

**Minutes of the 8th Meeting of the
District Facilities Management Committee of the
Yau Tsim Mong District Council (2012-2015)**

Date: 15 March 2013 (Friday)
Time: 2:30 p.m.
Venue: Yau Tsim Mong District Council Conference Room
4/F., Mong Kok Government Offices
30 Luen Wan Street
Mong Kok, Kowloon

Present:

Chairman

Mr CHAN Siu-tong, MH

Vice-chairman

Ms WONG Shu-ming

District Council Members

Mr CHUNG Kong-mo, JP	Ms KO Po-ling, BBS, MH, JP
Mr CHAN Wai-keung	Ms KWAN Sau-ling
Mr CHOI Siu-fung, Benjamin	Mr LAU Pak-kei
Mr CHONG Wing-charn, Francis	Mr LEUNG Wai-kuen, Edward, JP
Mr CHOW Chun-fai, BBS, JP	Mr WONG Chung, John
Mr HAU Wing-cheong, BBS, MH	Mr WONG Kin-san
Mr HUI Tak-leung	Mr WONG Man-sing, Barry, MH
Mr HUNG Chiu-wah, Derek	Mr YEUNG Tsz-hei, Benny
Mr IP Ngo-tung, Chris	

Representatives of the Government

Ms HO Siu-ping, Betty, JP	District Officer (Yau Tsim Mong)	Home Affairs Department
Miss LIU Suk-wa, Connie	Senior Executive Officer (District Management), Yau Tsim Mong District Office	Home Affairs Department
Miss WONG Man-po, Poe	Acting Executive Officer (District Management) 1, Yau Tsim Mong District Office	Home Affairs Department
Ms CHING Ka-wai, Elsa	Architect (Works) 4	Home Affairs Department
Mr CHEUNG Kwok-wai, Alex	Senior Manager (Kowloon West/Cultural Services)	Leisure and Cultural Services Department
Mr WONG Tat-ming, Richard	Chief Leisure Manager (Hong Kong West)	Leisure and Cultural Services Department
Mrs CHU LEE Mei-foon, Karen	Senior Librarian (Yau Tsim Mong)	Leisure and Cultural Services Department
Mr SO Ting-lut, Vincent	District Leisure Manager (Yau Tsim Mong)	Leisure and Cultural Services Department
Ms YEUNG Shiu-man, Brenda	Deputy District Leisure Manager (District Support) Yau Tsim Mong	Leisure and Cultural Services Department

In Attendance:

Mr CHEUNG Fu-yin	Inspector of Works (Kowloon) 1	Home Affairs Department
Mr WONG Ching-wah	Assistant Inspector of Works (Yau Tsim Mong)	Home Affairs Department
Mr PS SO	Architectural Manager/Associate	Tom Ip & Partners Architects, Engineers & Development Consultants Limited
Mr CHIU Yu-wae	Quantity Surveyor	Rider Levett Bucknall Limited
Prof LEUNG Hing-fung	Chairperson	Hong Kong Mediation Council
Mr CHAN Man-shing, Jango	President	Hong Kong Mediation Centre
Mr Barbarossa WAN	Mediation Coordinator	The Law Society of Hong Kong
Ms HO Pui-yee, Angela	Senior Government Counsel	Department of Justice
Dr NG Chi-wa, Louis	Assistant Director (Heritage and Museums)	Leisure and Cultural Services Department
Miss TAM Mei-yee, Eve	Chief Curator (Art)	Leisure and Cultural Services Department
Ms LI Shuk-ming, Selina	Senior Executive Officer (Planning) 6	Leisure and Cultural Services Department
Mr WEI Chiu-fan, Job	Senior Project Manager	Architectural Services Department
Miss FUNG Wai-min, Vivien	Senior Architect/24	Architectural Services Department
Ms CHEUNG Sui-lun, Lilian	Project Manager	Architectural Services Department
Mr CHAN Man-hon, Raymond	Assistant District Leisure Manager (District Support) Yau Tsim Mong	Leisure and Cultural Services Department
Ms HO Ching-yin, Adeline	Librarian (Fa Yuen Street Public Library)	Leisure and Cultural Services Department
Ms CHANG Yuen-ni, Yvonne	Senior Estate Surveyor/Kowloon Central	Lands Department

Secretary

Ms CHAN Yeh-pak, Mona	Executive Officer (District Council) 4, Yau Tsim Mong District Office	Home Affairs Department
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Opening Remarks

The Chairman welcomed Councillors and representatives from government departments to the District Facilities Management Committee (“DFMC”) meeting. The Chairman asked participants to speak as concise as possible since there were many items on the agenda. He proposed that Councillors be allowed to speak for two minutes for the first time and one minute for the second time. There was no objection to the proposal.

