estate were interested in participating in mediation, her colleagues would brief them on the scheme directly.

120. The Chairman asked (1) whether the proposal only had to be endorsed by the MC but not at the OC general meetings; and (2) whether the mediation agreement had to be endorsed by the OC general meetings.

121. Ms. Anita WONG responded that (1) according to the HAD guidelines, the proposal only had to be endorsed by the MC but not at the OC general meeting; and (2) as the mediation agreement was legally binding and would affect the OC as well as the property owners of housing estates, she suggested reporting the key points of mediation agreement to the property owners at the OC general meetings. In addition, the main objective of mediation was to help Chung Nga Court and Fu Heng Estate reach a consensus on the rights and obligations issues through professional mediators. As some of the mediators were solicitors and architects, etc., they were also professionally capable of dealing with the cases. She added that upon receiving the application for mediation service, the TPDO would submit information and papers to the HAD for the case of Chung Nga Court and Fu Heng Estate, and the staff would also examine whether the case could be dealt with before beginning the mediation process.

122. The Chairman suggested Mr. HO Wai-lam and Mr. MAN Nim-chi informing the relevant OCs of the suggestion above and asking them to endorse it at MC meetings, so that mediation could be

carried out as soon as possible. If there were any difficulties, the case should then be referred to the PHWC.

123. Mr. Richard CHAN clarified that there were no “right” or “wrong” but only views from both sides during the mediation process, as mediators did not take a stance.

124. Ms. Anita WONG agreed with Mr. Richard CHAN and indicated that when dealing with the above rights and obligations issues, there might be views from the third parties as the HD was also involved in it. In addition, according to previous cases, DC Members could also accompany OCs to attend mediation meetings if the mediators agreed.

125. Mr. Richard CHAN provided supplementary information on the background of mediators of Hong Kong Mediation Centre. Apart from professionals and persons with legal background, including barristers and retired judges, there were also university professors. Therefore, they all had enough credibility to deal with the relevant matters. Since mediation service was free of charge, he also suggested using it wherever possible.

126. The Chairman asked the HD representative to take note of the suggestion above, inform the relevant staff about it and co-operate as far as possible. To his understanding, as the HD only had partial ownership of Fu Heng Estate, the department would respect whatever outcome the mediation had come up with.

127. Mrs. CHIU TSE Shuk-yin indicated that she had to consult the HD headquarters first, but the department had noted the suggestion above.

128. The Chairman indicated that other stakeholders could follow up on the suggestion nevertheless.

V. **Request to follow up on the repeated flooding at Po Heung Estate Car Park**
(TPDC Paper No. PHW 36/2020)

129. Mr. Nick LAM went through TPDC Paper No. PHW 36/2020.

130. Mrs. CHIU TSE Shuk-yin responded as follows:

- (i) The sewerage system of Po Heung Estate was designed in accordance with the relevant standards and specifications, and also complied with the statutory requirements. However, due to topographical issue, the connection point of public sewers of the housing estate was at a higher level. Therefore, sewage from shops and public toilets in the shopping mall had to be gathered and collected in the sewer

manhole at the underground car park before being discharged into the public sewer via a pump in the manhole.

- (ii) Since the end of June 2020, the HD had found a large amount of various items in the sewer manhole on several occasions. She believed that some users had improperly dumped various items into the sewers, causing the pump inside the sewer manhole to clog up and malfunction, resulting in the overflow of sewer manhole and sewage leakage. In addition, the sewage spilled onto the adjacent parking spaces had also led to sewage backflow into the public toilet. As such, the management company had to cordon off some of the parking spaces as well as the public toilets in the shopping mall for cleaning and disinfection, and would not open the facilities again until the pumps had been repaired.
- (iii) Regarding the situation above, the HD would enhance the cleaning of sewer manhole to twice a month, and step up the publicity to remind tenants not to dump items like plastic bags and non-degradable objects into the sewers. The HD had also contacted some tenants to look into the feasible improvement proposals, and put up notices at prominent locations of public toilets to remind users to use the toilets properly.

131. Mr. HO Wai-lam's comments were as follows:

- (i) The HD representative's explanation was far-fetching at best as he believed that many people were using the sewerage system of other housing estates in Tai Po illegally. If the HD representative's explanation was true, it would mean that there were pipe bursts at every single housing estate. However, that was not the case.
- (ii) The HD should come up with a more practical solution rather than simply relying on cleaning the sewer manhole twice a month. He pointed out that from what he could see at the scene, sewage was leaking like a waterfall. Although the HD indicated that the sewerage system of the housing estate was up to standard, he did not understand why there were numerous pipe bursts and sewage leakages even though Po Heung Estate had been built for just a few years. In this connection, he asked about the warranty and maintenance methods of the sewerage system by the contractor. He also opined that the department should explore other ways to deal with the situation instead of blaming the users for using the sewerage system illegally, as he was also worried that the department would award the sewerage works in other housing estates to the same contractor in the future.

132. Mr. YIU Yeuk-sang, the Vice-chairman's comments were as follows:

- (i) If serious pipe bursts were caused by the improper use of sewerage system, was it the fault of the company that designed it?

- (ii) If vehicles were damaged by the afore-mentioned pipe bursts, could their owners seek damages? If yes, what were the procedures? If no, why?
- (iii) Since the pipe bursts in June and July 2020, there were still leakages at three spots. As such, he asked why the pipes had not been repaired in the three months since then, and whether it was due to structural problems.

133. Mr. MAN Nim-chi's comments were as follows:

- (i) He was not happy with the HD representative's response that she only indicated that the sewerage system of Po Heung Estate was built according to the relevant standards, but did not say what specific standards based on which the HD built the underground car park of the housing estate.
- (ii) The HD representative mentioned that some households and tenants had flushed plastic bags into the toilets. In this connection, he indicated that in May 2020, he received a complaint from a lower floor household that sewage from upper floor had flown into the toilet of his flat, and the various items in it had blocked the outlet. As a result, sewage had flown out of the toilet on the second floor and the floor was covered with stagnant water, and the situation was horrible.
- (iii) The afore-mentioned situation at the underground car park of Po Heung Estate was the result of sewer blockage by various items, in which the pipe overloaded and burst, and sewage leaked out eventually. Although the situation above only affected the vehicles in the car park, the problem occurred just five years after Po Heung Estate was built. If this problem also affected the households in the future, how should it be dealt with? In this connection, he asked whether the contractor who built the sewerage system or government departments should be held responsible. He pointed out that the problem still existed and did not happen today, but the HD's response was not enough to address it. He asked the HD (1) what improvement measures had been taken since June 2020; (2) how the management company was instructed to unblock the pipes; and (3) how to deal with the situation where parking spaces were unavailable for vehicles for parking due to the sewage leakage.

134. Mr. Nick LAM's comments were as follows:

- (i) For short-term measures, even though the HD had enhanced the cleaning of sewer manhole to twice a month, there was still flooding in Po Heung Estate Car Park. Did it mean that the amount of cleaning work was still not enough, and the department should consider increasing it so as to improve the flooding situation above?
- (ii) For long-term measures, would the HD consider changing the design of the sewerage system of Po Heung Estate, so that the situation above would not happen again?

135. Mrs. CHIU TSE Shuk-yin responded as follows:

- (i) When repairing the pump, the HD found a large amount of items like rags and plastic bags in the sewer manhole. They tangled up with and clogged the pump, causing it to break down and malfunction. After the pump had stopped operating, the sewage inside the sewer manhole overflowed and spilled towards the parking spaces in the car park, and led to a backflow in the public toilet. To deal with the problem as soon as possible, the management company had to cordon off the affected parking spaces for disinfection and cleaning. The management company also used high-pressure vacuum trucks to clear the items and sewage in the sewer manhole and reminded the tenants and public toilet users to behave in a civilised manner when using the public toilet, so as not to affect the pump's operation again. The HD had now replaced the pump and built a metal cage outside. As a result, even if someone had discarded items into the public toilet, the metal cage could block and prevent them from tangling with the pump and affecting its operation.
- (ii) If vehicles were damaged as a result of flooding in the car park, the management company would refer them to the insurance company for follow-up action.
- (iii) The HD hoped that by reminding the residents to behave in a civilised manner and enhancing the cleaning of sewer manhole to twice a month, the sewer manhole could remain free of obstruction. However, if the situation did not improve, the department would also ask the management company to increase the number of cleaning and disinfection work.

