

(Translation)

Minutes of the 13th Meeting of Tsuen Wan District Council (4/17-18)

Date: 28 November 2017

Time: 2:30 p.m.

Venue: Main Conference Room, Tsuen Wan District Office

Present:

Mr CHUNG Wai-ping, SBS, MH (Chairman)

Mr WONG Wai-kit (Vice Chairman)

Mr MAN Yu-ming, MH

The Hon TIEN Puk-sun, Michael, BBS, JP

Mr KOO Yeung-pong, MH

Mr NG Hin-lung, Norris

Ms LAM Yuen-pun, Phyllis

Ms LAM, Lam Nixie

Mr LAM Faat-kang, MH

The Hon CHAN Han-pan, Ben, JP

Mr CHAN Chun-chung, Jones

Mr CHAN Sung-ip, MH

Mr CHAN Yuen-sum, Sumly

Mr WONG Ka-wa

Mr KOT Siu-yuen

Mr CHOW Ping-tim

Mr CHENG Chit-pun

Mr LO Siu-kit, MH

Mr TAM Hoi-pong

Absent:

Mr LI Hung-por

In Attendance:

Miss YIP Kam-ching, Jenny, JP	District Officer (Tsuen Wan), Tsuen Wan District Office
Mr CHOW Chun-hun, Gary	Assistant District Officer (Tsuen Wan), Tsuen Wan District Office
Mr HUEN Yeuk-hon, John	Senior Liaison Officer (1), Tsuen Wan District Office
Ms LEE Lai-kiu, Winnie	Senior Liaison Officer (2), Tsuen Wan District Office
Mr CHAN Lok-wing	District Commander (Tsuen Wan), Hong Kong Police Force
Ms TANG Wai-han, Olivia	Police Community Relations Officer (Tsuen Wan), Hong Kong Police Force

Mr WONG Kwok-chun, Alex	District Social Welfare Officer (Tsuen Wan/Kwai Tsing), Social Welfare Department
Ms LUI Ka-wing	Assistant District Social Welfare Officer (Tsuen Wan and Kwai Tsing) ³ , Social Welfare Department
Miss LO Pui-yiu, Sapphire	District Lands Officer (District Lands Office, Tsuen Wan and Kwai Tsing), Lands Department
Mr TSE Hing-chit	Administrative Assistant/Lands (District Lands Office, Tsuen Wan and Kwai Tsing), Lands Department
Mr MOK Ying-kit, Kenneth	Chief Transport Officer/NT South West, Transport Department
Mrs TANG FUNG Shuk-yin	Chief Manager/Management (Wong Tai Sin, Tsing Yi and Tsuen Wan), Housing Department
Mr KUAN Man-hou	Chief Health Inspector 2 (Tsuen Wan), Food and Environmental Hygiene Department
Mr LAM Chi-keung, Desmond	Chief Engineer/NTW 2 (New Territories West), Civil Engineering and Development Department
Ms HO Sau-fan, Fanny	Chief Leisure Manager (New Territories West), Leisure and Cultural Services Department
Mr CHENG Kwok-kuen, Chris	District Leisure Manager (Tsuen Wan), Leisure and Cultural Services Department
Miss LAM Siu-yung, Daisy (Secretary)	Senior Executive Officer (District Council), Tsuen Wan District Office
Mr LAU Shun-tak, Donald	Executive Officer I (District Council), Tsuen Wan District Office
<u>For discussion of item 3:</u>	
Mr Patrick LAU	Senior Manager, Building Rehabilitation, Urban Renewal Authority
Mr Mig FU	Manager, Community Development, Urban Renewal Authority
<u>For discussion of item 4:</u>	
Mr LAM Yue-kei	Senior Engineer/Railways 4, Electrical & Mechanical Services Department
Mr Kevin LEE	Station Services Manager – Kwun Tong Line & Tsuen Wan Line, Mass Transit Railway Corporation Limited
Mr Keith WU	Technical Manager, Mass Transit Railway Corporation Limited
Ms Mona LAM	Public Relational Manager – External Affairs, Mass Transit Railway Corporation Limited

For discussion of item 6:

Miss HUI Pui-yuk, Hermia Senior Housing Manager (Wong Tai Sin, Tsing Yi & Tsuen Wan 2) , Housing Department

For discussion of item 7:

Mr IP Ho-yin, Nelson Senior Environmental Protection Officer (Mobile Source)3, Environmental Protection Department

Mr SZETO Pak-yiu, Paddy Assistant Environmental Protection Officer (Mobile Source)71, Environmental Protection Department

For discussion of item 8:

Mr Daniel LEUNG Chief Personal Data Officer, Office of the Privacy Commissioner for Personal Data

Mr Anthony CHAN Senior Personal Data Officer, Office of the Privacy Commissioner for Personal Data

I Opening Remarks and Introduction

The Chairman welcomed the Members and representatives from the government departments to the 13th meeting of Tsuen Wan District Council (TWDC) and introduced:

- (1) Ms HO Sau-fan, Fanny who attended the meeting for the first time and replaced Ms CHEUNG Yuk-king, Dilys to assume the post of Chief Leisure Manager (New Territories West), Leisure and Cultural Services Department (LCSD);
- (2) Mrs TANG FUNG Shuk-yin who attended the meeting for the first time and replaced Mr WONG Hon-kit to assume the post of Chief Manager/Management (Wong Tai Sin, Tsing Yi and Tsuen Wan), Housing Department (HD);
- (3) Ms TANG Wai-han, Olivia who attended the meeting for the first time and replaced Ms LAU Chui-ying, Bo to assume the post of Police Community Relations Officer (Tsuen Wan), Hong Kong Police Force (HKPF);
- (4) Mr KUAN Man-hou, Chief Health Inspector 2 (Tsuen Wan), Food and Environmental Hygiene Department, who attended this meeting on behalf of Ms KHATTAK Nasreen; and
- (5) Ms LUI Ka-wing, Assistant District Social Welfare Officer (Tsuen Wan and Kwai Tsing)3, Social Welfare Department, who attended this meeting on behalf of Mr WONG Kwok-chun, Alex.

2. The Chairman reminded Members of sections 17(1) and 27 of the Tsuen Wan District Council Standing Orders (the “Standing Orders”) that any Member who wished to move a motion or ask any question at a meeting of the Council was required to give the Secretary a notice in writing ten clear working days before the meeting. Thus, he reminded Members that the date of the next meeting was 30 January 2018 and the deadline for submission of paper was 15 January 2018. The Chairman

asked Members to speak as concise as possible because there were many items on the agenda. In addition, according to section 28 of the Standing Orders, unless otherwise agreed by the Chairman, Members could speak and make supplementary remarks once for each agenda item at the meeting and each Member could speak up to 3 minutes.

3. The Chairman reminded that the persons sitting in on the meeting in the public gallery should keep quiet and refrain from speaking. According to section 15(2) of the Standing Orders, if a person attending or sitting in on a meeting of the Council misbehaved in such a way as to disrupt the orderly conduct of the meeting, the Chairman might issue warnings to the person. The Chairman might order the person to leave the place of the meeting if the person persisted in his or her misbehaviour despite warnings.

(Note: Mr CHENG Chit-pun joined the meeting at 2:36 p.m.)

II Item 1: Confirmation of Minutes of the 12th Meeting held on 26.9.2017

4. The Chairman said that the Secretariat had not received any proposed amendments to the minutes before this meeting. The minutes were confirmed without amendment.

III Item 2: Matters Arising from the Minutes of the Previous Meetings

(A) Paragraphs 91-113 of the Minutes of the Meeting held on 26 September 2017: Request to Conduct a Comprehensive Tree Health Survey in Tsuen Wan District

5. The Chairman stated that Members had discussed the above issue at the TWDC meeting held on 26 September 2017. The supplementary information submitted by the Development Bureau (DEVB) on 17 November 2017 had been distributed to Members for perusal.

IV Item 3: Briefing on Concessionary Scheme of “Smart Tender” by Urban Renewal Authority

(TWDC Paper No. 90/17-18)

6. The Chairman stated that the Urban Renewal Authority (URA) briefed Members on the Concessionary Scheme of “Smart Tender” by the URA. The representatives from the URA attending the meeting were Mr Patrick LAU, Senior Manager, Building Rehabilitation and Mr Mig FU, Manager, Community Development.

7. Senior Manager, Building Rehabilitation and Manager, Community Development of the URA introduced the paper.

8. The Hon CHAN Han-pan, Ben stated that the URA had all along been committed to preventing bid-rigging and launched “Smart Tender” in various forms. He welcomed the Government’s extension of the scope of collaboration under the “Smart Tender”. Yet, he opined that the “Smart Tender” and the work against bid-rigging should be tailored appropriately in light of circumstances. Hence, he hoped that the URA would timely update the measures in prevention of bid-rigging.

He pointed out that the tenderers of the “Smart Tender” would submit the tender documents in two envelopes for the Operation Building Bright. One envelope contained the tender documents which included quotations only without company names and the other envelope contained the tender documents in full details. The former would be firstly opened for comparison after the closure of the tender exercise. He thought that this was an effective procedure for banning the bid-rigging. Thus, he enquired the URA on the reasons for not adopting this procedure in the “Smart Tender”. Moreover, he hoped that the URA would assist the applicant buildings of the “Smart Tender” in drafting the tender and that the buildings could recruit the consultants only after engaging the contractors. As such, the contractors could duly make quotations without being affected by the consultants. He also hoped that the URA would explore the ways for changing the workflow in order to prevent bid-rigging during the tendering procedures.

9. Mr LO Siu-kit thanked the URA for introducing updated measures to assist the flat owners in conducting maintenance works starting from 2008. However, there were problems with the maintenance works if the consultants were unreliable. He pointed out that the cost estimates from the consultancy firms were always different from one another. Thus, he enquired about the principles of cost estimate adopted by the URA to deal with the different cost estimates. He further pointed out that the buildings would receive a lower level of subsidy from the URA if the sum of the cost estimate of the building maintenance works was higher than the reference figure set out by the URA. However, the URA was unable to assure that the sum of the cost estimate would be lower when the buildings conducted the tender exercise again. Under such circumstances, the District Office and district councillors were often torn between the two parties. In order to ensure compliance with the rules by the consultants, he hoped that the URA would urge the consultants to make the cost estimate according to the respective principles or by drawing reference from the rating system devised by the Electrical and Mechanical Services Department (EMSD) and Buildings Department (BD) for their consultants. Moreover, he stated that several buildings in his constituency area had already made application for the “Smart Tender” and hoped that the URA would keep forging ahead.

10. Ms LAM Yuen-pun, Phyllis said she agreed with and supported the direction of the “Smart Tender” despite there was still room for improvement for it. She thought that regulatory control on the acts including the opt-out from the “Smart Tender” and bid-rigging in other areas beyond the scope of maintenance as regulated by the URA was covered in the preventive measures on bid-rigging under the latest “Smart Tender”. She pointed out that bid-rigging might occur in areas other than maintenance. Hence, she hoped that the “Smart Tender” would be extended to cover a broader scope in future. Moreover, she hoped that the URA would conduct an extensive publicity so that members of the public would gain a better understanding of the concept of the “Smart Tender” and join the scheme on their own initiative.

11. Mr KOO Yeung-pong stated that he supported the “Smart Tender” because his constituency area was an area of old buildings. He opined that the reasonably-charged services of the “Smart Tender” were helpful to the flat owners of the old buildings. However, the preventive measures on bid-rigging under the “Smart Tender” were still unsatisfactory. Hence, he hoped that the URA would

study the solutions to bid-rigging. He pointed out that some golden agers who were the flat owners of the old buildings were not clear about the tendering procedures, so he thanked the URA for briefing the owners' corporations of these buildings on the tendering procedures.

12. Ms LAM, Lam Nixie supported the "Smart Tender". She said that after the implementation of Mandatory Building Inspection Scheme and the Mandatory Window Inspection Scheme, most of the buildings in Hong Kong including the older ones were required to repair in order to ensure safety. She hoped that the URA would continue to refine the "Smart Tender" and make it better through pooling resources to monitor the acts of bid-rigging in the market. Moreover, she enquired whether the URA could conduct a study on the mandatory participation of the "Smart Tender" by the buildings requiring for maintenance works, with a view to preventing manipulation by the bid-rigging syndicates during the course of building maintenance works, including the attempt to play a role in affecting the operation through re-election of the owners' corporations of the buildings or assigning their members to join the management companies of the buildings, or charging an extremely low consulting fee in order to be awarded with the contract of consultancy for the works. She opined that more attention should be given to the details of the work on tackling the bid-rigging, but the URA should not be solely held responsible for it. She pointed out that nowadays, many homebuyers in Hong Kong in the 1990s had reached the retirement age and the problem of bid-rigging had put a lot of pressure on them. Hence, she hoped that the URA would study the ways of providing assistance for these homebuyers from the local perspective. Furthermore, she hoped that the URA would enhance the public education and requested the URA to contact the district councillors of the constituency areas for conducting the educational work again in Belvedere Garden of over 20 years.