Item 1 Confirmation of Minutes of Last Meeting

2. The minutes of the last meeting were confirmed without amendment.

**Item 2 Progress Report on District Minor Works (“DMW”) Projects Led by
Yau Tsim Mong District Office (“YTMDO”) in 2012-2013 (as at
28.2.2013)
(YTMDFMC Paper No. 15/2013)**

3. The Chairman welcomed the following representatives from government departments and project consultants to join Councillors in the discussion:

- (a) Ms Elsa CHING, Architect (Works) 4, Mr CHEUNG Fu-yin, Inspector of Works (Kowloon) 1 and Mr WONG Ching-wah, Assistant Inspector of Works (Yau Tsim Mong) of the Home Affairs Department (“HAD”);
- (b) Miss Connie LIU, Senior Executive Officer (District Management) and Miss Poe WONG, Acting Executive Officer (District Management) 1 of the Yau Tsim Mong District Office;
- (c) Mr PS SO, Architectural Manager/Associate of Tom Ip & Partners Architects, Engineers & Development Consultants Limited; and
- (d) Mr CHIU Yu-wae, Quantity Surveyor of Rider Levett Bucknall Limited.

(i) Works Projects Endorsed by the DFMC but Pending Completion

(1) Greening and Beautification Projects 2012-2013

4. Miss Poe WONG said that the YTMDO had planted 56 trees at the junction of Nathan Road and Austin Road in Tsim Sha Tsui in early years. Since the Architectural Services Department (“ArchSD”) owned the title to the land, the YTMDO would hand over the 56 trees which were planted there to the ArchSD in April 2013, so that the department could take up the responsibility of the daily management and maintenance of the trees from April onwards.

5. The Chairman asked Councillors to take note of the arrangement.

6. Miss Poe WONG reported that the materials and photos about the activities organised by the Working Group (“WG”) on Ethnic Affairs, the WG on Care for the Community and the Fight Crime Committee (Yau Tsim Mong District) would shortly be displayed at the Mong Kok Road Footbridge. The YTMDO and the works contractor were now following up on the printing and displaying of those materials and photos. She asked Councillors to give suggestions on the theme of the next round of exhibition.

7. The Chairman asked Miss Poe WONG whether any committees or working groups under the District Council had sent photos to the DFMC for display at the Mong Kok Road Footbridge as at the date of the meeting.

8. Miss Poe WONG said as far as she knew, the Vice-chairman and Mr WONG Kin-san who chaired the WG on Women’s Affairs and the Building Management Promotion Campaign Organising Committee respectively would like to use the panels at the Mong Kok Road Footbridge to display photos of their activities.

9. The Chairman said that Councillors could contact Miss Poe WONG for displaying photos of activities organised by their committees or working groups at the Mong Kok Road Footbridge.

10. The Vice-chairman added that the WG on Women's Affairs and the Building Management Promotion Campaign Organising Committee chaired by her and Mr WONG Kin-san respectively were both under the Yau Tsim Mong District Council ("YTMDC").

11. The Chairman recalled that at previous DFMC meetings, Councillors had suggested giving priority to committees/working groups under the YTMDC to display their photos of activities at Mong Kok Road Footbridge, and there was no objection to the proposal. Although there were cases in which local organisations had borrowed the display panels of the footbridge for exhibitions, such applications must still be approved by the DFMC.

(2) Improvements to Wong Tai Street/Tai Tsun Street Sitting-out Area and Wong Tai Street/Ivy Street Sitting-out Area

12. Miss Poe WONG reported that the contractor had completed procurement and would replace the floor tiles in the Wong Tai Street/Ivy Street Sitting-out Area ("SOA") by the end of March.

(3) To Enhance Promotion of Jade Street Located on Canton Road

13. Miss Poe WONG said that the Works Section of the HAD ("Works Section") had completed tender assessment and was currently liaising with the contractor for putting up a map plate at Jade Street.

14. The Chairman found that an organisation had put up panels displaying photos of Jade Street on the railings of a pavement near the works site, but the photos had been wet by rain and the images had become blurred. He had already asked the Assistant District Officer of the YTMDO to inform the organisation concerned to follow up the matter. He reminded the YTMDO that equipment used to display photos to the public should be waterproof. In addition, he thought that the photos currently on display should be replaced by clear and intact ones as soon as possible.

(Post-meeting note: After the meeting, the YTMDO notified the secretary of the WG on Promotion of Tourism and Local Community Economy of the matter, and learned that the organisation concerned undertook to take care of the photo display panel.)

(4) To Enhance Greening of Hoi Fan Road, Tai Kok Tsui

15. Miss Poe WONG reported that the contractor had completed placing about 70 hanging flower pots along Hoi Fan Road in late January. The total cost was \$136,000.

16. Miss Poe WONG suggested deleting the item from the agenda. There being no objection to the proposal, the Chairman declared that the item was deleted.

(5) Provision of a Green Belt under Ferry Street Flyover

17. Miss Poe WONG said that the contractor had already finished paving the cement platform and placing flower pots on both sides of the space under the Ferry Street Flyover in early February. The Lands Department ("Lands D") had set up a fence on one side of the space with flower pots placed under the flyover in late February, and would set up a fence on the other side of the space under the flyover later on, which was farther away from Prosperous Garden. The contractor would carry out greening work afterwards.

18. Mr CHUNG Kong-mo asked when the contractor would start planting at the space under the Ferry Street Flyover as flower pots had already been placed there.
19. Miss Poe WONG responded that the contractor would start planting at the space under the flyover upon completion of the fencing work.
20. Mr CHUNG Kong-mo asked when the fencing work would complete.
21. Miss Poe WONG responded that the Lands D would commence the second phase of the fencing work as soon as possible; the remaining fencing work would take about two weeks.