136. Mr. Richard CHAN's comments were as follows:

- (i) He asked the HD when it was designing the sewage storage tank and pump, did it believe that no one would discard items into the public toilet, and therefore did not anticipate that the pump would malfunction due to blockage by these items? In other words, the department, without anticipating this kind of situation, still considered that the design of sewage storage tank and the pump were up to standard. However, they could not cope with the impact caused by the blockage of these items.
- (ii) While the HD was using a metal cage to cover the pump to block the items, he opined that the problem could not be resolved. The reason was that if these items got tangled up with the metal cage, they would also block sewage from flowing to the pump, which would not be able to serve its function as a result. As flooding in Po Heung Estate Car Park was due to the erroneous design of sewage storage tank and the pump, these measures could not resolve the problem.

137. Mr. WONG Siu-kin's comments were as follows:

- (i) Since June 2020, Po Heung Estate had had several pipe and sewer bursts, and the car park was the affected area. Therefore, he opined that the HD should take the pipe burst problem in the housing estate seriously. In addition, given the position held by the HD representative, she should really look into ways to deal with it.
- (ii) He asked whether the HD could change the design of sewerage pipes so as to solve the problem in the long run.
- (iii) The HD representative mentioned that the improper use of toilet by some tenants had led to sewer blockage and flooding. He had visited many flats where the sewer had burst. To his understanding, if the upper floor households had discarded items into the toilets, toilet sewers at the lower floors would burst and there might even be sewage backflow. In this connection, he asked whether it was because the sewage from the households in Po Heung Estate would not be discharged into the sewer in the car park, so that the HD indicated that flooding in the car park was due to the improper use of toilets by tenants.
- (iv) He asked the DSD whether the items discarded into the toilet would flow directly to the pump, and whether the above practice was a new technology.

138. Mr. AU Chun-ho indicated that although the car parks in Tai Yuen Estate, Fu Heng Estate and other housing estates were currently managed by The Link, they were previously managed by the HD. He opined that as there were restaurants or markets above the car parks in Tai Yuen Estate, Fu Heng Estate and Po Heung Estate, there would be pipe bursts in the car parks whenever the sewers were blocked. As the HD should be aware of the situation, why were there no precautionary measures in place when designing Po Heung Estate Car Park so that these problems would not happen again? In addition, as regards seeking damages for vehicles due to flooding in car parks, experience told him that neither the insurance companies nor loss adjusters would pay out any compensation as they would regard them as accidents. In this connection, he asked how the HD protected the vehicles parked in these car parks.

139. Mr. MAN Nim-chi suggested the HD draw up relevant measures, such as (1) putting up notices in the estate to inform the households of pipe burst in the car park, and (2) deploying staff to inspect the tenants if there was sufficient manpower (as there were not many tenants in the shopping centre of Po Heung Estate), and advising them to improve the way they dealt with various items, such as not to dump all the refuse into the kitchen sink and not to flush sizeable refuse into the toilet, so as to remind the tenants and households to behave in a civilised manner. Alternatively, it could teach them how to deal with these items, such as advising the households to put a strainer in the kitchen sink so as to avoid flushing food debris down the pipes and causing blockage.

140. Mrs. CHIU TSE Shuk-yin responded as follows:

- (i) Regarding the design of sewerage system of Po Heung Estate Car Park, the sewage from the shops and public toilets was collected in the sewer manhole in the underground car park and discharged to the public sewer via a pump in the manhole.
- (ii) The HD was aware of the improper use of sewer by some tenants. As such, the department had reminded the tenants how to maintain and use the pipes, such as reminding restaurants to inspect the operation of grease tank on a regular basis, so as to prevent the accumulation of oil and grease in the pipes.
- (iii) As for long-term measures, the HD would study with the tenants ways to improve certain drains and drainage system, so as to ensure that the pipes were free from blockage. She pointed out that to ensure that the pipes were free from blockage, the most important thing was that the users had to use the pipes in a proper and legal manner, such as not to flush sizeable items like towels and garbage bags down the pipes, as it would definitely block the sewerage system.
- (iv) She agreed with Mr. MAN Nim-chi that the HD had to teach the pipe users, including tenants and households, in a face-to-face manner, and the department would also ask the management company to follow up on the suggestion above.
- (v) The HD had put up notices at prominent locations and would step up the relevant measures to remind pipe users, including tenants and residents, to optimise the use of housing estate resources, so as to avoid causing inconvenience to users due to the need to repair damaged pipes. If these measures were effective, the department would consider whether it was necessary to increase the number of sewer manhole maintenance and cleaning work per month as appropriate.

141. Regarding Mr. WONG Siu-kin's questions, Mr. HUANG Keng responded as follows:

- (i) The DSD was responsible for the maintenance and repair of public sewerage system on government land. As the sewer blockage in Po Heung Estate Car Park was located within the area of Po Heung Estate, the HD representative had already responded to it.
- (ii) The public sewerage system managed by the DSD mainly discharged sewage with the help of gravity. As such, it could not offer any suggestion as regards the sewerage system in Po Heung Estate Car Park that discharged sewage by pumps. However, he also shared his experience and said that the department had conducted routine or surprise inspections with DC Members and the FEHD in the past. During inspection, they often reminded tenants not to make unauthorised changes to the sewerage facilities, such as grease tank and sewerage system, as required by the

licence, and to use and maintain the facilities properly in accordance with the licence requirement.

142. The Chairman's comments were as follows:

- (i) He believed that the HD was well aware of which housing estates and tenants were using the relevant pipes. Therefore, it would be better if the department could focus on reminding those users.
- (ii) He asked whether the HD considered the above pipe burst problem in Po Heung Estate resolved or not, as there had been a series of pipe bursts in Po Heung Estate since June 2020, and it might happen at any time. As such, he asked the HD how many pipe bursts would be considered unacceptable and other improvement measures would then be drawn up. For example, if it was because of the inadequate capacity of the existing pipes, the problem could only be truly resolved if additional pipes were installed at where the existing ones were so as to divert the sewage, or if the department's works division explored ways to enhance their capacity, etc. If the HD was unable to provide a specific number, he would like to know how the department planned to deal with another pipe burst, if any, or whether the situation was still considered acceptable.
- (iii) Three pipe bursts in a short period of time might have to do with a large amount of grease accumulated in the pipes. As more grease accumulated in the pipe before being completely cleared, the pipe was blocked and burst as a result. However, he opined that only pipes that had been in use for years would accumulate a large amount of grease that could not be discharged. As Po Heung estate had only been built for several years, multiple pipe bursts were unacceptable.

143. Mrs. CHIU TSE Shuk-yin indicated that the HD considered the multiple sewage backflows in a short period of time far from satisfactory. She pointed out that not many tenants were using the pipe concerned, and the works division of the department and the management company were working with the tenants to come up with better improvement measures. In addition, the department had firmly reminded certain tenants to clean their grease tanks regularly, and asked them to remind their clients to behave in a civilised manner when using the toilets in their shops and not to flush refuse into the toilets.

144. Mr. Nick LAM asked when the HD started taking these short-term measures, which included increasing the number of sewer manhole cleaning work, putting up notices, as well as building a metal cage outside the pump. He indicated that he could still see pipe burst on 23 September, and it might still be happening afterwards. Therefore, if the HD took these measures before 23 September, it meant that they were not enough to improve the situation.

145. Mr. MAN Nim-chi opined that as there were only two buildings in Po Heung Estate, there should not be too many people using the pipes. However, there was still such a serious flooding problem in the car park. As such, he hoped that the HD representative would pledge to learn from the experience of the afore-mentioned pipe burst in Po Heung Estate when carrying out long-term planning for the design of public facilities to be completed in the next few years, including Fu Tip Estate and its car park. Otherwise, he found it difficult to believe that the HD could guarantee that the above situation would not happen in the public housing project in Area 9. In addition, he suggested the HD carry out an urgent tender exercise to engage contractors to replace the existing burst pipes in Po Heung Estate with wider ones, so as to unblock sewage or prevent sewage leakage. He also asked the department whether the suggestion was feasible.

146. Mrs. CHIU TSE Shuk-yin indicated that after the sewage leakage due to the overflow of sewer manhole in Po Heung Estate, the HD had also asked the construction division about it. She would also forward Mr. MAN Nim-chi's comments to the construction division, which included taking into account the pipe's capacity in dealing with sizeable objects flushed into it when planning for the housing estates to be completed soon, so that the carry out the design work accordingly.