13. Mr NG Hin-lung, Norris stated that as architecture and maintenance were specialised subjects of high complexity, the residents might not be able to fully understand all the technical details. It was believed that the "Smart Tender" was helpful to the residents after they obtained the professional services at a lower service fee by joining the scheme currently. He learnt that the services of the "Smart Tender" would no longer be provided when formal selection of contractors for the buildings started, but there might be changes in the maintenance items when the building maintenance works was underway. Thus, he enquired whether the URA would consider extending the timeline of the "Smart Tender" to cover the actual course of implementation of the building maintenance works, so as to assist in giving technical advice to the residents to handle the problems. He pointed out that currently, the third-party advisor was involved in the general workflow on architectural services. The respective procedures took a longer time because the URA had to vet and advise on the tender documents issued by the third-party advisor. Thus, he enquired whether the URA had anticipated how much longer the extended service workflow would take due to the "Smart Tender"; and whether the URA had set the indicators for the time required for provision of the respective services, so that the residents could get to know the time required for the whole process.

14. The Vice Chairman stated that the URA stepped in building maintenance works through the "Smart Tender" to better protect the flat owners. He pointed out

that generally, the minor property owners might not have the knowledge on the expertise in architecture and they could obtain the independent professional advice from the third party for reference through the “Smart Tender”. In his view, the fact that the concessionary rate provided under the “Smart Tender” and the benefits brought to the private housing estates of nearly 30 years not covered by the Operation Building Bright was good news to the flat owners. Besides, he thanked the URA for efficiently responding to the enquiries about the maintenance works in the housing estates in his constituency area and arranging briefings as well as serving the Tsuen Wan district as a whole. In addition, he hoped that the URA would continue to make improvement and explore new proposals for further protection of the minor property owners.

15. Senior Manager, Building Rehabilitation of the URA responded as follows:
- (1) the URA would learn about the market information from time to time;
 - (2) apart from the “Smart Tender”, the URA’s building support services were available for the eligible buildings so that assistance from the URA was continuously provided for these buildings upon completion of the tender exercise. Besides, other buildings which were eligible only for application of the “Smart Tender” could make enquiries, if any, to the URA after the tender exercise was completed; and
 - (3) the URA noted Members’ requests and views and was committed to striving for continuous improvement.

16. The Chairman hoped that the URA would make continuous efforts to further enhance the “Smart Tender” Building Rehabilitation Facilitating Services, with a view to curbing bid-rigging and providing assistance for the general public to realise safe accommodation.

V Item 4: Safety Issue of Screen Doors at Tsuen Wan MTR Station
(TWDC Paper No. 91/17-18)

17. The Chairman stated that Mr LAM Faat-kang submitted the paper. The representatives from the departments responsible for giving response were:

- (1) Mr LAM Yue-kei, Senior Engineer/Railways 4, EMSD;
- (2) Mr Kevin LEE, Station Services Manager – Kwun Tong Line & Tsuen Wan Line, Mass Transit Railway Corporation Limited (MTRCL);
- (3) Mr Keith WU, Technical Manager, MTRCL; and
- (4) Ms Mona LAM, Public Relational Manager – External Affairs, MTRCL.

Besides, the written reply of the EMSD was tabled at the meeting.

18. Mr LAM Faat-kang introduced the paper.

19. Station Services Manager – Kwun Tong Line & Tsuen Wan Line of the MTRCL responded as follows:

- (1) the MTRCL allocated substantial resources to the replacement and maintenance of the railway network assets every year. Also, the MTRCL had established the stringent procedures on repair and maintenance in order to maintain the railway network and facilities in an optimal state;

- (2) at about 8:10 a.m. on 31 October 2017, after emission of white smoke and sparks at the top of one of the platform screen doors of the first train compartment on platform 2 at Yau Ma Tei Station of Tsuen Wan Line, the station staff immediately reported to the Operations Control Centre and maintenance staff as well as informing the Fire Services Department and the Police of the incident simultaneously for providing assistance from firefighters and police officers at the scene. As a prudent measure, the station staff had already put the screen door in question out of service at that time and instructed the passengers to wait in the other zones along the platform for boarding and alighting. The engineering staff of the MTRCL had all along been staying at the scene to follow up and handle the matter. Until around 9:00 a.m., as the station staff found that some other platform screen doors on platform 2 had become malfunctioned, all screen doors on platform 2 were opened to facilitate passengers' boarding and alighting. The MTRCL also deployed additional manpower to stay near the platform screen doors in order to assist the passengers in boarding and alighting. Besides, the Operations Control Centre arranged the trains to enter platform 2 of Yau Ma Tei Station at a reduced speed on the grounds of safety. Until around 10:20 a.m., the maintenance staff completed the temporary recovery work and the train service gradually resumed normal. Then, the engineering staff stayed at the scene to monitor the operation of the platform screen doors. After conducting the detailed investigation, the MTRCL found that the incident did not result from any mechanical problem. The cause of the incident involved the repositioning of a joint box outside the area of the installation work during the course of the work conducted by the staff of the contractor the night before;
- (3) the MTRCL was committed to accord priority to ensure the railway operation and passenger safety. The MTRCL was concerned about the incident and had taken follow-up actions with the contractor. The contractor was requested to enhance the staff training in order to avoid the recurrence of the similar incidents; and
- (4) the platform screen doors of various stations in the Mass Transit Railway (MTR) network had all along functioned well. However, the MTRCL would not take the matter lightly and would continue to conduct the maintenance and repair work meticulously, in order to keep the facilities in the railway network in an optimal state for provision of safe and reliable service for the passengers.

20. Mr LAM Faat-kang stated that an account of the overall repair work following the incident was given by Station Services Manager – Kwun Tong Line & Tsuen Wan Line of the MTRCL, but he was concerned about the current status of the screen doors at Tsuen Wan Station. The MTR train service was patronised by over 220 000 residents in Tsuen Wan district and it was also a principle mode of transportation for the residents in his constituency area. Thus, he enquired about the repair and maintenance of the screen doors at Tsuen Wan Station with a view to ensuring the safety of the residents in Tsuen Wan.

21. Technical Manager of the MTRCL responded as follows:
- (1) the automatic platform gates at Tsuen Wan Station were structurally different from the platform gates (platform screen doors) involved in the incident at Yau Ma Tei Station. The incident of Yau Ma Tei Station happened due to the repositioning of a joint box by a staff of the contractor. The same procedures were not required to be taken for Tsuen Wan Station; and
 - (2) the automatic platform gates adopted for Tsuen Wan Line had all along functioned well. The incident at Yau Ma Tei Station was an isolated case.
22. Public Relational Manager – External Affairs of the MTRCL responded as follows:
- (1) the platform screen doors in full height between the floor and ceiling were adopted for Yau Ma Tei Station and the automatic platform gates in approximately half the height between the floor and ceiling were used in Tsuen Wan Station. The structure and design of the screen doors of the two stations were different;
 - (2) the platform screen doors in the railway network had all along functioned well. The incident of Yau Ma Tei Station happened due to an isolated event during the course of the installation work conducted by a staff of the contractor. It was not associated with the design or any mechanical parts of the platform screen doors; and
 - (3) as for the railway network as a whole, the MTRCL would conduct a detailed examination on the platform screen doors every three months and an annual check including the screen door function test every year.
23. Senior Engineer/Railways 4 of the EMSD responded as follows:
- (1) the EMSD was responsible for monitoring the MTRCL's railway safety and adopted the risk-based approach for strengthening the monitoring work on the higher risk railway repair items;
 - (2) the MTRCL had put in place a set of Asset Management System and Safety Management System. In order to ensure railway safety, the EMSD would examine the systems on a regular basis and conduct random checks on the MTRCL's maintenance management system;
 - (3) the EMSD would assign its staff to conduct inspections for the MTRCL regularly and check whether the MTRCL had carried out the repair work as scheduled, so as to minimise the chance of occurrence of incidents; and
 - (4) where an incident happened, the EMSD would arrange its staff to conduct investigations and gather evidence at the scene in order to identify the cause of the incident. The EMSD would also request the MTRCL to submit an incident report and adopt improvement measures as appropriate. Besides, the EMSD would follow up on the incident for prevention of recurrence of the similar incidents.

(Note: The Hon CHAN Han-pan, Ben left the meeting at 3:27 p.m.)

24. Mr LAM Faat-kang said he wished to know more about the maintenance of

the screen doors at Tsuen Wan Station currently. He did not understand why a response was given by Public Relational Manager – External Affairs of the MTRCL. Moreover, he thought that the quality of the MTRCL's service was deteriorating and the members of the public were worried about it. Hence, he hoped that the EMSD would monitor the MTRCL's operation systematically. He also opined that the EMSD should set up a notification mechanism for reporting the operational problems of the MTRCL to the EMSD from the general public.

25. The Chairman stated that Tsuen Wan Station was the terminal of Tsuen Wan Line with the ever-increasing passenger flow. The TWDC undertook to ensure that the MTRCL's service met the standards and that the facilities of the MTRCL were safe for the general public in Tsuen Wan. Members were also very concerned about the operation of the railway and platform screen doors. Hence, he requested the MTRCL to enhance communication with Members for details of the operation of the railway and screen doors of the MTR station after the meeting.

VI Item 5: “Strongly Request the Leisure and Cultural Services Department to Meet the Needs arising from the Activities held by the Tsuen Wan District Council that Male and Female Citizens in Sexy Swimsuits are Forbidden to Enter the Beach Temporarily where the Beach Clean-up Activities Co-organised by the District Council are Held in Future, or Make Appeal to and Assist in Requesting the Members of the Public in Bikini or G-string Swimsuits to Leave the Beach Temporarily 15 Minutes before Such Activities are Held, in order to Wipe Out the Obnoxiousness from the Indecency and Obscenity on the Visual Impact and Perception which may Affect the School Children's Long-term Mental Development for Plenty of Families through Parent-children Participation in the Beach Clean-up Activities.”

(TWDC Paper No. 92/17-18)

26. The Chairman stated that Mr CHOW Ping-tim submitted the paper. The representative from the LCSD responsible for giving response was Mr CHENG Kwok-kuen, Chris, District Leisure Manager (Tsuen Wan) (DLM(TW)). The Secretariat had made enquiries to the Equal Opportunities Commission (EOC). According to the response from the EOC, the captioned matter, which was only about the restriction of attire, was not found in contravention of the relevant ordinances, including the Disability Discrimination Ordinance, Family Status Discrimination Ordinance and Race Discrimination Ordinance.

27. Mr CHOW Ping-tim introduced the paper.

28. DLM(TW) of the LCSD said that the LCSD managed its beaches pursuant to the Bathing Beaches Regulation of the Public Health and Municipal Services Ordinance (Chapter 132). The LCSD did not have the power to set restrictions on the styles of swimsuits for members of the public who entered the beaches.

29. Mr TAM Hoi-pong stated that he understood that the Member wished to put forth the captioned matter “in a roundabout way”. Also, he was of the view that Members could give advice on making improvement to the activities held on the beach in future. He thought that it was not necessary to request the people in sexy swimsuits to leave the beach temporarily during the activities. Besides, in order to

ensure the smooth progress of the activities, the organisers could announce the activities to be held and the details concerned, so that the beach users could make their decision on leaving or staying on the beach. He believed that the problem occurred due to the insufficient communication with the photographer. Meanwhile, the participants of the activities held at the venues open to the public such as the beaches had freedom to choose their attire. It was believed that the incident could be handled pragmatically.

30. The Chairman said that the working groups under the TWDC should enhance communication with the LCSD when organising activities on the beach in future, so as to avoid the unwanted problem. In addition, the working groups under the TWDC should maintain a good communication with the relevant government departments when organising other activities for more public participation of the activities held by the TWDC.

31. Mr CHOW Ping-tim stated that he had spoken out against all problems. He hoped that the TWDC would review the situation seriously for better use of the public funds and averting the complaints on discrimination or negligence from the general public. He added that the discussion of the item should come to an end and would be withdrawn officially. Personally, he thought that wearing bikini was allowed on the beach and hoped that everybody would look ahead.