(6) Enhanced Greening of Chui Yu Road, Tai Kok Tsui

22. Miss Poe WONG reported that the contractor had completed placing about 120 hanging flower pots along Chui Yu Road in late January. The total cost was \$125,880.
23. Miss Poe WONG suggested deleting the item from the agenda. There being no objection to the proposal, the Chairman declared that the item was deleted.

(7) Provision of Landmark at Ladies' Market (Tung Choi Street) (with the identified site for the single-block landmark at the junction of Sai Yeung Choi Street South and Soy Street near Hollywood Plaza)

24. Miss Poe WONG said that after the last meeting, the Hon James TO had written to the DFMC to enquire about and provide his views on the Ladies' Street landmark project. In addition, one of the management companies of a commercial building adjacent to the identified site for the landmark had recently written to voice its objection to the project. Copies of the two letters had been distributed to Councillors before the meeting for their perusal.
25. The Chairman added that the two letters were respectively sent by the Hon James TO and Perfect World Company Limited ("PWC"), the management company of Chic Castle located on the ground floor to the third floor of President Commercial Centre ("PCC"). Since some contents of PWC's letter were untrue, he asked the District Officer to make clarifications.

(Mr HUI Tak-leung joined the meeting at 2:42 p.m.)

26. Ms Betty HO said that the works proposal was put forward in the last session of the DFMC. The background information of the works was as follows:
- (a) At the DFMC meeting in September 2008, several Councillors submitted a paper suggesting the construction of a "pai lou" in Mong Kok to promote the Ladies' Market as a tourist attraction. Councillors initially suggested the construction of two Chinese-style "pai lous" at the junction of Argyle Street and Tung Choi Street and the junction of Dundas Street and Tung Choi Street as landmarks of the Ladies' Market. The suggestion was passed in principle by the DFMC, and the DFMC later approved a feasibility study for the works proposal in January 2009.
 - (b) After preliminary evaluation in April 2009, the department believed that the sites were not suitable for the construction of landmarks because of the presence of underground facilities. Later at the DFMC meeting on 12 May

2011, Councillors agreed to change the site to the open space at the junction of Soy Street and Sai Yeung Choi Street South (the current site) and commissioned a project consultant to conduct a feasibility study on the current site.

- (c) In April 2012, the project consultant completed the preliminary feasibility study. As a usual practice, the YTMDO carried out a local consultation which was of a supplementary nature. The targets of the consultation were the tenants of buildings near the identified site and the District Council (“DC”) member of the local constituency. At the time, the YTMDO issued a total of 11 consultation documents to the DC member of the Mong Kok South constituency and the management offices/owners’ corporations/owners’ committees of the following 10 buildings:

- Management Office of Hollywood Plaza;
- Owners’ Corporation of PCC;
- Management Office of Pakpolee Commercial Centre;
- Owners’ Corporation of Cheong Kee House;
- Management Office of Chung Shun Building;
- Owner’s Committee of Ginza Plaza;
- Owners’ Corporation of Mong Kok Plaza;
- Owners’ Corporation of Fook Tai Building;
- Owners’ Corporation of Wingco Mansion; and
- Owners’ Corporation of No. 23 of Soy Street and Nos. 9, 11, 13 and 15 of Tung Choi Street.

During the consultation period, the YTMDO only received two replies. One was from the DC member of the local constituency who supported the proposal and the other was from Hollywood Plaza who objected to the proposal. The YTMDO had not received any responses or enquiries from other targets of the consultation.

- (d) Regarding the design of the landmark, the DFMC initially suggested in 2008 to build a Chinese-style “pai lou”. Councillors later changed to a Western-style landmark which was considered trendier and better able to match the characteristics of Mong Kok. At the DFMC meeting on 12 July 2012, it was agreed to adopt a Western-style design for the landmark that was tentatively named “Ladies’ Ring”. However, due to the high electricity consumption of the design and the potential threat of light pollution, the DFMC ultimately decided at the meeting on 15 November 2012 to make a sculpture as the landmark with the theme of “Harmony of Tai Chi”. After the meeting, the YTMDO commissioned Tom IP & Partners Architects, Engineers & Development Consultants Limited, the project consultant, as the works agent. The consultant was currently preparing the design drawings and the tender documents. If there were no further changes to the works proposal, the landmark could complete in February 2014 and the anticipated cost of the whole project was \$1.59 million.

27. The Chairman said it was stated in the letter from PWC who represented the Owners’ Committee of Chic Castle that it had never received the relevant consultation document. He asked the District Officer to respond on the matter.

28. Ms Betty HO responded that the commercial tenants of Chic Castle were indeed not included in the scope of the YTMDO’s previous consultation. She said that the YTMDO usually sent consultation documents to owners’ corporations with the legal status as a

representative. Since Chic Castle was located on the ground floor to the third floor of PCC, its management matters were under the purview of the Owners' Corporation of PCC. Hence the YTMDO had only written to the Owners' Corporation of the building but not individually to each commercial tenant of Chic Castle. The purpose was twofold: to prevent administrative confusion and to collect more comprehensive views.

(Ms KO Po-ling and Mr Benny YEUNG joined the meeting at 2:46 p.m.)