147. Mr. HO Wai-lam's comments were as follows:

- (i) He asked whether the architects had conducted a comprehensive assessment when designing the pipes in Po Heung Estate.
- (ii) Under normal circumstances, it would not take that many days to deal with pipe burst in other housing estates. For example, there were two pipe bursts in his constituency (Fu Heng) due to prolonged blockage of the pipes by a large amount of grease, resulting in pipe burst and then serious flooding. However, unlike the serious situation in Po Heung Estate where the burst pipes were still leaking like a waterfall days later, it only took a short time to deal with the situation. He opined that this might have to do with the faulty design of the pipes in Po Heung Estate. Although Members would closely monitor the situation in Po Heung Estate, he found it necessary to invite the architects to attend the meeting to explain the design of the pipes in Po Heung Estate.
- (iii) The HD had not provided sufficient information on the situation of Po Heung Estate, and he did not think that a verbal reply from the HD would resolve the problem.

148. Mrs. CHIU TSE Shuk-yin responded as follows:

- (i) The sewerage system of Po Heung Estate was designed according to its geographical settings, and she believed that the design of sewerage system of each housing estate

would also be tailored to its geographical settings.

- (ii) The HD hoped that users would cherish public property and use the pipes properly.
- (iii) The possible reason why the sewer in Po Heung Estate was blocked again in a short period of time was that the blockage at the end of the pipes was not completely cleared. Therefore, the sewer was blocked again when the users kept using the pipes. As such, she would ask the management company to examine whether their failure to clear the blocked pipes completely had led to the repeated blockage in a short period of time and sewage backflow.

149. The Chairman suggested that Mr. Nick LAM could bring up this topic again if there were further pipe bursts in Po Heung Estate. However, as it would take time to convene a PHWC meeting, Mr. LAM, if necessary, could also suggest the Chairman of the Working Group on Management, Development and Monitoring of Public Housing (“WGPH”) convene a working group meeting before the next PHWC meeting and invite the attendance of the HD, engineers or other relevant departmental representatives for in-depth discussions, instead of waiting for the next PHWC meeting to follow up on relevant issues.

150. Mr. Richard CHAN indicated that as Mr. HO Wai-lam suggested the HD’s works division explain or report to Members on the above issues of Po Heung Estate, he opined that the working group meeting should not be convened only when necessary, given that such a request had been made by a Member. If the relevant issues were not to be discussed at the PHWC meeting, he opined that they should be discussed directly at the working group meeting.

151. Mr. HO Wai-lam agreed with Mr. Richard CHAN’s comments above.

152. The Chairman indicated that as Mr. HO Wai-lam had asked the HD’s works division to explain to the PHWC on the above issue of Po Heung Estate, and the next PHWC meeting would not be held until November, he suggested following up on the matter at the WGPH and asked the WGPH Chairman to convene a meeting. He also asked the HD representative to inform the department’s works division of Members’ request that they should send staff to attend the working group meeting with the HD to explain the issues.

153. Mrs. CHIU TSE Shuk-yin would forward the comments to the HD’s works division. In addition, for these routine property management issues, she suggested DC Members immediately inform the management company and HD directly, as it would allow the problems to be dealt with more quickly, instead of waiting for follow-up action at the working group meeting the date of which had yet to be confirmed.

154. Mr. Dalu LIN was not happy with the HD representative’s comments above. He indicated

that Members had inspected Po Heung Estate and saw how serious the pipe bursts were. That was why they considered the above matter of Po Heung Estate not a routine property management issue, and why Members brought it up for a discussion at the PHWC meeting. He opined that the HD should look into improvement measures to deal with the situation, rather than running away from the problem and passing the buck.

155. Mr. MAN Nim-chi pointed out that the HD was the developer of Po Heung Estate, and Modern Living its property management company. He believed that Mr. Nick LAM had told Modern Living every time there was a pipe burst in Po Heung Estate. Although he was not sure how Modern Living communicated with the HD, it was meaningless for the HD to ask Members to contact Modern Living when there were further pipe bursts in Po Heung Estate, as Modern Living was merely responsible for keeping records, and the HD was responsible for deciding whether to carry out any improvement works. Given the afore-mentioned situation in Po Heung Estate, Mr. Nick LAM was worried that the same would happen to the facilities to be completed soon, and that was why he wanted a response from the HD. Even though the HD representative did not suggest Members contact Modern Living, they could still do so on their own. However, as Modern Living would only keep a record of the situation, there was nothing they could do even if they knew that there had been pipe burst in Po Heung Estate since June 2020. Members had visited Po Heung Estate and noticed how bad the car park smelled due to pipe burst. While they could see the cleaners doing their best to clean up, the situation had not improved yet, and that was why Members brought it up directly to the HD at this meeting.

156. Mr. HO Wai-lam opined that the HD representative's response was irresponsible. He indicated that many Members had asked Modern Living about the above situation in Po Heung Estate, but Modern Living neither failed to give a specific response nor deal with the matter, and the HD had to give a response eventually. He opined that the HD representative had no idea that Mr. Nick LAM had complained about the above situation in Po Heung Estate on many occasions and that Members had also inspected Po Heung Estate many times. That was why she thought that Members had not taken any immediate follow-up action.

157. The Chairman indicated that as the sewers in Po Heung Estate had burst several times, the affected area smelled really bad, and the environmental hygiene was so poor that lots of bacteria were breeding. As such, he asked whether the HD could arrange for comprehensive and large-scale cleaning and disinfection work. In addition, he asked Mr. Nick LAM if he had encountered any difficulties in the past when communicating with Modern Living, and suggested he inform the HD representative at this meeting.

158. Mr. YIU Yeuk-sang, the Vice-chairman, asked whether it was (1) the sewer burst, (2) the overflow of sewage tank, or (3) the pump malfunction that had led to the sewage backflow of the public sewer and serious flooding in Po Heung Estate Car Park. He opined that the HD had to find

out the cause of pipe burst so as to fix it and prevent the pipes from bursting frequently. In addition, he did not understand why there were still sewer bursts in July and August 2020, when the restaurants at the shopping arcade of Po Heung Estate could only provide takeaway services most of the time and closed early at night, and when the HD had also closed the public toilets for about one to two months so that fewer people were using them. In this connection, he would like to know what the cause of the problem was. If the HD representative could not respond at this meeting, he would ask her to submit a reply at the next meeting.

159. Mrs. CHIU TSE Shuk-yin indicated that to her understanding, flooding in Po Heung Estate Car Park was caused by the blockage, stoppage and malfunctioning of the pump, which had resulted in the overflow of sewage manhole, and hence the leakage and backflow of sewage. As a large amount of rags and plastic bags had blocked the sewer, the pump could not function properly to discharge the sewage, resulting in the accumulation of a large amount of sewage in the sewer.

160. Mr. Nick LAM indicated that whenever a pipe burst was found in Po Heung Estate, he would ask Modern Living how they planned to deal with it. However, they could only give temporary solutions as a reply, such as telling him when the repairman would start repairing the pipes or when the public toilets would be closed, but not practical solutions. He opined that Modern Living could only convey messages but not solve the problem. In addition, he asked whether the improvement measures mentioned by the HD representative were taken before or after 23 September. As he could still see pipe burst on 23 September, if the HD took these measures before 23 September, it meant that these measures were not enough to improve the situation. If the HD took these measures after 23 September, they could observe how effective these measures were.

161. The Chairman asked Mr. Nick LAM whether an Estate Management Advisory Committee meeting had been convened for Po Heung Estate.

162. Mr. Nick LAM said no.

163. The Chairman suggested the HD representative introduce to Mr. Nick LAM the HD manager responsible for dealing with Po Heung Estate matters. If Mr. LAM could not get a satisfactory reply from Modern Living, he could also ask the manager directly to enhance communication. He hoped that the HD representative would respond to his suggestion of carrying out cleaning and disinfection work.

164. Mrs. CHIU TSE Shuk-yin responded as follows:

- (i) She would ask Modern Living to follow up on the Chairman's suggestion of carrying out cleaning and disinfection work to improve environmental hygiene, and ask them and HD staff to contact the Chairman.

- (ii) She clarified that she was suggesting Members to contact the management company and HD staff to explore ways to improve the situation.
- (iii) Regarding Mr. Nick LAM's question, she indicated that after the above incident in Po Heung Estate, the HD had immediately taken the relevant improvement measures, such as reminding the residents, etc. However, it was possible that as the blockage in the pipe could not be fully cleared, when someone kept using it and some residents were not using it properly, it was blocked again in September 2020. In this connection, she would ask the management company to take improvement measures and step up the hygiene and disinfection work.