32. Ms LAM, Lam Nixie enquired whether the items included in the agenda could be withdrawn.

33. The Vice Chairman said that the incident happened due to a minor misunderstanding arising from an activity which had triggered an unnecessary public discussion. He was of the view that the arrangements of the activity should be improved. In addition, as a district councillor, he could only comprehend the contents of the paper “in a straightforward way”, no matter the submission of paper was out of an underlying motive in “a roundabout way” or “a straightforward way”. Hence, he thought that people inevitably had an impression that the contents of the paper looked unreasonable. He stated that the organiser of the activity had given instructions to the photographer; however, whether the photographer had made judgements pertinently within the limit of tolerance could be pursued. He particularly attached importance to the public views on the TWDC. Also, he opined that Members’ duty was to discuss public affairs on meetings and Members should be accountable for their remarks and behaviours.

34. The Chairman stated that the Member’s wish of withdrawal of discussion of the item could only be recorded for information. He requested the Secretary to make further explanation.

35. The Secretary stated that according to section 7(2) of the Standing Orders, in case the Chairman and Vice Chairman were both unable to approve an agenda in time for a meeting, the items or papers shall be withdrawn from the agenda if written or verbal objections from more than half of the Members of the Council were received by the Secretary two clear working days before the meeting. Besides, if the discussion of an item had already commenced at the meeting, Members might

consider stopping the discussion of the item and proceeding to the next item.

36. The Chairman said if Members agreed with the Member's option that the discussion of the item should be stopped, the next item would be discussed subsequently.

37. Mr KOT Siu-yuen clarified that Members attending the activity had distributed the promotional leaflets and materials of the activity to the members of the public on the beach, without any specific targets for distribution. It was hoped that the mass media would understand that the TWDC had all along been adopting the principle of fairness, openness and impartialness in organising each and every activity.

38. Mr CHOW Ping-tim said he thought it had gone too far that he was accused of bringing impact to the TWDC because he put forth the item. He reiterated that he had requested for reviewing the incident but was turned down finally. The item triggered discussion only because the Member concerned had made refusal in person at the meeting of Environmental and Health Affairs Committee (EHAC) and pointed out that "there was no space for discussion on Bikini". He originally intended to stop discussing the item; however, as a Member gave opinions on him, he had to speak again.

39. Mr LO Siu-kit stated that as for the details of the incident, the mass media and reporters could browse the webpages of TWDC and listen to the audio recording of the work progress report of working groups under the EHAC at the meeting of the EHAC on 2 November 2017. He said that a Member was dissatisfied because he was refused by the photographer who did not take a photo for the Member together with a lady in Bikini. The Member then submitted the paper to the TWDC. He thought that this was improper. Besides, on 18 November 2017, there was media coverage on someone who called the Police after he/she found that a person did not stop taking photos of the ladies in the swimming pool of Kowloon Park. The Task Force on Environmental Pollution and Improvement made the decision due to the said incident in Kowloon Park. He believed that as the people in Bikini were also given the souvenirs on the day of the activity, the EOC opined that there was no discrimination at all. Moreover, that day, the Member had indicated in the activity that photos of him could be taken but there was no need to deliver any photos to him. He thus thought that it made no difference to nil photo of the Member was taken.

40. The Chairman said that the incident should be handled by the EHAC. It was hoped that other committees should learn a lesson and do better in the days ahead. The discussion of the item came to an end. Members were requested to enhance the mutual communication.

VII Item 6: Request the Housing Department to Improve the Automatic Services of the Hongkong and Shanghai Banking Corporation Limited and Bank of China (Hong Kong) Limited in Lei Muk Shue Estate
(TWDC Paper No. 93/17-18)

41. The Chairman stated that Mr WONG Ka-wa submitted the paper. The representative from the HD responsible for giving response was Miss HUI Pui-yuk, Hermia, Senior Housing Manager (Wong Tai Sin, Tsing Yi & Tsuen Wan 2).

42. Mr WONG Ka-wa introduced the paper.

43. Senior Housing Manager (Wong Tai Sin, Tsing Yi & Tsuen Wan 2) of the HD stated that the HD would convey the Member's requests to the Hongkong and Shanghai Banking Corporation Limited (HSBC) and Bank of China (Hong Kong) Limited (BOC) in writing, including the provision of a passbook update machine and an automatic teller machine (ATM) which supported cheque deposit and urge the HSBC and BOC to make arrangement for providing the ATM service for the residents during non-office hours. Yet, it was subject to the commercial decisions made by the HSBC and BOC.

44. Mr CHAN Yuen-sum, Sumly stated that he requested the HSBC to provide a passbook update machine in Lei Muk Shue Estate. Also, it would be even better if the cheque deposit service was provided through the ATM. He pointed out that the elder people living in Lei Muk Shue Estate did not know how to use the ATM cards or they worried that they might make mistakes easily when withdrawing cash with the ATM cards. The elder people needed to update their passbooks regularly to make sure that they had received the money transferred by their children or the Old Age Allowance, Old Age Living Allowance or the payments under the Comprehensive Social Security Assistance Scheme from the Government. However, currently, the elder people had to go to the bank branches in Shek Yam Estate or other districts for passbook updates. He further pointed out that about ten years ago, the localities petitioned for improvement on banking services by taking a walk to Shek Yam Estate from Lei Muk Shue Estate together with the elder people. He believed that there was sufficient space for provision of the additional passbook update machine and ATM by the HSBC in the shopping mall and the HSBC was also capable of providing the additional facilities. Moreover, he was disappointed that the request for provision of the additional facilities was to be forwarded to the HSBC via the HD only, exclusive of making request through direct access to the HSBC. He thus enquired whether the TWDC could contact the HSBC directly to convey the request.

45. Ms LAM, Lam Nixie stated that she supported the Member to strive for the welfare of the elder people. Yet, she believed that the TWDC shall not be obliged to request the private companies to give an obligatory response to the TWDC's papers. She thought that the district councillors should consider whether the counterparts were appropriate for serving the purpose when striving for the welfare of the residents. She also opined that it was difficult for the government departments to request the commercial companies to provide assistance. She pointed out that the Government's request for assistance from the MTRCL was deemed to be sensibly made because the Government held stake of the MTRCL. However, the Member's request for assistance from the private companies through submission of paper to the TWDC was involuntarily a vain attempt. She suggested that the Member could directly convey the requests to the banks in writing in the name of his political party.

46. The Chairman stated that according to the Secretariat's record, the then Chairman of the TWDC conveyed Members' requests to the HSBC in writing ten years ago, but the HSBC's acceptance of the requests was not assured. He considered that if Members agreed, an enquiry on the follow-ups on the requests could be made to the HSBC in writing in the name of the TWDC.

47. Mr CHOW Ping-tim said that the commercial banks would improve the banking services if the incentives were offered as appropriate. He believed that the HSBC would consider following up the Member's requests only if a rent concession and a better shop location were provided by the HD.

48. Mr CHAN Chun-chung, Jones said as the elder people were used to patronising the traditional banking services, in his opinion, it was necessary to improve the banking services for the elder people in the district. He added that it was difficult for the TWDC to request the commercial organisations to provide assistance. Hence, he hoped that the HD could assist in providing the incentives. Besides, he suggested that the banks could deliver the monthly statements to the elder people by post or study other proposals or incentives, so as to obviate their need to update the passbooks.

49. The Chairman enquired the HD whether there was sufficient space for the HSBC to provide additional facilities.

50. Senior Housing Manager (Wong Tai Sin, Tsing Yi & Tsuen Wan 2) of the HD stated that the HD did not have the relevant information at the moment. The HSBC could further discuss with the Commercial Properties Division of the HD if it was interested in renting additional spaces.

51. Mr CHAN Yuen-sum, Sumly stated that he sent a letter to the HSBC in the name of district councillor but the reply he got was the same as the response he received ten years ago. He received numerous requests on putting forth the aspiration to the TWDC from the elder people. He felt amazed when the Member advised them not to do so. He pointed out that if the Chairman considered that the then Chairman of the TWDC had adopted a correct approach to convey the request to the HSBC in writing ten years ago, he hoped that the Chairman could assist in conveying the public's aspiration to the HSBC in writing in the name of the Chairman of the TWDC again. Moreover, he believed that there was sufficient space for provision of two ATMs at the branch of the HSBC in Lei Muk Shue Estate. Hence, he hoped that the HD would convey the public's aspiration to the HSBC in order to meet the needs of the elder people.

52. Ms LAM, Lam Nixie said she supported the Member's proposal, but in her opinion, the request was forwarded through an indirect channel. She also felt that she was misunderstood. She pointed out that generally, it took a longer time for the general correspondence with the commercial organisations. It was believed that it would take some time for getting the reply from the HSBC if the letter was sent by the TWDC. Hence, she would like to serve a friendly reminder to the Member that there were other more efficient ways of conveying the aspiration to the HSBC.

53. Mr WONG Ka-wa stated that the district councillors would definitely convey the residents' aspiration to the TWDC if they were in need. He pointed out that the branch of the BOC could accommodate the ATMs despite its smaller floor area. So, he believed that certainly, there was sufficient space for provision of the additional facilities at the current location of the branch of the HSBC in Lei Muk Shue Estate. He understood that the decision on provision of additional banking facilities could not

be made by the government departments. Hence, he hoped that the Chairman would convey the aspiration to the HSBC in writing in the name of the TWDC.

54. The Chairman said that the Member put forward the proposal to the HSBC for the welfare of the residents in the housing estates. However, the HSBC, which was a private organisation, might not carry out the improvement work due to the lack of appropriate incentives. He proposed that the aspiration in the proposal and the demand for coping with the needs of other housing estates in Tsuen Wan district should be conveyed to the HSBC in writing in the name of the TWDC if Members agreed and after the HD confirmed that there was sufficient space for provision of the facilities at the location concerned. He requested the HD to forward the information about the suitable location for provision of the ATM by the HSBC upon confirmation to the Secretariat after the meeting before he made decision on conveying the aspiration to the HSBC in writing in the name of the TWDC.

(Post-meeting note: The Secretariat had conveyed Members' views to the HSBC in writing on 8 January 2018.)

55. As the Chairman was required to take up other urgent matters, the meeting would be temporarily chaired by the Vice Chairman.

VIII Item 7: Request the Government and the Public and Private Organisations for Full Application of Electric Vehicles
(TWDC Paper No. 94/17-18)

56. The Acting Chairman stated that Mr CHAN Yuen-sum, Sumly submitted the paper. The representatives from the Environmental Protection Department (EPD) responsible for giving response were Mr IP Ho-yin, Nelson, Senior Environmental Protection Officer (Mobile Source)³ (SEPO(MS)³) and Mr SZETO Pak-yiu, Paddy, Assistant Environmental Protection Officer (Mobile Source)⁷¹. Besides, the written replies of the DEVB, Innovation and Technology Bureau, Transport and Housing Bureau (THB), EPD, Transport Department (TD) and Government Logistics Department (GLD) were tabled at the meeting.

(Note: The Hon TIEN Puk-sun, Michael joined the meeting at 4:30 p.m.)