29. The Chairman summarised that according to the District Officer's reply, Chic Castle was under the management of the Owners' Corporation of PCC, and the YTMDO had consulted the Owners' Corporation on the works proposal.

30. Mr CHAN Wai-keung indicated that the content of the letter issued by the representative of the owner's committee of Chic Castle was different from what the District Officer had stated. It was said in the letter that during the so-called "consultation period", PWC, the commercial tenants of Chic Castle, the Owners' Corporation of PCC and its property management agency (Jones Lang LaSalle) had not received any consultation documents or telephone interviews/queries. He understood that the property management agency of PCC was not included in the YTMDO's scope of consultation, but the allegation that neither the Owners' Committee of Chic Castle nor the Owners' Corporation of PCC had received the consultation documents was actually extremely serious. He would like to know what delivery method the YTMDO used to send the consultation documents and how it ensured that the addressee had received the document so as to avoid disputes between the sender and the receiver. He suggested the YTMDO to consider sending consultation documents by registered mail.

31. The Chairman asked the District Officer to reconfirm whether it had sent the consultation documents to the Owners' Corporation of PCC.

32. Mr Benny YEUNG said that if the claim made by PWC in its letter was true, the background information that the DFMC was informed of at the meeting on 12 July 2012 would be untrue. Then the resolutions made by Councillors that day should not be deemed as final.

(Mr Edward LEUNG joined the meeting at 2:50 p.m.)

33. Ms Betty HO responded that according to internal records and filed copies of letters, the YTMDO had sent the consultation documents to Mr HUNG, the Chairman of the Owners' Corporation of PCC by ordinary mail on 24 April 2012. She added that besides ordinary mail, the YTMDO would deliver mails by hand whenever necessary (such as if there were too many occupants' mailboxes in the building) to improve efficiency. She also said that the YTMDO currently did not have a mechanism on the acknowledgement of receipt of letters by addressees.

34. The Chairman thought that the internal records of the YTMDO were accurate, so he believed that the Office did mail the consultation documents to the Owners' Corporation of PCC. He said that the consultation documents issued by the YTMDO in the past and the record of replies from the targets of the consultation were not factors of consideration to Councillors. The most important thing was whether the YTMDO had properly conducted local consultation work so as to allow Councillors to make an informed decision on 12 July 2012 (given that there was one objection).

35. Mr CHAN Wai-keung believed that the YTMDO could provide evidence of mailing the consultation documents to the Owners' Corporation of PCC. It was not known why the

Owners' Corporation claimed that it had not received the document. However, he believed that regardless of the reason, it was extremely important to ensure acknowledgement of receipt of documents by addressees. He suggested the YTMDO consider sending documents by registered mail in future and retaining the advice of receipt.

36. Mr Derek HUNG said that according to the letter issued by PWC on behalf of Chic Castle, the Owners' Corporation of PCC had never received the consultation documents. He pointed out that a copy of the document should have been sent to the Owners' Corporation. The Chairman of the Owners' Corporation had not said anything about the works proposal, nor did he indicate that he had not received the documents. An intelligent guess was that the Chairman of the Owners' Corporation had no comment upon receipt of the consultation document and PWC's letter and therefore did not reply. In addition, he stated that as Chic Castle was under the management of the Owners' Corporation of PCC, the views of the Owners' Corporation which were supposed to be the consensus of the stakeholders of the whole building would suffice. He added that while the YTMDO's current practice of sending documents was fine, the Office could also consider using registered mail if resources permitted.

(Mr John WONG joined the meeting at 2:52 p.m.)

37. The Chairman said that the local consultation work in question was applicable to all works proposals in the district but not only the captioned works. If consultation documents were to be delivered by registered mail in future, the new practice should also be applicable to all works proposals. He also pointed out that it was the usual practice of the owners' corporations of commercial buildings, composite commercial/residential buildings or residential buildings in the district not to give replies to imply that they had no comment on the matter of consultation. He said that Councillors could further discuss the point if they disagreed. He said that at the DFMC meeting on 12 July 2012, Councillors noted that during the local consultation, a commercial building had strongly opposed the works proposal. Mr CHOW Chun-fai, DC member of the constituency had replied that he supported the proposal, while other owners' corporations/owner's committees had not given any replies. He believed that the YTMDO had properly performed the local consultation work, which meant that Councillors had made an informed decision to support the captioned works with the knowledge that there was an objection.

38. Mr CHOW Chun-fai added that since two months ago, there had been much public opinion in Hong Kong against the construction of the Ladies' Market landmark. His office had also received many phone calls and emails about the works, in which there were both support and objections to the works proposal. He also said that out of the three landmark projects of the Yau Tsim Mong ("YTM") District, the Ladies' Market landmark was the first proposal put forward. While the "pai lou" at Temple Street and the goldfish sculpture at Nullah Road had already been completed, the Ladies' Street landmark was still under discussion.