(Post-meeting note: The HD added that after taking the improvement measures, it had not found any overflowing sewage manhole, as well as leakage and backflow of sewage in the car park in October and November 2020, and the parking spaces concerned had been re-opened.)

165. Mr. Richard CHAN's comments were as follows:

- (i) The HD representative just said that as there might be inadequacy in the pipe cleaning work, the pipe would once again be blocked when being used again. In this connection, he asked whether it was the finding of the HD's investigation, or merely the HD representative's speculation. He also reminded the HD representative to be careful with the wording in her response. He pointed out that the statement was equivalent to accusing the cleaning company (the contractor and their staff) of not doing a good enough job in its first cleaning work. If the statement was based on the HD's investigation and proved to be true, the HD should take disciplinary action against the cleaning company as a punishment.
- (ii) He believed that the situation had to be so serious that Members had submitted a paper for discussion at the PHWC meeting and called for follow-up action. As such, he hoped that the HD representative would not underestimate how serious it was.
- (iii) Given how serious the Po Heung Estate incident was, Members were concerned whether the design of sewerage system would affect other facilities or buildings. As the elected DC Members, they were highly concerned about the matter and would not regard it as a routine issue. That was also why Members asked the department's works division to send staff to give a presentation, as they could provide a technical analysis on the matter.
- (iv) While Mr. Nick LAM submitted the captioned paper on 2 September, the HD had not submitted any report at this meeting on the causes of the flooding in Po Heung Estate Car Park, the situation, the improvement measures taken by the HD, as well as the problems involved. As it was not a routine issue that could be dealt with by just a few words, he opined that the HD should have submitted the relevant papers and sent

staff of its works division to attend the meeting for explanation.

166. Mrs. CHIU TSE Shuk-yin indicated that she was not accusing anyone. She was only speculating that the failure to completely clear the items at the end of the pipe might be the reason why the pipe was blocked again.

167. The Chairman suggested following up on the captioned issue in detail at the WGPH meeting.

VI. Matters relating to putting up posters in the area of housing estates in Tai Po District

168. Mrs. CHIU TSE Shuk-yin reported on the captioned agenda item as follows:

- (i) Regarding the criteria for DC Members to display publicity materials in housing estates, the HD issued a letter to DC Members via the Secretariat on 3 January 2020, with guidelines on the display and distribution of publicity materials in housing estates attached for reference.
- (ii) She indicated that the publicity materials displayed should be informative and non-profit-making in nature, with the objective of providing welfare / services, and the content should not contain messages that were unlawful, obscene, defamatory, insinuating, criticising or denouncing individual persons / organisations. She indicated that publicity materials meeting the above criteria, even if they criticised the governance of the Government and the operation of public institutions, etc., could generally be approved for posting in accordance with the established principles.
- (iii) The HD established a mechanism for dealing with the applications for display of publicity materials in 1999 and it had been operating smoothly since then. However, to ensure consistency in the handling of applications by various estate offices, the HD had also put in place improvement measures, i.e., for publicity materials with controversial content, the relevant estate office would refer the application to the Housing Manager of HD headquarters for co-ordination. If the applicant was not happy with the vetting result, the case would be referred to the senior officials of HD headquarters for a review, while other routine applications would continue to be dealt with by estate offices.

169. Mr. AU Chun-ho's comments were as follows:

- (i) He asked whether the HD had set a time limit for reviewing the posters by the departmental headquarters.
- (ii) After the previous PHWC meeting, almost every poster he had submitted to the estate

office of Kwong Fuk Estate for approval had been regarded as not meeting the criteria. They included (1) a poster on the third wave of the epidemic; (2) a poster on the conditions for PARKnSHOP Supermarket (“PARKnSHOP”) and Wellcome Supermarket (“Wellcome”) to receive subsidy. As the subsidy conditions were set according to the Employment Support Scheme proposed by the Government, he did not understand why the HD did not approve the posting of the poster. The HD replied that as the supermarkets mentioned in the poster were commercial organisations, approval was not granted. In this connection, he pointed out that in the past, the HD had allowed him to put up posters mentioning other commercial organisations such as CLP Power Hong Kong Limited (“CLP”), KMB, minibus operators and MTR Corporation Limited (“MTRCL”), which were also commercial in nature and the relevant fees were mentioned as well; (3) a poster on the theme parks which the Government partly owned and often called on the public to visit so as to promote employment, but the HD did not allow him to put it up; (4) the new estate office manager of Kwong Fuk Estate said that as the poster carried the headshot of a police officer, it had to be submitted to the HD headquarters for approval. Although the HD headquarters eventually approved the posting of the poster, when the vetting was completed, it was already after the date he expected to put it up and 17 September (i.e., the last effective date of group gatherings ban); and (5) in the past, the HD asked them to remove information such as fees and names of organisations, but the relevant management office told him a few years ago that if the poster was about influenza vaccination, the fees and names of organisations could be mentioned as the Government would also like to appeal to the public to receive influenza vaccination, there was no need to meet the above standard, i.e., there was no need to remove the fee information. However, when he recently applied to the estate office of Kwong Fuk Estate to put up a poster on influenza vaccination, the staff told him something different, and asked him to remove the fees and names of organisations.

- (iii) As regards the above matter, he opined that the HD’s criteria were changing all the time, and asked what the actual criteria were. He noticed that Ms. FONG Kwok-shan, Christine, a Sai Kung District Council (“SKDC”) member, was allowed to put up posters with the afore-mentioned content. He also learned from various sources that the HD was more lenient when vetting posters submitted by pro-establishment DC Members. Citing the above poster on influenza vaccination as an example and sharing his experience, he pointed out that in the past, every single application made by Ms. WONG Pik-kiu, the former TPDC Chairman, to the estate office of Kwong Fuk Estate for putting up posters had been approved. However, when he submitted posters in the name of Mr. AU Chun-wah to the estate office, the staff would tell him that there were many problems with the posters, including the size of the title, names and headshots on the posters. However, he opined that as long as the name of DC Member was on the poster, there would not be any problem even if there were other headshots on it. As such, he did not see any conflict with the criteria drawn up by the department.

- (iv) As the HD headquarters did not send any staff to this meeting, it was meaningless for him to make a lot of comments.

170. Mr. Richard CHAN's comments were as follows:

- (i) The HD representative said that if the applicant was not happy with the vetting result, the HD would submit the case to senior officials of the headquarters for a review. In this connection, he asked whether the review result was final and conclusive, and whether the applicant could appeal against the decision. He pointed out that when Members considered that there was no problem with the posters submitted while HD staff considered that there was, there was clearly a dispute between the two sides. Was referring the case to senior officials for a review the ultimate way for the department to deal with it? Were there other ways to deal with it, or could Members deal with it only through challenging the HD's decision via a judicial review?
- (ii) To his understanding, the HD was also a signatory to the "Mediate First" Pledge put forward by the Department of Justice. Therefore, he asked whether the HD could introduce a mediation mechanism to deal with disputes arising from the HD's decision with any parties, including DC Members.

171. The Chairman's comments were as follows:

- (i) The content of the poster mentioning the conditions for PARKnSHOP and Wellcome to receive subsidy was extracted from government notices and about government policies. He could not simply use the term "two major supermarket chains" to describe them as everyone had a different idea what a major supermarket chain was. However, the HD indicated that as PARKnSHOP and Wellcome were commercial organisations, their names could not be mentioned on the poster. However, if Members did not set out the names of the supermarket chains mentioned by the Government on the poster, how could the public know which supermarket chains they were referring to?
- (ii) Regarding the poster that talked about Ocean Park and Hong Kong Disneyland, he opined that the Government was a major shareholder, and the poster was about the policies and anti-epidemic measures mentioned in government notice which he had directly quoted to avoid giving rise to different interpretations due to the change in wordings. Therefore, he did not understand why the HD did not approve the posting of the poster on the grounds that these theme parks were commercial organisations. Members put up the poster to help the Government's promotional efforts instead of promoting the theme parks. The CLP, KMB and MTRCL were also commercial organisations, and putting up posters with their names on them would only help promote their businesses. However, for posters introducing the KMB's monthly pass and

criticising the yearly fare increase of the MTRCL, the HD somehow approved their posting with the names of these organisations on them. As such, he opined that only the HD staff responsible for dealing with poster issues attending the meeting could answer Members' questions. As the HD did not have a consistent standard in vetting posters, it was difficult for Members to follow. While Members certainly hoped that the HD would continue to approve the putting up of posters mentioning commercial organisations (including the CLP, KMB and MTRCL) as they were informative in nature, he did not understand why the HD did not approve the putting up of the poster on PARKnSHOP and Wellcome which was equally informative.