57. Mr CHAN Yuen-sum, Sumly introduced the paper.

58. SEPO(MS)³ of the EPD responded as follows:

- (1) the Government had all along attached great importance to the air quality. The EPD had taken various measures on reducing vehicle emission, particularly the commercial vehicles, in order to improve the roadside air quality and safeguard the public health;
- (2) the air pollutants emitted by commercial vehicles accounted for about 95% of the vehicular emissions over the territory. Hence, the EPD was currently phasing out the pre-Euro IV diesel commercial vehicles, strengthening emissions control for petrol and liquid petroleum gas (LPG) vehicles and retrofitting the old franchised buses with emission reduction devices. Since these measures were taken, the major air pollutant concentration had been reduced by about 30% in the past five years. In the long run, the use of zero emission electric vehicles (EVs)

- instead of conventional fuelled vehicles, especially the fuelled commercial vehicles, was conducive to improving the roadside air quality;
- (3) the EPD had actively promoted the use of commercial electric vehicles (CEVs), but the technique was still under development. Also, the demand for electricity consumption of EVs would become higher due to a number of factors including the steep terrain of Hong Kong and the need to have air-conditioning during hot and humid summer while the driving range of the CEVs was affected. Therefore, at present stage, the EPD was still looking for CEVs that could cater for the operational needs in Hong Kong;
 - (4) unlike other countries, about 90% of the daily passenger boarding was made on public transport because of the more comprehensive local public transport system. The Government had all along adopted a public transport-oriented policy with railway as the backbone without encouraging the use of private vehicles by the general public. In addition, heavy reliance of private vehicles could also offset the effectiveness of some of the measures taken by the EPD;
 - (5) the number of EVs increased from less than 100 at the end of 2010 to about 11 000 at present as driven by various measures;
 - (6) the Government had waived the first registration tax of all EVs since 1994 and subsequently extended the waiver period for six times. The existing waiver arrangement would be valid until 31 March 2017. During 1 April 2017 and 31 March 2018, the first registration tax of CEVs, electric motor cycles and electric motor tricycles was waived in full; and the first registration tax of private EVs (PEVs) would be waived up to \$97,500. The Government would conduct a review by the closure of the above arrangements;
 - (7) starting from 18 June 2010, the enterprises that procured EVs were allowed a full profits tax reduction for capital expenditure on EVs in the first year of procurement;
 - (8) in 2011, the Government set up a \$300 million “Pilot Green Transport Fund” to subsidise the public transport sector, goods vehicles operators and non-profit-making organisations to test out green innovative transport technologies, including the CEVs. As at the end of October 2017, 109 projects were approved under the Fund, 55 of which were related to the CEVs;
 - (9) in order to promote the use of zero emission buses, the Government had allocated \$180 million to fully subsidise the franchised bus companies to purchase 36 single-deck electric buses for trial in 2012. As at the end of October 2017, 18 battery-electric buses and 2 supercapacitor buses had put into service and most of the remaining electric buses would gradually put into service from the end of 2017 to early 2018;
 - (10) in 2011, the Government set up a dedicated team and a hotline to provide relevant information and guidelines for the institutions or parties which were interested in EVs. The EPD had all along cooperated with the commercial sector to additionally provide and enhance the charging facilities of EVs. Currently, there were about 1 770 public chargers of various types in Hong Kong which covered 18 districts. It was believed

that the motorists' needs to top up the batteries of their EVs on the ride were duly coped with;

- (11) on facilitating the installation of charging facilities in premises, concessions on gross floor area for private car parks in new buildings had been granted since April 2011 to encourage the developers to put the necessary EV charging infrastructure in the private car parks of their new buildings for future installation of chargers for the residents who purchased EVs;
- (12) in June 2011, the EPD had amended the planning standard for new buildings to recommend 30% of private car parking spaces to be installed with EV chargers;
- (13) the Government also took the lead in using EVs. As at the end of October 2017, there were 249 EVs in the Government fleet. In addition, it was anticipated that 11 EVs would put into service during 2017; and
- (14) the EV owners should charge batteries for their EVs at the charging facilities at their workplace, residence or other venues as appropriate. The public charging facilities, which were supplementary in nature, were set up for the motorists to top up the batteries of their EVs to complete their journeys at times of occasional needs. An EV should be able to sustain around 200 to 300 kilometres after a full charging. In general, the daily mileage of the vehicles in Hong Kong was less than 100 kilometres. Hence, the EPD believed that the EV owners' needs could be satisfied by the existing facilities.

59. Mr WONG Ka-wa said he did not understand why a number of bureaux indicated that the promotion of the use of EVs had nothing to do with them. He opined that allocation exercise on directions for work should be duly carried out among all bureaux for the long-term development of Hong Kong. He pointed out that the Government was very active in the promotion of the use of EVs in 2016. Comparatively, however, the work for promotion of the use of EVs of the Government of the current term was reduced. At present, there were about 240 EVs in the Government fleet and an additional 11 EVs would be purchased. He thought that the number of EVs in the Government fleet was too small that it did not help reduce the emission of suspended particulates effectively. He pointed out that most of the vehicles in the airport were the EVs, even though the Airport Authority (AA) was a private organisation. Hence, he hoped that the Government would replace all government vehicles with EVs within a short period of time; otherwise it would take much persuasion to get the members of the public to change to use the EVs for reduction of emission of suspended particulates.

60. Mr CHAN Chun-chung, Jones stated that he supported the full promotion of the use of EVs. He learnt that the commercial vehicle was the major source of pollution. He opined that the enhancement of promotion of electrification of commercial vehicles was conducive to making improvements to the environment. Also, the EVs had already been launched in the market but the supporting facilities should be further enhanced, in particular the provision of additional charging facilities at the car parks of public housing estates. He pointed out that as many residents of public housing estates worked for the transport sector, it was hoped that the EPD would further study the provision of more incentives for them, such as provision of

more supporting facilities in the car parks of the public housing estates, so that they would change to use the EVs. Besides, on enhancing the promotion of the use of EVs, he thought that the EPD should firstly promote the electrification of public transport before taking the promotion of electrification of private vehicles into consideration because making improvements to the mass carriers instead of private vehicles would definitely be more conducive to environmental protection and elevating the air quality.

61. Mr TAM Hoi-pong said that the EVs seemed to be more environmentally friendly; in fact, however, the fuel mix for power supply in Hong Kong included coal, natural gas and nuclear energy from China each amounted to one-third. As such, the use of the EVs did not mean that there was no pollution at all, but it helped shifting the pollution to the places other than the roadside. After all, the EVs actually caused less pollution than the conventional vehicles. He learnt that some of the tax waivers in relation to EVs were cancelled. Thus, he enquired the EPD about the details and reasons for this; and whether this would go against the Government's initiatives on the promotion of the use of EVs. He pointed out that given the ratio of the use of EVs in the Government and public organisations was very small and the buyers of the EVs were the individual persons, he enquired the EPD on how to encourage the Government and public organisations to use EVs. He agreed that besides the EPD, other government departments should also be responsible for taking up the promotion of the use of EVs and sending representatives to join the meetings and give responses. Moreover, he pointed out that as vehicles were indispensable to the projects that were under the Government's approval, say, the vehicles used for supervision of projects and the vehicles purchased by contractors for different projects, the Government could consider adding the standard for the vehicles to be purchased by the contractors for the projects, apart from the vehicles in use by the government departments.

62. Ms LAM, Lam Nixie stated that she supported the promotion of the use of EVs and green related affairs. She opined that unlike other countries, it was difficult for Hong Kong to fully apply the EVs due to the restriction from the energy infrastructure. She supported the use of hybrid vehicles as far as possible or EVs but the problem was that the EVs had limited driving range. Besides, as she was concerned about the problem of electronic wastes, she enquired the EPD on the life span of the batteries of the EVs; and whether the electronic wastes would be handled in Hong Kong through delivery to the local landfills or assistance from the companies of respective trades. She added that the waste charging would be implemented by the Government starting from 2019. She thought that problems would arise from the EVs, so she hoped that the relevant departments would conduct the studies from the perspectives other than environmental protection. She pointed out that many people purchased the EVs promptly because the Government launched the tax waivers for EVs. However, the Government cancelled the tax waivers at the moment and she raised objection to this. Moreover, she was of the view that the government departments should take the lead in the promotion of the use of EVs. Yet, Hong Kong was a small but densely populated city. She hoped that the EPD would take a careful consideration on the matter.

63. Ms LAM Yuen-pun, Phyllis said although she supported the environmental protection and the promotion of the use of EVs, she disagreed with the full application

of EVs hastily. She took Allway Gardens as an example and pointed out that the problem of insufficient car parking spaces had never been solved and there was a rapid rise in the number of private vehicles. The speed of the rise in the number of vehicles could not be coped with by the road constructions. Therefore, traffic congestions were common. She further pointed out that many people were influenced by the policies and purchased the EVs. Yet, it was found that it was impracticable to request the owners' corporations of the old housing estates to redevelop the car park for provision of charging facilities for EVs and only a few of these housing estates would make efforts to tie in with the request. Hence, she hoped that the EPD would provide more support to the provision of car parking spaces equipped with the charging facilities for EVs in the car parks of both the private and public premises, such as hospitals and shopping malls, in order to reach a reasonable ratio of car parking spaces to EVs.

64. SEPO(MS)3 of the EPD responded as follows:

- (1) the EPD had all along spared no efforts in the promotion of development of EVs. He thanked Members for supporting the EVs. Although the representatives from other government departments were unable to attend the meeting, the EPD had cooperated with other government departments, such as the THB and TD in promotion of EVs among the daily work, and sought advice from the relevant departments on issues of transport policies including the first registration tax for EVs;
- (2) currently, 52 EVs were in use for the Government's public works projects. The DEVB would also request a considerable ratio of EVs in use for the new projects. The Government believed that more requests for EVs in use for the public works projects could be made after more choices were available for EVs which had become more popular;
- (3) the Government would not replace all vehicles in the Government fleet at one go. Some vehicles would be replaced by EVs after they were gradually phased out if the operational needs of departments could be met. At present, the number of EVs amounted to about 4% in the Government fleet and there were over 10 000 EVs in Hong Kong which amounted to 1% to 2% of the total number of vehicles;
- (4) some special vehicles such as towing vehicles could not be replaced by EVs for the time being. The Government would purchase or hire the most stringent Euro vehicles as far as possible when EVs or hybrid vehicles were not in use. The GLD would continue to follow up on the matter;
- (5) the major criteria of adoption of vehicles for the Government was that the vehicles in use could meet the needs of departments and the daily operation of departments was not affected. The EPD would spare no efforts in promoting the use of EVs as far as practicable and provide subsidies for the respective programmes;
- (6) the EPD had all along been discussing with the HD for provision of charging facilities at the car parks of the public housing estates. However, the car parking spaces for private vehicles should not be affected by the reservation of the car parking spaces for EVs due to the fact that currently, the number of EVs only amounted to 1% to 2% of the total number of vehicles in Hong Kong;

- (7) the first registration tax for vehicles was calculated on a progressive basis. Thus, the purpose of setting the tax waivers for the first registration tax for PEVs was to narrow the price difference between the EVs and the petrol vehicles as well as the diesel vehicles. To tie in with the development of CEVs, the Government still remained the full waiver of the first registration tax for CEVs;
- (8) according to the information given by the manufacturers of EVs, the batteries of the EVs could normally be used for five to eight years. According to the Waste Disposal Ordinance (Chapter 354), currently three recycling companies in Hong Kong which met the international standard were permitted to undergo the collection, preliminary treatment, classification, discharge and insulation of the batteries of the EVs. However, recycling and recovery of these batteries were not allowed in Hong Kong. These batteries would be delivered to the countries such as Korea and Japan for handling;
- (9) generally, the batteries of EVs should be replaced when their storage capacity lowered to 70% to 80%. In the Mainland China, some of the abandoned batteries of EVs were recycled after they were combined into energy storage for use until their storage capacity lowered to about 40%; and
- (10) the EPD would continue to strive for promotion of the use of EVs.

65. Chief Manager/Management (Wong Tai Sin, Tsing Yi and Tsuen Wan) of the HD responded as follows:

- (1) the HA would install the charging facilities for EVs at the private car parking spaces of the car parks of newly-built housing estates in a ratio of about 30%; and
- (2) the provision of the charging facilities for EVs at the car parks of public housing estates would be subject to the technical feasibility and restraints of physical environment. The HD would tie in with the provision of charging facilities for EVs as far as possible.

66. SEPO(MS)3 of the EPD responded as follows:

- (1) 30% of private car parking spaces could be installed with EV chargers as recommended in Hong Kong Planning Standards and Guidelines did not mean that 30% of the actual car parking spaces in Hong Kong should be provided with charging facilities for EVs. This was a guideline on provision of charging facilities for EVs in the new property development projects; and
- (2) the existing car parks were probably not pre-conditioned for installation of charging facilities due to undersupply of power or lack of connection of power supply. It was considerably difficult to make use of 30% of the spaces of the existing car parks for the provision of charging facilities for EVs.

67. Mr MAN Yu-ming stated that the Government promoted the use of EVs at a slow pace, so he hoped that various government departments would discuss the measures on expediting the promotion work and urging the industry to replace the vehicles with EVs by providing more incentives for the buses, taxis and mini-buses,

so as to enhance the residents' health for minimising the healthcare expenses and bringing much benefits for our society. In addition, he hoped that the Government would provide Members with the relevant timetables for reference.

68. Mr LO Siu-kit said it was generally considered that EVs helped reducing pollution. He understood that as the existing supporting facilities were insufficient, the Government should reduce the quota of the first registration tax for the PEVs. He pointed out that it was very difficult to provide the charging facilities at the private car parking spaces in the housing estates. Also, there was a rapid rise in the number of EVs but currently, the EPD still could not propose any solutions for the problem of EVs queuing for charging batteries. Therefore, he understood that the Government had to set limit for the number of EVs. He further pointed out that the techniques on classification and recycling of used batteries were not developed in Hong Kong. Thus, the effectiveness of recycling of used batteries was questionable. Besides, he learnt that the public transport and tourist coaches were developed rapidly in the Mainland China and that the KMB was making progress towards this direction. Hence, he hoped that the Government would study the measures on improvement of public transport and tourist coaches. He also enquired the EPD whether incentives or allowances would be provided for the vehicle owners to replace their vehicles with EVs.