39. Mr CHOW Chun-fai recalled that as early as in the 1990s, the mutual aid committees ("MAC") of the first, second, third and fourth hawker permitted areas at Tung Choi Street had requested the YTMDC to build a Ladies' Market landmark to promote local economy and revive tourism. At that time, the Urban Minor Works Committee chaired by him did not have sufficient funds to afford the design fee of the landmark as it only received funding of a few million dollars annually. The MACs therefore designed the landmark themselves and later consulted government departments. The whole process took more than 10 years, and it was not until 2008 that the DFMC formally took over and followed up the matter. However, when the departments concerned carried out site investigation, it was found that there were many underground pipelines at the original site. The DFMC then

decided to build the landmark at the current identified site near Soy Street, and the site investigation results also confirmed that the site was suitable. The DFMC then commissioned a project consultant to design the landmark. A Chinese-style “pai lou” design was initially adopted, but during the process of local consultation, the YTMDO received strong objections from one commercial building. Subsequently, the Chairman and he had met with the representative of the commercial building and had reported all the views (such as oversized and unattractive appearance, etc.) to the DFMC. After deliberation, Councillors decided to change the design to the Western-style by voting. The preliminary proposal was “Ladies’ Ring” but was later changed to the theme of “Harmony of Tai Chi” which symbolised prosperity, peace and safety. The Chairman added that at that time, Councillors had already decided on the materials and colour of the landmark. Mr CHOW Chun-fai further added that the DFMC had always taken a prudent and serious attitude toward the discussion of the details of the works project and that resolutions were not made in a hasty manner. Councillors should take collective responsibility for the matter. He stressed that the construction costs of the project used to be paid from the funding for urban minor works but would then be paid out of recurrent funding for District Minor Works, which was completely unrelated to the Government’s \$100 million earmarked for the Signature Project Scheme reserved for each district. He added that recently in his constituency, a resident had asked him whether he would withdraw the suggestion to build the Ladies’ Market landmark. He firmly replied that he would continue to support the implementation of the project.

(Mr Francis CHONG joined the meeting at 3:05 p.m.)

40. The Chairman said that he let Mr CHOW Chun-fai speak for more than three minutes because it was necessary to explain the background of the project in details. He added that at the meeting on 15 November 2012, the DFMC had already decided “Harmony of Tai Chi” as the design theme of the landmark. Whether there was a need to name the landmark could be discussed later. He also pointed out that although the DFMC had received various views and enquiries in relation to the works project, the factual information clearly showed that the DFMC had not made a mistake when approving the works and that Councillors had thoroughly discussed the works proposal. The decision made by Councillors to support the construction of the landmark should therefore remain unchanged. He then asked participants whether they could close the discussion on the item. There was no objection to the suggestion.

41. The Chairman reiterated that the DFMC made the resolution on a collective basis and Councillors must take collective responsibility for it. He thanked the Councillors at the meeting for supporting the captioned works, and thanked the media and individuals of the society for providing their valuable views on the project. Regarding the local consultation, he said that an item could be added to the agenda of the next meeting, if necessary, to review whether consultation documents should be sent by registered mail in future.

42. Ms Betty HO supplemented the following information:

- (a) Since 2008, the DC had participated in DMWs through the DFMC. She stressed that local consultation was not limited to the consultation work that the YTMDO conducted subsequent to the project feasibility study. What was most important was that the Councillors collected views of the public at the district level and then proposed works proposals to the DC or DFMC. The subsequent consultation work was of a supplementary nature. The YTMDO would, therefore, only consult people in the affected area closest to the works site. The consultation could only supplement but not replace the consultation work that was undertaken by Councillors through their local

networks during the preliminary conceptual stage of the works proposals.

- (b) Regarding the issue of mailing consultation documents, the YTMDO could only spend \$20,000 - \$30,000 every year on postage, which was already insufficient. She undertook to reflect to the HAD Councillors' view on using registered mail in the hope that the HAD would increase funding for expenditure on postage. She added that the number of consultation documents sent by the YTMDO would depend on whether the target of consultation was a building as a whole or individual occupants in a building. Regarding the Ladies' Street landmark project, only about 10 copies of the consultation document had been sent. For the case of the "pai lou" at Temple Street, the YTMDO had sent over 100 letters. Therefore, if registered mail was to be used instead, the postage would greatly increase due to the surge in mailing volume.

43. There being no other comments, the Chairman closed the discussion on the item.

(ii) Works Projects Endorsed in Principle by the DFMC

Provision of Canopies to GMB Stops next to Larch Street SOA

44. Miss Poe WONG said that the YTMDO had arranged a site visit for the Works Section and the DC member of the constituency concerned in late January. The Works Section was studying the feasibility of the works and the result would only be known after the completion of the site investigation. The YTMDO would report to the DFMC in due course.

45. Miss Poe WONG then reported on the expenditure outturn for DMWs of the YTM District (see Annex 3 of the captioned paper). She said that according to the latest information provided by the Leisure and Cultural Services Department ("LCSD"), the Works Section and the project consultant (as at 28 February 2013), the anticipated cost of the works to be paid in the year 2013-2014 was approximately \$4.2 million. The amount did not include the expenses for the "Provision of a Pet Garden and Model Car Play Area under the Ferry Street Flyover" project which was endorsed in the last meeting.

46. Councillors noted the expenditure of the works and had no other comments. The Chairman closed the discussion on the item.

(Mr HAU Wing-cheong left the meeting at 3:10 p.m.)