- (iii) Regarding the poster on influenza vaccination, Members were going to remove the fee information, but kept it as the management company informed them of the guidelines from the HD headquarters that there was no need to do so for these posters from then on. However, after the original staff of the HD headquarters had been posted out, the new one indicated that the fee information had to be removed. In this connection, he asked whether the criteria were decided by the staff vetting the posters or set out in a document. He opined that the HD's criteria for vetting posters were based on the subjective standard of the staff, and Members did not know who was actually responsible for vetting the posters and what the appeal mechanism was. As such, they could only contact the manager of the department's outsourcing company to appeal against the decisions, or inform the HD representative or the manager of the estate concerned about it.
- (iv) The cut-off dates for poster submission were the 1st, 11th and 21st day of every month. However, even if Members submitted the posters to the relevant estate office one day before the cut-off date, the staff would indicate that the HD had to vet the posters, which would eventually take a week, and the vetting result would not be available almost until the next cut-off date for poster submission, thus making the posters out of date. For example, if the poster was related to anti-epidemic measures which were updated weekly, but it took the HD a week to vet it, how could Members inform residents of the relevant anti-epidemic measures in a timely manner? At present, the HD did not require its staff to complete the vetting within a specified number of days. As such, the applications submitted by Members were often delayed. Therefore, although permissions were eventually given to put up the posters, the content was already out of date, and the manager of the estate concerned would not approve putting them up because of it. As such, he asked whether the HD could promise to complete the vetting within a certain time limit to avoid delays.
- (v) As the HD representative was not primarily responsible for vetting the posters, he had invited the HD staff responsible for vetting the posters to attend the meeting via the Secretariat before the meeting.
- (vi) He was very familiar with the mechanism for putting up posters as he had been arguing with the HD staff about the criteria for years. He opined that the HD staff were not

familiar with the criteria and would just keep arguing for arguing's sake. Even if they eventually knew that they were wrong, they would not admit it until he complained to the senior officials who would then post out the staff concerned, and that had happened more than once.

- (vii) The staff could point out problems with the posters submitted by Members on every occasion. However, if there were problems with the posters submitted by the pro-establishment DC Members, the manager or HD staff of the estate concerned were not aware of them until Members had discovered them and told them about it, and the staff would have all sorts of excuses when Members told them about it. He opined that the HD could not explain why they only noticed the problems with the posters submitted by non-pro-establishment DC Members, especially himself, but not those of the pro-establishment DC Members. The HD had to treat all posters equally when vetting them. He cited an example on poster titles, saying that while it had been already nine months into the new term DC, some HD staff indicated that they had no idea that Mr. CHENG Chun-ping and Mr. Eric TAM were no longer TPDC Members, but knew that Mr. AU Chun-ho and Mr. MAN Nim-chi were current DC Members. He opined that the department should not use the excuse that the frontline staff responsible for vetting the posters did not know the facts, and the department itself should also be held accountable as the staff responsible for dealing with the relevant matters should know about the matters. The HD should also take disciplinary action against the management company staff or staff in charge of vetting the posters if they had indeed made a mistake. However, no disciplinary action had been taken against the staff concerned so far.

172. Mrs. CHIU TSE Shuk-yin responded as follows:

- (i) The HA was committed to providing a safe, clean and quiet environment for public housing residents, with the welfare and interests of the residents in mind. The display of publicity materials in the ground floor lobbies of public housing blocks and other public places aimed at providing informative documents for the residents, as well as an impartial platform for DC Members, Legislative Council Members, local organisations and non-governmental organisations ("NGOs") to disseminate information on their services, activities and matters of general concerns to the residents.
- (ii) She hoped that Members understood that the HD always adopted a neutral, transparent, consistent and fair approach, and would not have different vetting criteria for different political parties. The HD would adopt consistent criteria in vetting publicity materials, i.e., publicity materials had to be informative, non-commercial and non-profit-making in nature, and based on the principle of providing welfare and services. In addition, the content could not contain messages that were unlawful, obscene, defamatory, insinuating, criticising or denouncing individual persons or organisations. Generally speaking, the

HD would approve the posting of publicity materials that had met the above criteria. In addition, due to the limited space in the ground floor lobbies of the HA's housing estates, the HD had to draw up a code of practice for Members and local organisations to display information to the residents and prevent them from using the platform to attack each other. Therefore, the HD would not approve the display of posters, banners or publicity materials involving negative reports on individual persons or organisations even if the contents were true. For posters mentioned by Members which criticised individual organisations that had a significant impact on people's livelihood, such as the MTRCL, bus companies, power companies, major supermarket chains, major food suppliers, etc., if the criticism of the individual organisations' fee increase or complaints about their service quality did not lead to finger-pointing and attacks, the HD would exercise discretion and consider them on a case-by-case basis.

- (iii) The HD always adopted a neutral, transparent, consistent and impartial approach in vetting publicity materials. Upon receiving the publicity materials, frontline staff of the relevant estate offices would vet them according to the above mechanism and a consistent criteria. If the contents of publicity materials were controversial, the relevant estate office staff would seek approval from the Housing Managers of the HD headquarters. The Housing Managers of the HD headquarters were mainly responsible for dealing with controversial publicity materials and vetting them according to a consistent criteria. They would also inform all the HD's public housing estate offices of the vetting results, so that they would have the same information to inform the relevant DC Members.
- (iv) Regarding the Chairman's comment that the HD took too long to vet the posters, she apologised and would ask her colleagues to immediately approve the posters that were clearly not controversial, and forward the controversial ones to the HD headquarters for vetting as soon as possible.
- (v) She believed that the HD's standardised approach in vetting controversial publicity materials had reduced the lack of clarity among the department's frontline staff, and it would continue to improve the situation.

173. The Chairman's comments were as follows:

- (i) While the department had previously indicated that there was no need to remove the fee information for influenza vaccination, it now said that the application was not approved because the fee information was mentioned in the poster. However, Members found that the HD had given approval to Ms. Christine FONG to put up a poster on influenza vaccination. In this connection, he asked how the HD would explain the situation, and said it showed that the department was using different criteria internally when vetting the posters.

- (ii) He asked how the HD would explain the different standards of different staff when vetting the posters. Was the vetting result based on the subjective views of the staff, or was there a document to follow?

174. Mr. AU Chun-ho's comments were as follows:

- (i) He opined that the HD representative had not responded to their questions and was simply repeating the same statement.
- (ii) He had submitted a poster on group gatherings ban with a headshot of a police officer and a sentence about the period when the group gatherings ban would be in force. He opined that the poster did not contain any controversial and defamatory content, but it took the HD staff seven days to vet it. When the vetting was completed, it was already after the effective date of group gatherings ban, and thus he could not put it up.
- (iii) Even though the poster he submitted had the names of commercial organisations on it, its content was informative in nature, and it was about the measures announced and put in place by the Government, hoping that these two supermarket chains could help the public and boost the economy amidst the epidemic. If he did not mention the names of the two supermarket chains in the poster, how could the public know about it? Since not all residents watched television, if the HD did not allow him to put up the poster, how could the residents know about it? On the other hand, for posters giving transport information, there would be names and fare information of some commercial organisations like the KMB, Citybus Limited / New World First Bus Services Limited, MTRCL and minibus companies. However, the HD would allow them to be put up.
- (iv) While he was not happy with the HD representative's response, he understood that she was not responsible for vetting the posters and was only responding on their behalf. He considered it meaningless for Members to make comments if the HD headquarters did not send anyone to the meeting to respond to them. In this connection, he suggested following up on the captioned matter in the WGPH and inviting the staff of the HD headquarters to attend the meeting, so that they could clarify the issues raised by Members on controversial posters. If the staff-in-charge were not invited to the meeting, it would not be meaningful to discuss with the HD representative at the TPDC or PHWC meetings.

175. The Chairman's comments were as follows:

- (i) The fact that the HD had different vetting results for posters with the same information meant that there were different standards within the department for poster vetting.
- (ii) As evidenced by the vetting of posters on influenza vaccination by HD staff, the vetting results varied depending on staffing changes of the department.