69. Mr CHOW Ping-tim said he believed that the plan of new energy vehicles would be fully coped with in the coming 20 years. Currently, some of the people in the industry had established a committee on new energy vehicles for implementation of the plan. He learnt that nowadays, the major vehicle manufacturers had progressively discontinued the production of fuelled vehicles. But he thought that electricity was neither the only direction for future development nor the most economical and environmentally friendly energy. Hence, the Government should focus on the new energies including electrical energy, hydrogen energy, natural gas, hybrid energy and plug-in hybrid energy after learning about the direction of development. He stated that without making the same old mistakes, the Government should implement the initiatives on producer pay if it was committed to the implementation of the use of EVs. The vehicle manufacturers should be responsible for the recycling of the batteries of EVs which were produced by them. The problem of recycling of batteries of EVs should not be figured out by the general public and the Government. Hence, he opined that the Government should stipulate the measures that geared to the policy, take consideration for establishing a long-term practice and draw reference from the producer pay principle in European countries in order to solve various problems on environmental protection.

70. Mr KOO Yeung-pong stated that everyone supported the concept of environmental protection. He pointed out that according to the news report from the United Kingdom, the coffee grounds could be used to produce fuel for double-deck buses. He opined that the electrical energy was one of the green energy for vehicles' use. He also agreed that given the rapid development of technologies, the Government should keep abreast of time and promote the innovative inventions through conducting studies on the use of the more environmentally friendly types of vehicles or fuels locally by the talents in Hong Kong. He thought that there were some difficulties in the full application of EVs because some vehicles such as the fire

engines most probably could not be driven by electricity. Hence, he was of the view that it was more suitable to say that an all-out effort was made to the application of EVs.

71. Ms LAM Yuen-pun, Phyllis said she learnt that the Hong Kong Adventist Hospital Tsuen Wan and Panda Hotel were equipped with limited charging facilities for the EVs. She thus enquired the EPD whether more incentives and facilitating measures would be provided for the shopping malls, hospitals as well as public and private organisations in order to facilitate the installation of more charging facilities for EVs. As some taxi drivers probably lived in the old housing estates without charging facilities for EVs, they were unable to charge the batteries for their EVs. As a result, it was difficult to promote the replacement of taxis with EVs. It was really contradictory to the existing policy.

72. Mr WONG Ka-wa stated that some EVs should wait in the car parks for charging batteries until the preceding vehicles occupying the space for charging facilities left. However, some vehicle owners did not drive and leave after charging the batteries of their vehicles. He thought that it was caused by the problems arising from the policy. He pointed out that apart from Norway, the EVs were used in the Government fleet of the Mainland China and the United Kingdom. He hoped that the EPD and other relevant departments would draw reference from the charging methods of the EVs in the above countries, such as the replacement of batteries for EVs.

73. Mr TAM Hoi-pong said he did not deny that the AA had widely used the EVs. However, the AA changed to use the EVs only because it had to meet the air quality objectives for construction of the three-runway system; otherwise the limit of air quality objectives would be exceeded.

74. Mr CHAN Yuen-sum, Sumly thanked the EPD but he was dissatisfied that the EPD to take up all the responsibilities of promotion of the use of EVs. He thought that other government departments should also be supportive to the use of the EVs. He submitted the paper not only for the purpose of environmental protection, but also, most importantly, for the sake of public health. The Department of Health had indicated that Hong Kong people were afflicted by more diseases and that the heart-lung diseases caused by the improper handling of the green work would impose increasing pressure on the healthcare system. He opined that there were not many vehicles in the Government fleet. It was hoped that the government departments would take the lead in replacing the vehicles with EVs. Also, the EPD was requested to stipulate the relevant objectives in order to heighten the ratio of EVs. Besides, the public organisations and bus companies could stipulate the relevant objectives in the use of EVs. In addition, he suggested that the Government should request the CLP Power Hong Kong Limited (CLP) and Hongkong Electric Company Limited (HEC) to generate electricity through less polluting processes and changing to adopt the quality energies including the renewable energies. Moreover, concessionary offers should be given to CLP and HEC so that the two companies could enhance the charging facilities for EVs in different places of Hong Kong. He thought that the EPD should provide tax reduction or respective incentives for whatever CEVs or PEVs.

75. SEPO(MS)3 of the EPD responded as follows:
- (1) the members of the public were encouraged to change to use the EVs, instead of purchasing the additional EVs. As such, the deterioration of traffic congestion could be avoided;
 - (2) after discussing with the relevant departments including the THB and taking into account a balance of the growth of the number of private vehicles, development of EVs and other factors, the EPD decided to set a limit on the first registration tax of PEVs;
 - (3) currently, LPG was used in all taxis and about 70% of public minibuses. The suspended particulates produced by these vehicles were far less than the diesel vehicles. As for other public transport such as buses in use of diesel, starting from October 2018, all the new buses should be the Euro VI vehicles of the most stringent emission standard all over the world;
 - (4) in order to reduce the emission from Euro II and Euro III buses, the EPD was currently providing the full subsidy for the franchised bus companies to retrofit these buses with “selective catalytic reduction devices” to upgrade their emission performance to Euro IV or above level;
 - (5) the EPD had encouraged the use of green commercial vehicles, including commercial hybrid vehicles. Application for the first registration tax waiver for these vehicles could be made if the specific criteria were met;
 - (6) on encouraging the use of green commercial vehicles, not only did the EPD implement the first registration tax waiver for such vehicles, the Innovation and Technology Commission and Hong Kong Productivity Council also established funds respectively to support the research and development of relevant techniques and green buses appropriate for local use;
 - (7) the EPD would try the best to set up the additional charging facilities for EVs if there were sites suitable for such a purpose;
 - (8) CLP and HEC had provided installation service for the charging facilities of EVs for the clients. They had installed about 300 out of the existing 1 770 public chargers;
 - (9) following the increase of the number of PEVs, there were several companies which exclusively provided installation service for the charging facilities of EVs. Yet, it was considerably difficult to provide the charging facilities of EVs at the relatively old premises. The owners’ corporation of each block of building should tie in with the installation works according to individual needs, and consideration for enhancement of power system for the whole building should also be taken; and
 - (10) the above 1 770 public chargers were those installed at the premises for public use such as the shopping malls and government car parks, excluding the charging facilities at home and offices. The above public charging facilities were set up for the owners of EVs to top up the batteries of their EVs to complete their journeys at times of occasional needs. It was aware that there were considerable difficulties in installation of private charging facilities. The EPD would make every effort to cooperate with the commercial sector in enhancing the ratio of EVs to charging facilities according to the development of EVs. Also,

the EPD would study the effective management of the parking spaces in collaboration with government car parks, BD and other departments.

76. The Acting Chairman thanked the representatives from the EPD for attending the meeting. He said that the full application of EVs was the major direction in future. It was hoped that the government departments would conduct further studies on and promote the use of EVs.

IX Item 8: Request to Enhance Regulation on the Use of Drones in Tsuen Wan District
(TWDC Paper No. 95/17-18)

77. The Acting Chairman stated that the Hon TIEN Puk-sun, Michael and Mr CHENG Chit-pun submitted the paper. The representatives from the departments responsible for giving response were:

- (1) Mr Daniel LEUNG, Chief Personal Data Officer, Office of the Privacy Commissioner for Personal Data (PCPD);
- (2) Mr Anthony CHAN, Senior Personal Data Officer, PCPD;
- (3) Mr CHAN Lok-wing, District Commander (Tsuen Wan), HKPF; and
- (4) Ms TANG Wai-han, Olivia, Police Community Relations Officer (Tsuen Wan), HKPF.

Besides, the written replies of the Civil Aviation Department (CAD) and PCPD were tabled at the meeting.

78. Mr CHENG Chit-pun introduced the paper.

79. The Hon TIEN Puk-sun, Michael said according to the CAD's guidelines, advance application of a licence for possession of a drone weighing not more than 7 kilograms from the CAD was not required. As the drones were highly affordable, the operator might abandon the drone immediately after casualty was caused when using the drone. As such, it would be difficult to hold the operator responsible. Hence, he opined that the Hong Kong Government should enact legislation for registration of all types of drones by drawing reference from the practice in the United States, so that the operator could be traced according to the registration number of the drone and held responsible for the drone-related accident. He pointed out that according to the PCPD, the personal data was not collected when the data was not stored and transmitted. Thus, he enquired whether it was illegal to film the status of residence of the general public by the drones without storage and transmission of the drone-shot data.

80. The Acting Chairman enquired the PCPD about the complaint mechanism and regulatory control of drones involving personal privacy.

81. Chief Personal Data Officer of the PCPD responded as follows:

- (1) the PCPD was empowered to enforce its work under the Personal Data (Privacy) Ordinance (Chapter 486) (the Ordinance);
- (2) according to section 2(1) of the Ordinance, personal data referred to the information relating to a living person which was kept in record for access to or processing. Therefore, only the image, text and sound being recorded for an identifiable individual were within the scope of

- “personal data” as defined under the Ordinance and such data were protected by the Ordinance; and
- (3) the PCPD took a serious view on the privacy issues arising from drones.

82. District Commander (Tsuen Wan) of the HKPF responded as follows:
- (1) the Police was not empowered to take enforcement actions under the relevant air navigation ordinances. However, the Police would discharge duties to maintain the public order and protect people’s lives and properties;
 - (2) after receiving a complaint or report from the general public, the HKPF would deploy the police officers to look into the matter at the scene and find out the operator of the drone. The HKPF would advise the operator to comply with the guidelines issued by the CAD and record the particulars of the operator if no imminent danger was spotted and the use of drone was not found in contravention of any laws and regulations. The HKPF would give warnings to the operator if potential danger to people’s lives and properties was caused by the use of drone. If the operator failed to follow HKPF’s advice or had contravened the laws and regulations, e.g. flying the drone in a no-fly zone, the HKPF would take arrests according to the relevant laws and regulations; and
 - (3) when taking actions, the police officers at the scene needed to consider the environs of the location, the drone’s volume and weight, the manner of operation by the operator, the size of crowds nearby as well as the distance between the drone and the crowds.

83. Mr CHAN Chun-chung, Jones stated that he was very concerned about the issue of invasion of personal privacy by drones. He pointed out that the use of drones of similar nature was also found in other private buildings and housing estates apart from village houses. Generally, it was more difficult to steal the data of the wired surveillance facilities. However, it was easier to steal the data transmitted by the wireless drones equipped with wireless system even though encryption was made. Thus, he enquired whether invasion of privacy existed in such circumstances. In addition, he enquired whether the personal privacy was invaded if a third party filmed the images which were not stored originally and disclosed these images to other people for viewing. He was also worried about it.

84. Ms LAM, Lam Nixie said that she was insecure about the PCPD’s definition of invasion of personal privacy. She learnt that the filming of images without storage by drones did not lead to invasion of privacy. However, currently, the closed circuit televisions worldwide were illegally hacked through a number of websites and it was believed that the relevant images were stored in the servers. It could be seen that invasion of privacy also existed in the cyber world. Thus, she enquired about the PCPD’s solutions to this problem and whether the aforesaid invasion was an offence. Moreover, she noted that the existing laws and regulations were not effective in prevention of the problems derived from drones. There were no relevant laws and regulations in force even though the Police was willing to undertake the enforcement work. Also, vain efforts were made in giving advice to the operators of drones. She pointed out that the people who attached importance to personal privacy would consider that it was correct to establish a registration system for drones as

proposed by the Members, and that the government departments should conduct a study on the said phenomenon as early as possible. Otherwise, it was difficult to trace the operator of the drone once accident happened. She further pointed out that undoubtedly, convenience was brought by the use of drones but some people would use the drones for illegal activities. Hence, she opined that a regulatory system should be established in order to minimise the harm brought by the drone-related issues.

85. Mr KOO Yeung-pong stated that besides Hong Kong, the drones were also very popular around the world. He enquired whether the PCPD had conducted the complementary work by drawing reference from the relevant ordinances of foreign countries. He pointed out that there were not many regulatory measures on drones in force and live broadcast was also a popular trend. Thus, he enquired whether live broadcast was a form of storage of personal data.