Item 3 Extension for Provision of Community Venues for Mediation
(YTMDPMC Paper No. 17/2013)

47. The Chairman welcomed the following representatives to the meeting:

- (a) Prof LEUNG Hing-fung, Chairperson of Hong Kong Mediation Council;
- (b) Mr Jango CHAN, President of Hong Kong Mediation Centre;
- (c) Mr Barbarossa WAN, Mediation Coordinator of the Law Society of Hong Kong; and
- (d) Ms Angela HO, Senior Government Counsel of the Department of Justice.

48. The Chairman said that under the support of the DFMC, the Hong Kong Mediation Council and the Hong Kong Mediation Centre ("the two bodies") had been borrowing the

Henry G. Leong Yaumatei Community Centre (“HGLYCC”) as a mediation venue in recent years. By submitting the paper, the two bodies hoped to continue borrowing the HGLYCC for mediation in the coming year.

49. Prof LEUNG Hing-fung briefly presented the paper. He asked Councillors to support the two bodies’ borrowing of one classroom and one meeting room in the HGLYCC to provide mediation services between 1:00 p.m. to 5:00 p.m. on every Monday and Wednesday from 1 April 2013 to 31 March 2014, and the venue fee would be charged only when the mediator charged a fee for mediation. If the mediation was provided on a pro bono basis and as a part of social service, then the venue charge would be waived. He then outlined the latest developments of mediation in Hong Kong.

50. Mr CHAN Wai-keung said that according to the paper, there were a total of 49 mediations conducted at the HGLYCC from July 2009 to December 2012, which meant that the two bodies only handled an average of one case per month at the HGLYCC. He urged Councillors to consider whether it was cost effective for the two bodies to borrow the venue for two days (a total of eight hours) every week. In addition, he asked the two bodies the expected utilisation of the service in the coming year, and whether it would be a waste of resources if fewer people would choose to use the mediation services of the two bodies when there were quicker ways to resolve disputes (such as through the Small Claims Tribunal or by employing a private lawyer) in future.

51. Ms KWAN Sau-ling said that representatives of the Financial Dispute Resolution Centre (“FDRC”) had earlier introduced its scope of service at the Community Building Committee meeting. She would like to know the difference between the mediation provided by the FDRC and the two bodies. She also asked how the public could make an appointment for mediation with the two bodies, and whether the public could check the availability of bookings of the service online.

52. The Chairman said that to his knowledge, the service provided by the FDRC was different from that provided by the two bodies.

53. Mr Benny YEUNG supported the two bodies’ continued provision of mediation service to the community. He said that the utilisation rate of the HGLYCC was quite high. Many booking applications from other organisations were rejected, but the two bodies had not fully utilised the venue. According to the Demerit Points System launched by the DFMC last year, the two bodies might be banned from booking community facilities. He suggested approving only half of the time slots applied by the two bodies, so as to free up time slots for the use of other organisations.

54. Mr Francis CHONG asked whether the two bodies usually handled more cases on Mondays or on Wednesdays.

55. Mr Derek HUNG thought that the mediation service provided by the two bodies had helped the public to resolve disputes through an alternative method other than legal proceedings. He hoped that the two bodies would provide more information to Councillors so that they could better understand the 49 cases handled by the two bodies between 2009 to late 2012, for example, whether the two bodies had successfully resolved those cases within their scope of services, or whether the two bodies had simply received those cases. He also asked the two bodies how many hours they generally needed to use the venue for the successful mediation of one case.

(Mr Benjamin CHOI joined the meeting at 3:19 p.m.)

56. Ms KO Po-ling thought that mediation could effectively resolve disputes and that it was a dominant trend for the public to use mediation. She asked if the two bodies had effectively used the HGLYCC, and if it had optimised the use of the reserved time slots of the HGLYCC. She also asked whether the two bodies should pay a venue charge if the mediation service was a paid service.

57. Mr Edward LEUNG said that there were currently many voluntary or semi-voluntary organisations that provided the public with affordable mediation services. There were even private lawyers who would introduce other lawyers providing free services to the public in resolving disputes. He would like to know what the two bodies, in the face of such market competition, would do to increase the utilisation rate of their services so that the borrowing of the community venues would be cost effective.

58. Mr CHUNG Kong-mo said that the mediation services provided by the two bodies could help the public resolve their disputes. He hoped to introduce the service to the public through publicity so as to increase the utilisation rate of the service. In addition, he asked the YTMDO which time slots of weekdays were less popular among the public for the booking of the classrooms and meeting rooms at the HGLYCC. He also asked, if no one applied to use the mediation service for a certain time slot, whether the two bodies could cancel the booking of the reserved time slot 14 days instead of seven days prior to the reserved date, so as to allow sufficient time for other organisations to submit an application to book the venue. He suggested that the DFMC first support the extended provision of the HGLYCC for the two bodies to provide mediation service for a period of one year, so that the mediation service that the two bodies provided to the public at designated time and location would not be affected. He also urged the two bodies to submit an application for the extended use of the venue well in advance of the expiry of the arrangement with sufficient data for Councillors' consideration.

59. The Chairman said that Councillors generally supported the provision of the Community Centre as a mediation venue. He asked the two bodies whether they could release the reserved time slots earlier if no one had made an appointment for mediation.