- (iii) The HD representative should explain why the vetting results for the same poster were different in different districts. If no explanation could be given, the department would not be able to prove that they were vetting publicity materials with the same criteria, as Members had cited numerous examples to prove that the HD headquarters were not.
- (iv) If the HD representative was still unable to respond to Members' questions, he also agreed to follow up at the WGPH and invite the HD staff responsible for vetting the posters to attend the meeting. If the staff were also unable to answer Members' questions, they would follow up again at the TPDC meeting as necessary. However, he did not want to refer the captioned matter from the TPDC to the PHWC and WGPH again for follow-up action, and hoped that the HD representative understood that Members would like to deal with the matters.

176. Mr. AU Chun-ho disagreed with the statement that the HD always remained neutral. He cited the following examples: (1) the HD used to approve Ms. WONG Pik-kiu, former DC Member, to put up posters of any content, including those criticising non-pro-establishment Members, in Kwong Fuk Estate; and (2) according to the HD's guidelines, each Member was allowed to put up one A3 size poster and two A4 size posters. However, the HD had approved the Democratic Alliance for the Betterment and Progress of Hong Kong to put up six A3-size posters, with four headshots on them, in Tai Yuen Estate. He did not believe that it was due to the negligence of the department's staff. In addition, even if the HD staff did not know that Mr. CHENG Chun-ping was not the current DC Member of Tai Yuen constituency, he could at least check the information of the current term DC Members on the TPDC website, rather than simply saying that he did not know.

177. Mrs. CHIU TSE Shuk-yin indicated that the poster on influenza vaccination submitted by the Mr. AU Chun-wah, the Chairman, and Mr. AU Chun-ho was not approved by the HD for posting was really because it contained the names of the commercial organisations providing the vaccine and the fee.

178. Mr. AU Chun-ho indicated that in the past three years, the HD had not required Members to cover the names of organisations and fee before putting up the posters on influenza vaccination. As such, he asked how the HD representative would explain the situation and whether it was due to the misinterpretation of the department's criteria by the HD staff and management office manager concerned at that time.

179. Mrs. CHIU TSE Shuk-yin responded as follows:

- (i) The HD had been providing clear criteria for frontline staff to follow when vetting the posters.
- (ii) Staff ought to know the current DC Members of the constituency concerned.

- (iii) As the above poster on influenza vaccination mentioned the name of the commercial organisation providing the service, the HD could not allow it to be posted.
- (iv) The HD headquarters had also provided instructions stating that as the poster on theme parks involved commercial elements, it was not suitable to put it up in the housing estate and therefore posting approval could not be granted. The HD had been following up on the posters according to the vetting results of HD headquarters.

180. The Chairman's comments were as follows:

- (i) Members had only printed the contents of government notice on the posters so as to provide information for the public. As such, why did the HD still regard the information as being commercial in nature?
- (ii) A few years ago, HD staff told Members that it was no longer necessary to remove the names of commercial organisations and their fee information from the posters on influenza vaccination, as the Government appealed to the public to be vaccinated and could hold the organisations accountable in case of mishaps arising from vaccination. However, Members were now told that they were not allowed to put up posters with these commercial information. He opined that if there was consistency in the HD's criteria, the situation would not have happened. He also asked about the department's rationale for approving SKDC Member Ms. Christine FONG to put up her poster on influenza vaccination.
- (iii) While he did not accept the reply from the HD representative, he understood that she was not the staff responsible for vetting the posters. Therefore, he suggested following up on the captioned matter at the WGPH and inviting the staff responsible for vetting the posters to attend the meeting. If it was not possible to convene a working group meeting or deal with the poster issues before the TPDC meeting in November, the captioned matter could only be followed up at that TPDC meeting, and the General Manager of the property management office and the staff responsible for vetting the posters would be asked to attend the meeting.

181. Mr. Richard CHAN would like the HD representative to respond to his questions in paragraph 170 above.

182. Mr. HO Wai-lam would like the HD representative to submit a written reply regarding Members' discussion papers for Members' reference next time.

183. Mrs. CHIU TSE Shuk-yin indicated that the frontline staff of the HD estate offices would submit the publicity materials with controversial contents to the HD headquarters for co-ordination and vetting. They would be reviewed by the HD's senior officials, and their review results would

be final.

184. The Chairman indicated that the captioned matter would be followed up at the WGPH.

VII. Buildings Department – Annual work report on matters affecting people’s livelihood in Tai Po District in 2020

(TPDC Paper No. PHW 37/2020)

185. Mr. WONG Wing-wah went through the captioned paper.

186. Ms. Olive CHAN’s comments were as follows:

- (i) She was pleased to see the Joint Office (“JO”) set up by the FEHD and BD trying out new testing technology in Tai Po District to tackle water seepage problems, as the conventional ones currently in use had their limits. In addition, as there was a lot of water seepage problems in the housing estates in her constituency (Tai Wo), she asked for more information about the new testing technology, such as information on the tests conducted by the BD using the technology.
- (ii) There had been cases involving other liquids, such as paints, seeping from the upper floor to the lower floor. The BD had replied on the situation that they could not deal with it as it was not a water seepage problem, leaving the affected household of the lower floor truly helpless. As such, she asked whether the BD was unable to deal with the seepage problem of other liquids.

187. Mr. MAN Nim-chi indicated that in the past, it took a long time for the BD to provide the consultancy report on water seepage test. As such, he asked whether the time required for carrying out Stage III of water seepage investigation (i.e., conducting tests, drafting consultancy report and issuing Nuisance Order) would be shorter with the new testing technology compared with the conventional ones. If it would take less time, he would like the BD to provide more information, so as to provide more information for the households affected by water seepage problems and those engaged in property management.

188. Mr. LAM Yick-kuen asked the BD about the number of successful applications for building projections or home alterations every year, and whether the threshold for these applications was high. He opined that the relatively small number of successful applications and the high threshold were probably the reasons why there were so many unauthorised building works (“UBWs”) in Hong Kong. Citing the example of foreign countries, such as London, he said that people could easily apply for the construction of projections at their residence.

189. Mr. KWAN Wing-yip asked whether the fire safety facilities of the shopping arcades managed by The Link were under the BD's purview. The reason was that after enhancing the fire safety system in Fu Shin Shopping Centre, which was managed by The Link, some of the facilities had developed problems. Therefore, if it was under the BD's purview, he would like the department to take follow-up action.

190. Mr. MAN Nim-chi asked what "buildings that has undergone Mandatory Building Inspection Scheme" referred to. He pointed out that some flats had to carry out seepage prevention works every five to six years, but the residents had no idea why. He asked whether it was due to technical problems in maintenance or structural problems of the buildings.

191. Mr. WONG Wing-wah responded as follows:

- (i) He would provide additional information on the new testing technology after the meeting.

(Post-meeting note: The BD added that in general, the investigation of water seepage cases by the JO, which was set up by the FEHD and BD, could be divided into three stages. Both Stage I (confirmation of water seepage condition) and Stage II (initial investigation, including colour water test of drainage pipes or reversible pressure test for water supply pipes) were carried out by the JO staff. If the source of seepage could not be identified in Stage II, Stage III (professional investigation) would be carried out. In Stage III, the JO would engage a outsourced consultancy to assist in detailed investigation, including professional tests such as moisture monitoring at seepage locations, ponding test for floor slabs, water spray test on walls, as well as reversible pressure test for water supply pipes. For more complicated cases and suitable cases in pilot districts, advanced testing technology, including infrared thermography (mainly detecting the area affected by seepage) and microwave tomography (mainly detecting the moisture of concrete floor slabs at different locations and faults to deduce the source of seepage), would be used. If the source of seepage was identified at any stage of investigation, the JO would issue a Nuisance Order to the person concerned in accordance with the Public Health and Municipal Services Ordinance, requiring the abatement of nuisance within a specified period.)

- (ii) The paint seepage mentioned by Ms. Olive CHAN might be an isolated case. He would need to find out the details before responding.
- (iii) As the new testing technology had only been introduced for a short period of time, he would have to check with the pilot districts (including Wan Chai), which were the first to try out the technology, before responding to Mr. MAN Nim-chi's question on whether the time required for conducting Stage III of water seepage investigation using the new testing technology would be shorter compared with using the conventional ones.