86. Mr MAN Yu-ming said given that the personal privacy was invaded by drones in reality, it was a mistaken belief that the invasion of personal privacy was deemed to be non-existent in the use of drones without storage of images due to the loopholes in the relevant ordinance. He thought that public safety was threatened by drones and he commended the Police for undertaking to conduct the enforcement work as far as possible. He also understood that there were constraints in respect of the law enforcement work. He opined that the public safety could not be effectively maintained through enforcement of the existing laws and regulations solely by the CAD and the efforts on giving warnings to the people who misused the drones ended in failure.

87. The Hon TIEN Puk-sun, Michael said he hoped that the CAD would give a written reply on whether a registration and licensing system for the drones weighing not more than 7 kilograms would be set up by drawing reference from the legislation enacted in the United States; if not, the reasons for that. Besides, he enquired the PCPD whether random filming activity was allowed where it appeared to be more difficult to identify the person being filmed if only his/her body part under the neck was captured and no personal data was deemed to be available from such a filming activity. Moreover, he enquired whether the filming by a drone weighing not more than 7 kilograms in a non no-fly zone could be interrupted under the existing legislation if no danger was posed by the use of the drone and the area in the vicinity of the non no-fly zone was rarely visited by the public.

88. Chief Personal Data Officer of the PCPD responded as follows:

- (1) the PCPD was mainly responsible for protecting the personal data and privacy. The definition of “personal data” was also clearly set out in the Ordinance. The images captured by drones without being recorded were not the “personal data” as defined in the Ordinance;
- (2) the acts constituting criminal offences including hacking, peeping and clandestine video-recording were handled by other law enforcement departments/authorities;
- (3) the PCPD would handle the acts involving the collection and use of personal data as mentioned in paragraph 88(2) above in a serious manner, if any; and

(4) as to whether the act of filming the body part of someone else was regulated under the Ordinance, it depended on whether there were features such as scars or tattoos on the body parts for direct or indirect identification of the people being filmed.

89. District Commander (Tsuen Wan) of the HKPF responded as follows:
- (1) law enforcement action was not required if the operation of drones was in compliance with all the laws and regulations; and
 - (2) everyone was entitled to the right to privacy and the personal privacy should be wisely protected if invaded.

90. Mr CHENG Chit-pun said he learnt that the HKPF could take law enforcement actions in no-fly zones and for the complaints about nuisance brought by drones in non no-fly zones. He pointed out that most members of the public were unclear about the restrictions on the use of drones and the relevant penalties. Also, they might not be clear about the channels for lodging complaints. Hence, he hoped that the CAD and the Police would strengthen the publicity work, e.g. putting up promotional banners of the Government in no-fly zones and providing the relevant details through “Police Magazine” programme, instead of distribution of leaflets for promotion only.

91. The Acting Chairman stated that the PCPD would accept the complaint if the recording involved personal data. He proposed that Members’ concerns on the use of drones at the flight paths and their worries about the use of drones weighing not more than 7 kilograms should be conveyed to the CAD in writing in the name of the TWDC. It was hoped that the CAD would consider a more comprehensive regulatory system of drones in the long run.

(Post-meeting note: The Secretariat had conveyed Members’ views to the CAD in writing on 4 January 2018.)

(Note: The Hon TIEN Puk-sun, Michael left the meeting at 5:55 p.m.)

92. The Chairman resumed the chair.

X Item 9: Support the Implementation of the Co-location Arrangement at West Kowloon Station of Guangzhou-Shenzhen-Hong Kong Express Rail Link
(TWDC Paper No. 96/17-18)

93. The Chairman stated that Mr MAN Yu-ming and Mr KOO Yeung-pong submitted the paper. The written reply of the Department of Justice, THB and Security Bureau were tabled at the meeting.

94. Mr MAN Yu-ming introduced the paper.

95. Mr KOO Yeung-pong added that the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL) had been under construction for a period of time. Only the legislation of “co-location” arrangement was pending. Step One of the “Three-step Process” had already commenced. He pointed out that the residents of Tsuen Wan district reflected that they frequently travelled to and from the Mainland; therefore,

the implementation of the “co-location” arrangement in future would be beneficial to them.

96. Mr TAM Hoi-pong enquired whether the captioned matter was part of the district council affairs. He pointed out that some of the territory-wide issues raised by him were required to be revised or vetoed. He opined that the territory-wide issues could be discussed at the district council. He thus enquired whether the restriction on the discussion of this type of territory-wide issues would be relaxed by district council in future. In addition, he enquired whether the revised motion for the captioned matter was to be moved at the beginning or during the course of discussion of the captioned matter.

97. The Chairman stated that the revised motion should be moved after the captioned matter was discussed. He added that the captioned matter was the territory-wide affairs in relation to the district, so the views from the district were deserved to be under study. As some of the issues raised by the Member were too territory-wide and irrelevant to district affairs, they were fit for discussion after revision was made.

98. Mr CHAN Chun-chung, Jones supported the implementation of the “co-location” arrangement for the XRL at the West Kowloon Station (WKS). In his view, it was very important to the Hong Kong people, in particular the residents of Tsuen Wan who frequently travelled to and from remote areas of the Mainland. It could help save much time for them. He added that the “co-location” arrangement meant that the clearance procedures of both Hong Kong and the Mainland could be completed at one location and it took less than an hour. To the contrary, according to his experience, the itinerary was affected because it took a longer time for undergoing the clearance procedures in two different locations. He thought that non-implementation of the “co-location” arrangement at the WKS should not be discussed. It was nothing more than a subject matter of an illusory context that stirred up troubles and provoked hostilities. Hence, he hoped that everyone would stop the discussion and make a wise decision on supporting the implementation of the “co-location” arrangement at the WKS. On the other hand, he was of the view that the XRL company should conduct the works that coped with the needs of the residents and make improvements promptly when problems were detected.

99. Mr CHAN Sung-ip supported the implementation of the “co-location” arrangement at the WKS. He was a resident of Tsuen Wan district. Currently, the travellers for the trip to the Mainland had to take a ride from Tsuen Wan to Shenzhen and then get to Futian Station for the XRL trains. It was relatively inconvenient. He thought that it would be more convenient to take the XRL trains to the Mainland at the WKS directly.

100. Ms LAM Yuen-pun, Phyllis supported the “co-location” arrangement. Also, she pointed out that the Mainland railway network was enormous. Hong Kong would be marginalised if it failed to catch up with the connection to the network. She further pointed out that it was more environmentally friendly and convenient to use the railway service and the general public had all along showed support to it. The resources for the XRL would be wasted regrettably if the “co-location”

arrangement was not to be implemented after a sum of tens of billion dollars was allocated to the construction of the XRL. She believed that the residents of Tsuen Wan district would opt to take the XRL train to reach the cities in the Mainland within the network of the XRL. She thought that in future, Europe would also be accessible via taking the XRL trains. If the “co-location” arrangement for the XRL was not implemented, she believed that the residents would travel to the Mainland via the existing traffic routes which were cumbersome. Meanwhile, Hong Kong’s prospect and public interest would also be affected.

101. Mr LAM Faat-kang supported the paper. He opined that the development of our country, in particular, the development of the XRL, was considerably rapid. The idea of one hour living circle which brought convenience to the general public was basically materialised in the majority areas of the Mainland. He stated that the country affairs and Hong Kong people were closely related. In his views, the residents of Tsuen Wan district were undoubtedly concerned about and supported the “co-location” arrangement. The “co-location” arrangement brought convenience to Hong Kong people. Moreover, one-sixth of the residents in Hong Kong came from Fujian. Many Fujian fellow clansmen lived in Tsuen Wan community. Hence, he would like to speak on behalf of the fellow clansmen that they were in need of the XRL which facilitated their visit to the native place within the travelling time of five hours shortened from about seven hours as currently required. Admittedly, it was convenient and helped save time.

102. Mr CHAN Yuen-sum, Sumly said he had raised objection to the construction of the XRL at the very beginning because a sum of thousand million dollars would be spent, and in his opinion, the residents of Tsuen Wan district were not to be benefitted very much due to the fact that there was no XRL station in Tsuen Wan district. He thought that it was very convenient for the residents of the New Territories to take the XRL trains at Futian, Shenzhen. He pointed out that it had clearly stated in the Basic Law that the officials of China should not enforce laws in Hong Kong. Should there be any saving clause to allow the officials of China to enforce laws at the WKS, no one could say for sure that the officials of China would not enforce law in other areas of Hong Kong according to the needs, which, in turn, was found in contravention of the Basic Law. Hence, he considered that such a saving clause should not be put in place. Besides, he thought that the XRL would neither help saving much travelling time nor bring much convenience because the frequency of the XRL trains was low. The passengers of the XRL trains would be required to interchange the trains of other routes at Futian. He pointed out that as the construction of the XRL was completed, the “co-location” arrangement should be implemented at Futian in order to protect the Hong Kong people’s confidence in the Basic Law.

103. Mr TAM Hoi-pong stated that he raised objection to the construction of the XRL many years ago. Even though the construction of the XRL was completed, he still did not agree with the implementation of the “co-location” arrangement at the WKS. Hence, he would raise objection to the original motion. He thought that the rule of law should never be overridden by “convenience” and that the Basic Law should not be ruined. He did not have any idea of which provision in the Basic Law allowed the officials of China to enforce laws in Hong Kong. This was the reason for his objection to the implementation of the “co-location” arrangement at the WKS.

In addition, he opined that it was more convenient for the members of the public to travel to the Mainland through taking cross boundary coach in Tsuen Wan district than taking the XRL trains in WKS. He pointed out that the XRL only facilitated the people staying around the West Kowloon. The residents of the New Territories would take the CRH trains in Shenzhen if they travelled to Guangzhou, and they would generally consider travelling on flight if they travelled to Fujian or other places. He said that the Government could opt to implement the “co-location” arrangement in Futian or the “separate-location” arrangement in the WKS, that is, the West Kowloon served as a port of Hong Kong which would be fit for the smooth operation of the XRL and passenger clearance. Pitifully, the Government did not consider this alternative proposal. In order to safeguard the rule of law in Hong Kong and comply with the Basic Law, he would definitely cast a vote against the original motion and move a revised motion for holding the “one country, two systems” in high esteem because he was a pro-democracy locality who took a stand for the Hong Kong people.

104. Mr CHOW Ping-tim said he supported the “co-location” arrangement and in his opinion, it was conducive to the development of Hong Kong and our country. He pointed out that it was right to safeguard the rule of law, but he was not clear whether the “co-location” arrangement was in contravention of the rule of law. He felt offensive as to the need of stating position for the captioned matter by the TWDC. He supported the “co-location” arrangement, but he worried that there were secret passageways in the main building of the WKS which connected with the areas under the rule of China. As a result, Hong Kong people might be missing in Hong Kong. Hence, he opined that the Government, Legislative Council Members, mass media and other monitoring parties should examine whether the structure of the main building of the WKS was safe. He was of the view that the XRL was convenient, regardless of the problem concerned. He would choose to take the XRL trains, but he would cast an abstention vote when stating his position.

105. Mr NG Hin-lung, Norris stated that as indicated in page 8 of the public document of Customs, Immigration and Quarantine Arrangements of the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong XRL prepared by the THB, the direct trains to the Mainland cities, including Futian, Shenzhen North, Humen and Guangzhou South would be available upon commissioning of the Hong Kong Section of the XRL. Also, it was mentioned in page 9 that passengers could reach other Mainland cities by interchanging. He believed that the interchanging arrangement was not as simple as that in the MTR Lai King Station, from where one MTR line interchanging to another MTR line through the opposite platform. He opined that the problem was how the impact brought by the “co-location” arrangement to the cost effectiveness of the XRL was interpreted, including the social cost. In reality, the XRL trains stopped at the station in Guangdong. Relying on the information currently available, the members of the public in Hong Kong might misunderstand that a number of Mainland cities would be reached by taking only one-trip train after departure from Hong Kong. He anticipated that there were discrepancies on perception of the arrangement. He was of the view that the operational arrangement of the trains, in particular the long-haul trains, should be discussed as early as possible. Also, the frequency of the trains should be announced, so that the general public was able to weigh up the pros and cons of the arrangement. He thought that the currently available information for the captioned motion was not sufficient. It

was not appropriate for making vote at the district council level and it was too early to state the position on the captioned matter. Hence, he would opt to cast an abstention vote.

106. The Chairman stated that the TWDC had a discussion on the implementation of the “co-location” arrangement at the WKS of the XRL because the XRL trains would pass via the two locations in Tsuen Wan district, namely, Lei Muk Shue and Shek Wai Kok.

107. Mr MAN Yu-ming moved the following motion that “Tsuen Wan District Council Supports the Implementation of the Co-location Arrangement at West Kowloon Station of Guangzhou-Shenzhen-Hong Kong Express Rail Link”. Mr KOO Yeung-pong seconded.