60. Prof LEUNG Hing-fung said he understood that the local community had a strong demand for the facilities of the HGLYCC. Since the aim of providing pro bono mediation services was to encourage those in need of the service but could not afford to use their service, the two bodies accepted appointments for the service at a shorter notice. To achieve the purpose of the service, it would only be suitable to cancel the booking seven days prior to the reserved date if no one made a mediation appointment.

61. The Chairman asked the two bodies to take account of Councillors' views and consider whether they could reduce the booking time of the venue.

62. Prof LEUNG Hing-fung replied that the implementation of the "Pilot Project on Community Venues for Mediation" would require the cooperation of the society in many aspects. The two bodies would widely promote the service to various major organisations. In addition, if both parties to litigation could afford the mediation charge, lawyers would recommend mediation to them. The two bodies would also introduce the mediation service to other DCs, and hoped that the YTMDC could provide the Community Centre as a mediation venue to help to promote the service.

63. The Chairman said that the pro bono mediation service and the "Meet-the-Public Scheme" service provided by the YTMDC on every Thursday were equally important to the public. Therefore it was necessary to fix a time and location that would be convenient for

the public to make an appointment for mediation. He asked the two bodies whether the time slots to be reserved would remain unchanged.

64. Prof LEUNG Hing-fung confirmed that the booking time would remain unchanged.

65. Mr CHAN Wai-keung requested that the two bodies provide specific figures to explain the actual average number of hours needed to use the venue as a mediation venue every week. He was against the provision of the venue for two days per week in the absence of such figures. He stated that on average, the two bodies handled one case per month, which meant that they could only borrow the venue for one day per week at most.

66. Mr Benny YEUNG recalled that at the DFMC meeting last year, Councillors had already discussed the seven-working days notification period to cancel the booking if there were no mediation cases to handle. According to the booking guidelines of the HGLYCC, applications for using the venue must be submitted at least seven working days in advance. If the two bodies could not cancel the booking at least 14 days prior to the reserved date, other organisations would not have sufficient time to submit an application, which could result in a waste of resources. He pointed out that the DFMC had already allowed the two bodies one more year to prepare statistics and had urged them to submit the venue renewal application earlier. He was dissatisfied that the two bodies was still unable to make any improvements. Given the strong demand for facilities of the HGLYCC, the DFMC could no longer handle the booking applications of the two bodies in such a lenient manner. In addition, he pointed out that there were two rooms on the 5th floor of the HGLYCC provided free of charge by the Hong Kong Housing Society ("HKHS") to owners' corporations for holding meetings in the evening. He thought that the two rooms were not used by anyone in the afternoon, so he suggested that the two bodies discuss borrowing the rooms from the HKHS so as to continue using the HGLYCC for mediation.

67. Ms KWAN Sau-ling pressed the two bodies for information such as their contact methods, the scope of mediation services and fees. She said that the Small Claims Tribunal and district courts generally recommended both parties meet with a mediator before the lawsuit. She would like to know the difference between that type of mediation and the mediation provided by the two bodies. She also said that the general public did not know much about mediation, so unlike what a Councillor had said earlier, the use of mediation was not a trend.

68. Ms Betty HO said that the YTMDC had been supporting the two bodies and had been providing community venues to them for mediation since 2009. She pointed out that there were new developments in mediation services in recent months. The Mediation Ordinance (Cap 620) became effective on 1 January 2013. The Government had also proactively promoted mediation through various channels and media. She said that the questions raised by Councillors were of extreme importance, especially the query on the effectiveness of the two bodies' continued using of community venues for mediation. She indicated that the YTMDC could help promoting mediation by providing community venues. She added that the public demand for mediation was supposed to increase after the extensive publicity of the service, but the factor was not reflected in the past utilisation rate of the service. She also said that the mediation cases handled by the two bodies at the community centre mainly involved matters related to the livelihood of the people, such as family, housing and land disputes. The pro bono mediation service could indeed greatly benefit the public. She hoped that the two bodies would later provide more substantial information to solicit support from Councillors for the mediation policies advocated by the Government, and to let Councillors understand that the pro bono mediation service provided by the two bodies was very meaningful. She understood that the local community had a great demand for community venues, so she would step up the efforts in the related work.

69. Mr CHAN Wai-keung said that to his knowledge, the service provided by the two bodies was different from the service provided by the FDRC. In addition, he would like to know the contents of the Mediation Ordinance and asked whether the Ordinance was related to the services provided by the two bodies or by the FDRC.

70. Mr HUI Tak-leung thought that the mediation service provided by the two bodies was still a new service and that there was not enough publicity on it. He therefore suggested that the DFMC should continue to provide community venues to the two bodies for another year and review the arrangement later. In addition, he suggested using the YTMDC's website to help promoting the service provided by the two bodies. He also said that DC members had the practice of meeting with residents in their constituencies, but at the same time the DC had launched the "Meet-the-Public Scheme". Notwithstanding the lack of publicity and lukewarm response, the scheme was still in operation because its aim was to provide more channels for the public to express their views. Therefore, while the utilisation rate of mediation provided by the two bodies was currently not high, Councillors should make allowances for the two bodies' application to continue borrowing the venue for another year.