(Post-meeting note: The BD added that the time required for dealing with each water seepage case

varied, depending largely on the complexity of the case and degree of co-operation of the parties involved (in particular the owner and occupant). For complicated cases such as those involving more than one source of seepage, sub-divided flats, repeated or intermittent seepage, etc., the investigators had to conduct different or repeated tests, or conduct investigations and moisture monitoring continuously, so as to confirm the cause of seepage. For more complicated cases and suitable cases in pilot districts, advanced testing technology, such as infrared thermography or microwave tomography, would be used for Stage III – Professional Investigation. If access to the upstairs unit was not required during the testing process, it could save the time required to contact the owner / occupant of the upstairs unit to conduct testing or investigation at the unit during Stage III – Professional Investigation. However, if the condition of seepage area had rendered the advanced testing technology ineffective, such as spalling of concrete ceilings affected by seepage, tiled ceilings, obstruction by pipes or other utilities, etc., the JO would have to resort to ponding test for floor slabs and water spray test on walls. Generally speaking, with the co-operation of owner / occupant, the investigation could usually be completed within 90 working days, and the complainant would be informed of the result. If the investigation could not be completed within 90 working days, the JO would inform the complainant in writing of the investigation progress.)

- (iv) Under the Mandatory Building Inspection Scheme, private buildings aged 30 years or above required inspection. The scheme focused on locations that were common areas and had an impact on the public, such as external walls, common pipes, common canopies, doors behind common staircases, or where concrete spalling took place. However, locations inside a residential unit, such as interior decoration or cracks, were not covered by the scheme.
- (v) The BD governed the building safety issues. For water seepage from the upper floor to the lower floor, as well as matters related to waterproofing and maintenance, their durability depended on the quality of the works.
- (vi) Regarding Mr. LAM Yick-kuen's question, he indicated that each building should be built according to the plot ratio and would usually use up the area of the land. Therefore, even if the projections would not give rise to safety issues, the BD would not approve the application as their construction would exceed the original usable area. Nevertheless, he added that the BD had launched a minor works programme which included more than 100 types of minor works, such as amenity facilities, drying racks, rooftop trellises, etc., and members of the public could submit applications to the BD according to the type of works. He explained that the addition of sizeable objects required the submission and approval of plans, while minor works did not have to go through these procedures. As long as the works were carried out according to the requirements, such as meeting the dimensional requirements, members of the public could simply engage a minor works contractor to carry out the works. For more complicated works, it might be necessary to engage an authorised person to deal with them.

- (vii) Regarding Mr. KWAN Wing-yip's question, he understood that the HD's Independent Checking Unit ("ICU") was responsible for managing the building safety of sold public housing estates. Therefore, the fire safety facilities of Fu Shin Shopping Centre managed by The Link should be under the HD's purview.

192. Mr. HO Wai-lam asked the BD (1) how it determined which housing estates required mandatory inspection; (2) what standards were used to determine whether to require a housing estate to carry out major repairs after mandatory building inspection; and (3) whether the repairs were mandatory in nature, whether they would not be carried out until being approved by the general OC meeting, or whether the damaged parts could be repaired first.

193. Mr. YAM Kai-bong indicated that the BD's Minor Works Control System had set out a total of 126 minor works items, and these works could commence without the BD's prior approval. He pointed out that a number of minor works items could not be carried out on the premises managed by The Link. The amenity facilities and retractable canopies on the premises could not perform their original functions after alternation according to the Fire Services Ordinance, making it impossible for residents and wheelchair users to use the canopies as rain shelters. As the HD's ICU, like the BD, regulated works contractors through the relevant ordinances, he asked whether it would exempt certain works like the BD did, so that members of the public would not have to obtain the HD's prior approval before carrying out the works. The HD could provide additional information in the future if necessary, and he would continue to follow up on the matter with The Link.

194. Mr. WONG Wing-wah responded as follows:

- (i) Regarding Mr. HO Wai-lam's question, the BD generally selected buildings among the target ones for mandatory inspection, and these buildings had to be over 30 years old. The department would consider which buildings to inspect based on objective criteria, such as the complaint records (number and type of complaints), as well as the building's condition as seen by the BD during inspections. If a building had been included among those requiring mandatory inspection, the department would request the OC (if any) of the housing estate to appoint a qualified registered inspector to inspect the building in accordance with the BD's Code of Practice for the Mandatory Building Inspection Scheme, which mostly required the inspection of the building's common areas, structure and pipes. Based on the inspection results, the registered inspector would prepare a report suggesting whether the housing estate required repair and setting out a list of repair items. The report would also be submitted to the BD for reference, and the department would continue to follow up on the repairs until completion. If the registered inspector considered that the building did not require any repair, the BD would also conduct an on-site inspection

to confirm that the inspection result of the registered inspector was similar to that of the BD. If the results were similar, the department would agree that the building did not require any repair. Generally speaking, the OCs were willing to carry out repair works except for “three-nil” buildings (those without OCs and management). However, if the OCs indicated that it was difficult to carry out repairs, there were organisations that could offer financial assistance, such as Hong Kong Housing Society (“HKHS”). In addition, the BD would also approach the District Office so as to assist the “three-nil” buildings set up OCs, and ask whether the HKHS could provide any assistance.

(Post-meeting note: The BD added that “three-nil” buildings were those without any residents’ organisations, OCs and property management companies.)

195. Mrs. CHIU TSE Shuk-yin indicated that she did not have detailed information regarding Mr. YAM Kai-bong’s question. Mr. YAM could contact the HD after the meeting where necessary, so that the department could learn about the issues.

196. Mr. LAM Yick-kuen’s comments were as follows:

- (i) He had recently received an instruction to remove UBWs in tenement buildings. There were many old buildings in Tai Po, and many households there would use the balconies and rooftops. He asked whether the households could apply to the BD for the construction of projections if the tenement buildings had not fully utilised their plot ratio, and how likely their applications would be successful.
- (ii) To his understanding, some of the UBWs in tenement buildings were decades old. Therefore, he asked whether the relevant households could apply to the BD to build these structures legally.
- (iii) If a household would like to build a garage, cover or warehouse in the garden of its village house, could they apply to the BD to carry out minor works to build these facilities? He opined that if the application was likely to succeed, it would help reduce the number of UBWs among members of the public.

197. Mr. WONG Wing-wah responded as follows:

- (i) Owners should appoint a professional to confirm whether their property had used up its plot ratio. If it had not, the owners could also apply to the BD to carry out minor works. Under normal circumstances, while developers would use up the plot ratio when constructing the buildings, there was no way for the BD to confirm how much plot ratio had been reserved by developers for building projections in the future. Therefore, he suggested owners appoint a professional, such as authorised person or

registered structural engineer, to check the feasibility of building the facilities at the these locations.

- (ii) Regarding the question on whether garages could be built in village houses in the New Territories, he indicated that due to safety considerations, the minor works items specified in the BD's Minor Works Control System did not include relatively large-scale works projects, such as one- or two-storey buildings and warehouses. Therefore, it was necessary to leave it to the professionals to submit and vet the plans, and whether these facilities could be built depended on the land lease. Minor works items referred to works involving lighter materials, such as drying racks, scaffoldings and canopies, etc. As the materials used were lighter and presumably would not exceed the loading capacity of the structure, the BD had introduced a more convenient way for members of the public to build amenity facilities.

VIII. District Lands Office, Tai Po – Report on matters relating to the illegal structures and illegal occupation of Government lands

(TPDC Paper No. PHW 38/2020)

198. Mr. SUEN Kwok-wai, Frankie, went through the captioned paper.

199. Mr. YIU Yeuk-sang, the Vice-chairman's questions regarding the report on illegal occupation of government lands in the captioned paper were as follows:

- (i) When did the TPDLO start dealing with cases of illegal occupation of government lands? Why were there still 635 cases pending as at June 2020?
- (ii) As at August 2020, the TPDLO had received a total of 745 cases of illegal occupation of government lands, of which only 114 (less than 20%) had been dealt with. What were the reasons?
- (iii) He hoped that the TPDLO would provide more detailed information on the remaining 631 cases at the next meeting, including the category they belonged to, the estimated time required to finish dealing with them, as well as the longest it had ever taken to deal with a case.

200. Mr. Frankie SUEN indicated that the 635 cases mentioned in the captioned paper were cases that the TPDLO had started processing but not yet completed. In July and August 2020, the TPDLO received 110 new cases and completed 114. The office would continue to process the remaining 631 cases. He would provide additional information on the category of the cases after the meeting.