108. Mr TAM Hoi-pong moved the following revised motion that “Tsuen Wan District Council Supports the Implementation of the Co-location Arrangement at Futian Station of Guangzhou-Shenzhen-Hong Kong Express Rail Link in China”. Mr CHAN Yuen-sum, Sumly and Mr WONG Ka-wa seconded.

109. The Chairman stated that he allowed Members to move on to the discussion for the revised motion.

110. Mr TAM Hoi-pong said that he moved the revised motion because it allowed the continued operation of the XRL without contravening the Basic Law in Hong Kong. The implementation of the “co-location” arrangement at Futian Station in China was a practicable but not the only possible solution. One of the other possible alternative proposals was the “separate-location” arrangement, i.e. the Hong Kong port was established at the WKS. He thought that the cession of land in Hong Kong to China should not take place, that is, part of the territory in West Kowloon situated in the prime location in Hong Kong should not be suddenly out of sight without a trace. The “co-location” arrangement nominally referred to the borrowing of the WKS; in fact, however, such an arrangement might develop into the cession of land. He opined that the enforcement of the laws of China at the WKS by the officials of China following the implementation of the “co-location” arrangement at the WKS was unacceptable. He believed that the HKSAR Government should have some other choices. The HKSAR Government could implement the “co-location” arrangement at Futian Station by drawing reference from the mode of Shenzhen Bay because the status of jurisdiction of Hong Kong should not be affected by virtue of the implementation of the Basic Law of Hong Kong locally. Hence, he would like to move a revised motion for the implementation of the “co-location” arrangement at Futian Station in China.

111. Mr CHAN Yuen-sum, Sumly stated that he supported the revised motion because he did not wish to see that the Basic Law was destroyed and a dangerous precedent was set for allowing the officials of China to enforce laws in certain areas of Hong Kong. Moreover, he believed that no one could say for sure that the precedent won't mean giving a green light to the officials of China to enforce laws in other areas of Hong Kong. He was also of the view that the laws of China should not be implemented in Hong Kong. Furthermore, he questioned the efficacy on the

implementation of the “co-location” arrangement at the WKS. He believed that the Basic Law would not be destroyed and the Hong Kong people would have more confidence without worrying too much if the “co-location” arrangement at Futian Station was implemented. In addition, it was also very convenient to travel to other places in the Mainland after departure from Futian. Hence, he raised a strong objection to the implementation of the “co-location” arrangement at the WKS.

112. Mr CHOW Ping-tim said according to the history of Hong Kong, the English law was implemented in Kowloon north of Boundary Street which was leased to the Britain. Hence, he considered that it was unreasonable to say that other laws should not be implemented in the leased land. He presumed that it was appropriate for the implementation of the laws of the tenant’s country in the land which was leased out by entering a formal agreement. He reiterated that he would not support any of the motions. He would cast an abstention vote.

113. Mr CHAN Chun-chung, Jones stated that the Members who raised objection to the “co-location” arrangement were wasting time. The Basic Law was the law of China. According to Article 19 of the Basic Law, the Hong Kong Special Administrative Region shall be vested with independent judicial power, including that of final adjudication. The courts of the Hong Kong Special Administrative Region shall have jurisdiction over all cases in the Region, except that the restrictions on their jurisdiction imposed by the legal system and principles previously in force in Hong Kong shall be maintained. He pointed out that the “co-location” arrangement was very simple. It was hoped that the Members would not waste time anymore.

114. Mr LAM Faat-kang said according to the Basic Law or the laws of China, Hong Kong was a part of China. The Central People’s Government had explained the meaning of “one country, two systems” through various departments and channels. He opined that “country” laid the foundation for “family”, so “one country” was the prerequisite for “two systems”.

115. The Chairman reminded Members to submit the authorisation, if any, to the Secretary to read out.

116. The Secretary stated that the Secretariat had received an authorisation from the Hon TIEN Puk-sun, Michael who authorised Mr CHENG Chit-pun to cast a vote for the captioned matter on behalf of him.

117. Mr KOO Yeung-pong proposed to vote by open ballot. Members agreed to the proposal.

118. The Chairman invited Members to cast votes for the revised motion. The voting result was listed as follows:

For (3 votes in total)

Mr CHAN Yuen-sum, Sumly, Mr WONG Ka-wa and Mr TAM Hoi-pong

Against (12 votes in total)

The Vice Chairman, Mr MAN Yu-ming, the Hon TIEN Puk-sun, Michael, Mr KOO Yeung-pong, Ms LAM Yuen-pun, Phyllis, Ms LAM, Lam Nixie, Mr LAM Faat-kang, Mr CHAN Chun-chung, Jones, Mr CHAN Sung-ip, Mr KOT Siu-yuen, Mr CHENG Chit-pun and Mr LO Siu-kit

Abstention (2 votes in total)

Mr NG Hin-lung, Norris and Mr CHOW Ping-tim

119. The Chairman announced that the revised motion was not endorsed.

120. Mr WONG Ka-wa said two Members had indicated that they would abstain when they spoke. Also, three Members moved and supported the revised motion and did not agree with the original motion. He thought that the use of the words “Tsuen Wan District Council” in the original motion was a way of hijacking the TWDC as a whole. He raised objection to this and would walk out.

121. Mr TAM Hoi-pong supported that the words “Tsuen Wan District Council” should not be used in the original motion. He said he would walk out in protest.

(Note: Mr WONG Ka-wa and Mr TAM Hoi-pong walked out.)

122. The Chairman invited Members to cast votes for the original motion. The voting result was listed as follows:

For (12 votes in total)

The Vice Chairman, Mr MAN Yu-ming, the Hon TIEN Puk-sun, Michael, Mr KOO Yeung-pong, Ms LAM Yuen-pun, Phyllis, Ms LAM, Lam Nixie, Mr LAM Faat-kang, Mr CHAN Chun-chung, Jones, Mr CHAN Sung-ip, Mr KOT Siu-yuen, Mr CHENG Chit-pun and Mr LO Siu-kit

Against (1 vote in total)

Mr CHAN Yuen-sum, Sumly

Abstention (2 votes in total)

Mr NG Hin-lung, Norris and Mr CHOW Ping-tim

123. The Chairman announced that the original motion was endorsed. He asked the Secretariat to convey the motion to the THB after the meeting.

(Post-meeting note: The Secretariat had conveyed the motion to the THB in writing on 1 December 2017.)

XI Item 10: Crime Brief for Tsuen Wan District – Comparison of Crime Statistics between September to October 2017 and September to October 2016

(TWDC Paper No. 97/17-18)

124. District Commander (Tsuen Wan) of the HKPF reported the situation of the crimes in Tsuen Wan district.

(Note: Mr KOO Yeung-pong and Mr CHAN Chun-chung, Jones left the meeting at 6:46 p.m.)

125. Mr NG Hin-lung, Norris said the residents recently relayed to him that it was difficult for them to fall asleep due to the noise from the illegal road racing activities in Tuen Mun Road and Castle Peak Road at late night. He enquired whether the Tsuen Wan Police District had conducted operations to combat excessive speeding, illegal road racing and illegal modification of vehicles. Also, he hoped that the Police would step up efforts to combat the illegal road racing activities, so that the residents could enjoy a quiet environment.

126. Mr CHAN Yuen-sum, Sumly thanked the Police Community Relations Office of Tsuen Wan Police Station for actively following up the issues raised by Members. He stated that currently, the South Asian teenagers still gathered in Lei Muk Shue Estate. He hoped that the Police would provide more activities for the South Asian teenagers and arrange to enhance engagement with these teenagers through the Police Community Liaison Assistant of Indian or Pakistani nationalities, in order to assist in their personal growth and prevent them from being exploited for criminal activities. As such, a more harmonious community could be created. Moreover, the problem of gambling in Lei Muk Shue Estate, which occurred at Fung Shue House in the past, was currently found at Toa Shue House. This problem had become serious because the teenagers even came to gamble from other districts. He learnt that the Police had already strengthened inspections and put up the posters for dissemination of the anti-gambling messages. He hoped that the Police would continue to make efforts so as to solve the problem of gambling.

127. Mr WONG Ka-wa stated that the problem of gambling occurred at Fung Shue House in the past. However, it changed to take place at Toa Shue House after the Police and HD assigned their staff to carry out the crackdown operations. Moreover, recently, a group of people gathered and lingered at Dragon Ball Square in Lei Muk Shue Estate from 7:00 p.m. until the late hours at night. They also littered and made a lot of noises. Hence, he hoped that the Police would assist the HD in conducting inspections, so as to minimise the nuisance brought to the residents.

128. Mr KOT Siu-yuen noted that there was a decline on the crime rate recently and wished to learn more about the Police's work. He pointed out that recently, the problem of gambling in Fuk Loi Estate had greatly improved and he thanked the Police for their assistance. Besides, he commended the Police for conducting appropriate follow-up work on the issues about traffic and police public relations.

129. Ms LAM, Lam Nixie stated that there was a serious problem of illegal parking in Tsuen Wan West. In particular, the bus stop off Texaco Road was occupied by container trucks persistently. She hoped that the Police would make arrangement for conducting special operations with Members in order to combat the offences at the blackspots of illegal parking. Moreover, there was an incident of suspected trespass in an attempt to crack the resident's combination lock in the private residential buildings in her constituency area. She hoped that the Police would take note of the situation and reminded Members that they should pay more attention to it.

130. The Vice Chairman thanked the HKPF for being concerned about the burglary cases in the vicinity of Yau Kom Tau at Castle Peak Road recently. He also thanked the Police Community Relations Office and Crime Prevention Bureau for assisting Members in organising the seminars on crime prevention which enhanced the residents' anti-theft awareness and the overall anti-theft arrangements in the housing estates. Moreover, he pointed out that there was serious traffic congestion in the vicinity of Belvedere Garden at Castle Peak Road during the peak hours, i.e. from 7:45 a.m. to 8:10 a.m. daily. He hoped that the Police would deploy manpower for traffic control at the said location to smoothen the traffic flow.

131. Mr LO Siu-kit said he thanked the HKPF for conducting the operations to combat prostitution in the vicinity of Ho Pui Street and Chuen Lung Street recently, which led to a significant drop in the number of crimes involving prostitution. Besides, a deterrence effect was achieved after the HKPF arranged to park a police vehicle at the said locations to drive away the on-street prostitutes. He hoped that the HKPF would continue to take actions to eradicate the prostitution problem.

132. District Commander (Tsuen Wan) of the HKPF responded as follows:

- (1) during 1 January 2017 and mid-November 2017, the Police had received a total of four complaints about illegal road racing in the vicinity of Castle Peak Road - Sham Tseng and Tuen Mun Road - Sham Tseng in Tsuen Wan and conducted 123 anti-speeding operations;
- (2) the respective enforcement work was mainly undertaken by the Traffic New Territories South Region because the illegal road racing activities on highways was not handled by Tsuen Wan Police District. During 1 January 2017 and mid-November 2017, the Traffic New Territories South Region issued a total of 3 052 tickets for speeding, 29 summonses for illegal modification of vehicles and 26 notices for vehicle examination;
- (3) currently, the Police adopted the strategies of intelligence gathering and analysis. The intelligence gathered by various units was referred to the Traffic New Territories South Region which would carry out the patrols and enforcement operations. Also, the speed enforcement operations with the aid of laser guns, digital radar and police vehicles equipped with an in-car video recording system would be conducted from time to time;
- (4) the Police Community Relations Office of the HKPF would advise the South Asian teenagers to participate in the programmes designed for South Asian people, with a view to preventing them from being exploited for criminal activities;
- (5) the HKPF noted that the problem of gambling was found in Fung Shue House, Toa Shue House and Wing Shue House. In 2016, the HKPF had conducted three arrest operations at Fung Shue House and one arrest operation at Toa Shue House. In 2017, the HKPF conducted one arrest operation at Toa Shue House and Wing Shue House respectively. It was found in the operations that the majority of the gamblers were the residents of Lei Muk Shue Estate. In this connection, the HKPF did not only continue to conduct the arrest operations, but also reminded the residents to obey the law through distributing the promotional leaflets to

- them and putting up the promotional leaflets at prominent locations in Lei Muk Shue Estate;
- (6) the Police Community Relations Office of the HKPF would contact the Members to learn more about the problem of noise and nuisance at Dragon Ball Square and take follow-up actions;
 - (7) the HKPF would conduct the traffic operations on a regular basis. About 500 tickets were issued in Tsuen Wan district daily. The HKPF would contact Members to learn more about the situation of illegal parking in Tsuen Wan West and the area near Belvedere Garden at Castle Peak Road and take follow-up actions;
 - (8) he thanked Members for their assistance in arranging the seminars on crime prevention for the residents in the vicinity of Yau Kom Tau and hiring additional security guards to solve the problem of burglary; and
 - (9) the HKPF would continue to combat street prostitution and it was hoped that the problem would be eradicated. Yet, there was a significant decrease in the number of prostitutes arrested as the room for survival of on-street prostitutes was greatly reduced.

133. The Chairman requested the HKPF to contact the Members and make arrangements for organising seminars in the housing estates, with a view to preventing the trespass in an attempt to crack the resident's combination lock. He also thanked the HKPF for assisting in solving the issues on law and order in various districts.

XII Item 11: Crime Brief for Ma Wan – September to October 2017
(TWDC Paper No. 98/17-18)

134. District Commander (Tsuen Wan) of the HKPF reported the situation of the crimes in Ma Wan.

XIII Item 12: Endorsement of the Nomination List of the Co-opted Members of the Committees under the Tsuen Wan District Council
(TWDC Paper No. 99/17-18)

135. The Secretary introduced the paper.

136. Members unanimously endorsed the nomination list of the Co-opted Members of the committees under the Tsuen Wan District Council.

XIV Item 13: Setting up of the “Working Group on Second Duty Visit” (Non-standing Working Group)
(TWDC Paper No. 100/17-18)

137. The Secretary introduced the paper.

138. Members unanimously endorsed the paper.

139. The Chairman asked Members to show their intention to join the Working Group by a show of hands.

140. Mr LO Siu-kit proposed that the Convenor of the Working Group should be taken up by Mr CHAN Sung-ip. Members unanimously endorsed the proposal.

141.

(Post-meeting note: The Secretary had invited the Member who was unable to show his intention at the meeting to join the Working Group on Second Duty Visit (Non-standing Working Group) in writing on 29 November 2017. The membership list was set out in Annex I.)

XV Item 14: Application for District Council Funds by Tsuen Wan District Office (TWDC Paper No. 101/17-18)

142. The Secretary introduced the paper.

143. The Chairman asked Members to make declaration of interest. No Member made declaration of interest.

144. Members unanimously endorsed the following funding applications:

	<u>Activity</u>	<u>Applying Organisation/ Co-organiser</u>	<u>Amount Approved (\$)</u>
(1)	Chinese New Year Celebration Lunch by Tsuen Wan District Office and Tsuen Wan District Council	Tsuen Wan District Council	64,000.00
(2)	2018 Chinese Lantern Festival Carnival	Yuen Yuen Institute Social Service Department	1,200,000.00
(3)	Tsuen Wan Cleaning Campaign	Yan Chai Hospital Board of Directors	285,000.00

XVI Item 15: Nomination of a Representative from the Tsuen Wan District Council to Serve as the Co-opted Member of the Task Force on Harbourfront Developments in Kowloon, Tsuen Wan and Kwai Tsing under Harbourfront Commission

(TWDC Paper No. 102/17-18)

145. The Secretary introduced the paper.

146. Members unanimously endorsed the nomination of Ms LAM, Lam Nixie to serve as the Co-opted Member of the Task Force on Harbourfront Developments in Kowloon, Tsuen Wan and Kwai Tsing under Harbourfront Commission.

147. The Chairman thanked Mr CHOW Ping-tim for his service in the TWDC by serving as the Co-opted Member of the last-term Task Force on Harbourfront Developments in Kowloon, Tsuen Wan and Kwai Tsing under Harbourfront Commission.

XVII Item 16: Nomination of a Representative from the Tsuen Wan District Council to Serve as the Member of the Join the Customer Liaison Group of the Hongkong Post

(TWDC Paper No. 103/17-18)

148. The Secretary introduced the paper.

149. Members unanimously endorsed the nomination of Mr CHENG Chit-pun to serve as the Member of the Join the Customer Liaison Group of the Hongkong Post.

XVIII Item 17: Information Papers

150. Members noted the contents of the following information papers:

- (1) Report of District Facilities Management Committee
(TWDC Paper No. 104/17-18);
- (2) Report of Culture, Recreation and Sports Committee
(TWDC Paper No. 105/17-18);
- (3) Report of Traffic and Transport Committee
(TWDC Paper No. 106/17-18);
- (4) Report of Community Building, Planning and Development Committee
(TWDC Paper No. 107/17-18);
- (5) Report of Social Services and Community Information Committee
(TWDC Paper No. 108/17-18);
- (6) Report of Coastal Affairs Committee
(TWDC Paper No. 109/17-18);
- (7) Report of Environmental and Health Affairs Committee
(TWDC Paper No. 110/17-18);
- (8) Report of District Management Committee
(TWDC Paper No. 111/17-18); and
- (9) Financial Statement of Tsuen Wan District Council Funds as at 16 November 2017
(TWDC Paper No. 112/17-18).

XIX Item 18: Any Other Business

151. The Chairman stated that a letter from the Community Sports Committee and the LCSO was received earlier to invite the TWDC to renominate at least two Members to serve as the “sports ambassadors” of the new term from January 2018 to the end of December 2019 on behalf of the TWDC to assist in promoting district sports. He suggested that this matter should be referred to the Culture, Recreation and Sports Committee (CRSC) for follow-ups.

152. Members unanimously agreed that this matter was to be followed up by the CRSC.

153. The Chairman stated that a letter from Yan Chai Hospital was received earlier to invite the TWDC to serve as a supporting organisation for a new volunteering programme, tentatively named as “Love n Thank Campaign”, which was organised by the Yan Chai Hospital Volunteer Group under the Yan Chai Hospital Board of Directors and to provide support for the visits as appropriate such as assisting in liaising the caring shops and district councillors in Tsuen Wan district to join the visits together with the volunteers of Yan Chai Hospital.

154. Members unanimously agreed that the TWDC served as a supporting organisation for the “Love n Thank Campaign”.

155. The Chairman stated that a letter from Hong Kong Federation of Youth Groups was received earlier to invite the TWDC to serve as a supporting organisation for the “2nd Hong Kong Community Youth Sports Festival”. The TWDC had served as the supporting organisation for the “1st Hong Kong Community Youth Sports Festival” in February 2017. The “2nd Hong Kong Community Youth Sports Festival” would be held during January 2018 and April 2018 and the kick-off ceremony would be held at Hong Kong Sports Institute on 7 January 2018 (Sunday). Five competitions and a number of promotional activities on community sports would be held in order to provide the youth with the platforms for mutual learning, understanding and exchange in the “2nd Hong Kong Community Youth Sports Festival”.

156. Members unanimously agreed that the TWDC served as a supporting organisation for the “2nd Hong Kong Community Youth Sports Festival”.

157. The Chairman stated that a letter from VQ Foundation (the Foundation) was received earlier to invite the TWDC to serve as a supporting organisation for the “Services Anywhere Social Innovation Service Competition 2018”, which aimed to encourage all sectors of our society to forward proposals on and participate in social services for provision of services boundlessly. With a view to achieving the “maximum mobilisation and unexclusive social services”, the social services would be extended to cover the 18 district through encouraging all walks of life to muster the power of helping others and helping oneself under the theme of “Services Anywhere in 18 Districts” for the activity this year. Besides, the Foundation wished to display the TWDC logo on the media. As the TWDC had never cooperated with the Foundation previously, he suggested that authorisation should be given to him to learn more about the details of the background of the Foundation before Members made decision on giving consent to the TWDC to serve as a supporting organisation for the “Services Anywhere Social Innovation Service Competition 2018” and endorsed the application for the use of the TWDC logo from the Foundation.

158. Members unanimously agreed to the above proposal.

159. The Chairman stated that a letter from the Committee on the Promotion of Civic Education (the Committee) was received earlier to invite the representative(s) from TWDC and/or Tsuen Wan District Civic Education Committee to attend the sharing session on 8 December 2017 (Friday), in order to exchange views and share valuable experiences and suggestions on the promotion of civic education and national education at district level with the representatives from the Committee as well as exploring the enhanced mode and scope of collaboration between parties. He suggested that the representative(s) who would attend the sharing session should be assigned by the Tsuen Wan District Civic Education Committee.

160. Members unanimously agreed to the above proposal.

161. The Chairman stated that after receiving a number of enquiries on unpleasant odour in drinking water from the residents in Kwai Tsing district and Tsuen Wan district during the evening on 18 November 2017 (Saturday) and 19 November 2017 (Sunday), the Water Supplies Department (WSD) immediately assign its staff to conduct the follow-up work. However, the WSD found that the problem persisted and thus evaluated that it was an episodic incident arising from the regional water supply. Hence, the WSD arranged to change the source of drinking water supply to Tsuen Wan No. 2 Fresh Water Service Reservoir, Tsuen Wan West Low Level Fresh Water Service Reservoir and Lai Chi Kok Fresh Water Service Reservoir in the water supply network and to flush the water through fire hydrants near the affected areas. At noon of 20 November 2017 (Monday), no unpleasant odour was detected in the drinking water flushed through the fire hydrants. From 21 November 2017 till present, the WSD had not received any complaint on the unpleasant odour in drinking water. The WSD's initial investigation revealed that the unpleasant odour in the drinking water in the above-mentioned districts might be related to the maintenance work at the Tsuen Wan Fresh Water Service Reservoir. The incident was possibly caused by the diffusion of the odour emitted from the repair materials through the openings of the plastic curtains into the water supply units in the service reservoir. As a result, an unpleasant odour was detected in the drinking water. The WSD suspended the supply of drinking water from the Tsuen Wan Fresh Water Service Reservoir during the night on 19 November 2017 and took several drinking water samples for testing. All the test results showed that no substance in the water samples was found harmful to human body. The WSD would investigate the incident in depth, complete the investigation report as soon as possible and take follow-up actions, including examining the responsibilities of the contractor as well as reviewing and enhancing the respective workflow, in order to prevent the recurrence of similar incidents.

162. Ms LAM, Lam Nixie said she thanked the WSD for submitting the document to explain the incident. Yet, she hoped that the WSD would enhance the notification mechanism. She pointed out that after the incident happened, there was media coverage on the incident which indicated that Kwai Tsing district and Tsuen Wan district were involved, but at that time, the WSD did not notify any of the district councillors of Tsuen Wan district. She believed that the WSD had the contact details of the district councillors. Also, she opined that the WSD should immediately notify the District Office and district councillors when major incidents happened. She added that she had made enquiries on the incident to the WSD during the night after the incident happened, but she could only receive a written reply from the WSD till then. She thought that the practice of the WSD was unsatisfactory and hoped that the WSD would conduct a review on this matter.

163. Mr MAN Yu-ming opined that the WSD's notification mechanism for the incident of unpleasant odour in drinking water was unsatisfactory. He hoped that the WSD would serve notification to the district councillors as early as possible. On the other hand, he commended the HD for providing water wagons for the residents of Shek Wai Kok Estate and arranging cleansing of water tanks immediately after the incident.

164. The Chairman would forward Members' views to the WSD and hoped that the WSD would pay more attention to Members' views.

(Post-meeting note: The Secretariat had conveyed Members' views to the WSD in writing on 3 January 2018.)

165. Mr TAM Hoi-pong enquired whether a paper with the details of the organisations which invited the TWDC to serve as a supporting organisation could be provided for Members' perusal before the TWDC meetings in order to enhance the efficiency of the TWDC meetings.

166. The Chairman stated that all the organisations which invited the TWDC to serve as a supporting organisation were non-profit-making organisations. As these organisations intended to seek support from the TWDC for their activities and no monetary transaction was involved, he was of the view that the provision of a paper separately for Members before the TWDC meetings was not required.

167. The Chairman reminded Members that the date of the next meeting was 30 January 2018 and the deadline for submission of paper was 15 January 2018.

168. The Chairman sent festive blessings to the attendees as the Christmas and New Year holidays were around the corner.

XX Adjournment of Meeting

169. There being no other business, the meeting was adjourned at 7:30 p.m.

Tsuen Wan District Council Secretariat
January 2018

Membership list of the “Working Group on Second Duty Visit”

Mr CHAN Sung-ip, MH (Convenor)

Mr MAN Yu-ming, MH

Mr KOO Yeung-pong, MH

Mr NG Hin-lung, Norris

Ms LAM Yuen-pun, Phyllis

Ms LAM, Lam Nixie

Mr CHAN Chun-chung, Jones

Mr WONG Wai-kit

Mr LO Siu-kit, MH

Mr TAM Hoi-pong