(Post-meeting note: The TPDLO added that the categories of the 631 cases above included enclosure of government lands, unauthorised road opening, unauthorised cultivation, open storage area / storage, construction of structures on government lands, etc.)

201. Mr. LAM Yick-kuen indicated that there were many government lands in the rural area, and some were in close proximity to people's homes. As such, he asked whether the TPDLO had plans to rezone the government lands in the rural area with many residential buildings, such as Tai Mei Tuk, as car parks to address the shortage of parking spaces.

202. Mr. YAM Kai-bong indicated that there was a temporary car park with a temporary licence issued by the Government next to Yee Nga Court. Recently, a tree branch was found to have fallen onto the pedestrian walkway nearby. While no pedestrians were injured, he suggested the TPDLO ask the operator of the temporary car park to prune the trees there. He pointed out that the Leisure and Cultural Services Department would neither prune or remove the trees in the temporary car park, and he believed that when drawing up the contract for the temporary car park, the TPDLO had stipulated that the operator should prune the trees in the car park on a regular basis, or pay attention to the safety issues caused to the environment nearby. Therefore, he hoped that the TPDLO would follow up on the tree management issues in that temporary car park.

203. Mr. KWAN Wing-yip indicated that the trees in the car park on On Pong Road had grown beyond the wall. Therefore, pedestrians would be hit in the head by the branches when walking past the walkway there. The TPDLO was also following up on the situation and had dealt with the problems on On Po Road before, but had not followed up on the situation on Nam Wan Road. Although he had directly contacted the operator of that car park, the operator indicated that they were only responsible for managing the car park, and tree management was the duty of the TPDLO. As such, he hoped that the office would take follow-up action.

204. Mr. MAN Nim-chi indicated that he, together with Mr. HO Wai-lam and Mr. YIU Yeuk-sang, the Vice-chairman, had received complaints from the residents about someone felling trees and building structures on the slope off Chung Nga Road in Nam Hang. He had informed the TPDLO about it, which said that it would take further enforcement and regulatory action if the situation did not improve. As such, he would like to know the latest updates of the matter, or check out the situation with the TPDLO representative after the meeting.

205. Mr. Frankie SUEN responded as follows:

- (i) Regarding Mr. LAM Yick-kuen's question, he indicated that Members could propose sites suitable for building car parks to the TPDLO. If the office also found them suitable, it would deal with them according to the standard procedures for short-term tenancy, including consulting the public and relevant departments. In addition, the

TPDLO's website had also set out some of the sizeable and intact government lands for lease by NGOs.

- (ii) Regarding Mr. YAM Kai-bong's comment, the TPDLO would ask the car park operator to prune the trees there.

(Post-meeting note: The TPDLO added that its staff had contacted the car park and the situation had improved.)

- (iii) Regarding Mr. KWAN Wing-yip's comments, the TPDLO was following up on the situation of the car park on On Pong Road and would reply Mr. KWAN later.

(Post-meeting note: The TPDLO added that its staff had contacted the car park and the situation had improved. Meanwhile, they had also replied Mr. KWAN.)

- (iv) Regarding Mr. MAN Nim-chi's comments, the TPDLO would follow up on the situation with Mr. MAN.

(Post-meeting note: The TPDLO added that its staff had contacted Mr. MAN and followed up on the matter.)

IX. Confirmation of the list of Members and term of office of working groups under the PHWC
(TPDC Paper No. PHW 39/2020)

206. The Chairman indicated that at the meeting on 11 May 2020, the PHWC endorsed the establishment of a standing working group, i.e., the WGPH, and drew up its term of office. Pursuant to Order 39(2) of the TPDC Standing Orders, a committee had to determine the members of the working groups under its purview. He asked the PHWC to consider endorsing the list of members of the WGPH set out in the annex to the captioned paper, as well as the term of office, i.e., from 1 June 2020 to 31 December 2023, set out in paragraph 5 of the captioned paper.

207. The PHWC endorsed the list of Members and term of office of the WGPH.

X. Any other business

(1) Matters relating to the repair of spherical lamps

208. Mr. AU Chun-ho pointed out that the spherical lamps at Tai Yan House in Tai Yuen Estate had been damaged for three months. Although Modern Living staff had been in constant contact with the company responsible for replacing the spherical lamps, the company staff merely said that they were still waiting for the materials for spherical lamps. He indicated that residents had been asking

him about the progress of replacing the spherical lamps, and had told him that they almost had accidents because of insufficient illumination. Therefore, he asked the HD about the procedures and time required to order the materials for spherical lamps.

209. The Chairman indicated that as the Government had closed the boundary control points a few months ago, materials could not be imported from overseas. As a result, it took longer to order the materials for spherical lamps than before. As such, he asked the HD whether there was any improvement as far as ordering the materials was concerned. In addition, he noticed that it took the HD a long time to deal with the repairs in housing estates. For example, it took them half a year or more to repair spherical lamps, but he did not understand why. Some management companies had indicated that it took a long time to repair the spherical lamps as it took time to order the materials, or because the circuit of the entire set of spherical lamps had been damaged. Citing Tai Yuen Estate as an example, he said that the entire set of spherical lamps at the zebra crossing in the housing estate was damaged, and vehicles passing there could not avoid the kerbs and thus hit the safety island due to insufficient illumination. As such, he asked why it took such a long time to repair the devices. He also indicated that even though they could not be repaired due to the lack of materials, he hoped that the management company would enclose the repair area in a better way, so as to prevent the enclosed area from being re-opened for no good reason, and the failure to repair the devices.

210. Mrs. CHIU TSE Shuk-yin indicated that the spherical lamps at some housing estates were damaged by typhoon Mangkhut when it hit Hong Kong. To her understanding, it indeed took a long time to order the materials. In addition, she would ask the HD staff responsible for the management of Tai Yuen Estate to respond to DC Members directly after learning more about the following situations, including (1) maintenance of Tai Yan House in Tai Yuen Estate; (2) the time needed to order the materials for spherical lamps; and (3) damage to the circuit of the entire set of spherical lamps at the zebra crossing of Tai Yuen Estate. In addition, she would also remind her colleagues responsible for estate management to deal with the maintenance matters properly so as to avoid danger.

(Post-meeting note: Regarding paragraph 210 above, the HD added that the repair of spherical lamps at Tai Yan House in Tai Yuen Estate was completed on 9 October 2020. Repair of the damaged circuit of the entire set of spherical lamps at the zebra crossing of Tai Yuen Estate was pending, and was expected to be completed in December 2020. The HD would instruct the repair contractor to carry out proper repair as soon as possible, and had informed Mr. AU Chun-ho of the repair progress.)

211. The Chairman added that there were also damaged spherical lamps in Kwong Fuk Estate.

212. Mr. Richard CHAN indicated that taking considerable time to order repair materials could not be an excuse for prolonging the repair work. He asked whether the HD had any short-term or

contingency measures to prevent members of the public from being affected by the damaged street lights. If no, the HD should consider drawing up these measures.

213. Mr. AU Chun-ho pointed out that the staff managing Tai Yan House had indicated that the spherical lamps would be repaired in these couple of days. As the spherical lamps in the housing estate would be damaged again shortly after repair, he would like to know the procedures for ordering the materials.

(2) Suggestion on standing departments submitting reports

214. The Chairman suggested that the standing departments of the PHWC could, as appropriate, submit reports relating to their duties at each meeting, such as the works carried out in housing estates.

(3) Future arrangement on departments attending the PHWC meeting

215. The Chairman indicated that he had suggested certain departments attend the PHWC meetings as standing departments first, and then review if it was necessary for them to attend the meetings on a regular basis. Based on the previous PHWC meetings, he and the Secretariat suggested that Members should consider whether departments such as the DSD, HyD, BD and FEHD, would still have to attend future meetings on a regular basis. If Members had no objection, these departments would attend meetings only when necessary.

216. The PHWC endorsed the suggestion that these departments would attend meetings only when necessary.

217. The Chairman indicated that, if necessary, these departments would be required to attend meetings to respond to Members' questions in the future, instead of just submitting written replies, as he did not accept the practice of departments merely submitting written replies to respond to Members' questions.

XI. Date of next meeting

218. The next meeting would be held at 9:30 a.m. on 17 November 2020 (Tuesday).

219. There being no other business, the meeting was adjourned at 4:26 p.m.

Tai Po District Council Secretariat
December 2020