71. The Chairman said that the "Meet-the-Public Scheme" provided services at designated time and location. Although there was no overwhelming response to the Scheme, the DC still continued to provide venue for Councillors to meet the public.

72. Mr Benny YEUNG suggested lending two rooms outside the DC Conference Room on the 4th floor of the Mong Kok Government Offices to the two bodies as a mediation venue.

73. The Chairman thought that Mr Benny YEUNG's suggestion was worth considering. He suggested that the two bodies visit the venues and consider whether the arrangement was feasible.

74. Mr Jango CHAN said that the two bodies borrowed the venue at the HGLYCC to provide pro bono mediation services to the grassroots level.

75. The Chairman said that the Mong Kok Government Offices was easily accessible because it was adjacent to the MTR station. He suggested that the two bodies visit the site and discuss with the YTMDO if they found the rooms suitable.

76. Mr Jango CHAN responded as follows:

- (a) If no one made an appointment for mediation, the two bodies would cancel the booking so as to allow optimisation of community venues.
- (b) There were not many venues suitable for mediation in Hong Kong and the public might not be able to afford the expensive charge for a private venue. If the YTMDC could not provide community venues free of charge for pro bono mediation purposes, people might be discouraged to use the service because of the venue charge. He urged Councillors to consider the point and approve the two bodies' continued borrowing of the venue.
- (c) The FDRC differed from the two bodies in that it had private mediation venues. While the two bodies had little difficulty in hiring a venue for its charged services, its main service of serving the community was provided on a pro bono basis, so they needed to use community venues for free.
- (d) The Hong Kong Mediation Centre had more than 800 members, with 60 of them actively promoted mediation in the community, such as by

co-organising briefings on mediation with DC members, or holding workshops and seminars to promote mediation. In addition, the two bodies had joined the Steering Committee on Mediation (“Steering Committee”) established by the Secretary for Justice to promote mediation from various aspects in conjunction with the Government. It was believed that the utilisation rate of the service would be higher in the coming year.

(Mr Barry WONG joined the meeting at 3:39 p.m.)

(Mr CHOW Chun-fai left the meeting at 3:40 p.m.)

77. Ms Angela HO said that Mr Barbarossa WAN would later explain the utilisation rate of mediation. She pointed out that before the implementation of the Mediation Ordinance, the Judiciary of Hong Kong had already issued the “Practice Direction 31 – Mediation”, which set out that the Court had the duty of helping the parties to settle their case, and would encourage both parties to try resolving their dispute by mediation when appropriate. She further explained that the aim of the Mediation Ordinance was to encourage resolving disputes through mediation and to ensure that mediation was conducted in confidence under a legal framework. The Steering Committee and its Public Education and Publicity Sub-Committee had already launched promotion activities in the community. It was believed that more members of the public would use mediation with the launching of strengthened publicity activities. She hoped that the DFMC would continue to support the two bodies in borrowing the venue.

78. Mr Barbarossa WAN responded that mediation was still in the promotion stage, so the past statistics on the number of cases stated in the paper did not reflect the current monthly rate of utilisation and the future trend of the service. He said that the two bodies successfully mediated five and three cases respectively in December 2012 and January 2013, which showed that the two bodies needed to borrow the community venue for eight working days every month to meet the demand for the service. As for the mediation time, each case took an average of four to five hours, but there were also some cases in which the venue had to be borrowed again before a settlement could be reached.

79. Mr Benjamin CHOI noted that the two bodies successfully mediated one case per month on average. He would like to know what mechanisms the two bodies had in place to prevent mediators from taking advantage of the mediation to promote themselves or solicit business. In addition, he believed that there were some conflicts between the two bodies’ mediation service and DC members’ duty to help the public resolving disputes. He thought that the role of Councillors in this regard should not be replaced by the services of the two bodies.

80. Mr Chris IP was dissatisfied that the two bodies had once again submitted application to the DFMC for the continued using of community venues without sufficient information and data. He also pointed out that the two bodies had given irrelevant replies to Councillors’ questions on the utilisation of mediation and the effectiveness of lending community venues to provide the service. He thought that the DFMC should not handle the application of the two bodies in a loose manner or else it would be difficult to explain to the public. He once again advised the two bodies to make improvements and prepare sufficient data before they submitted papers for the discussion of borrowing venues again in future. In addition, he asked the two bodies to consider borrowing the two rooms outside the DC Conference Room on the 4th floor of the Mong Kok Government Offices from the YTMDO as a mediation venue.

81. The Vice-chairman said that the two bodies had not answered Ms KWAN Sau-ling’s questions about ways to make an appointment for mediation and the scope of service and

contact details of the two bodies.

82. Mr WONG Kin-san supported the mediation service, but stressed that whether the YTMDC agreed to lend the HGLYCC to the two bodies as a mediation venue had nothing to do with whether it supported the mediation service. In addition, he requested the two bodies to clearly state, if other conditions remain unchanged, whether they could borrow the venue for only one day on either Monday or Wednesday while maintaining the efficiency of case handling. If that was impossible, he would like to know what difficulties the two bodies were facing.

83. Mr Barry WONG queried whether the two bodies were in a position to submit papers for discussion at the meeting. He expressed his support for mediation as it helped to promote harmony in the community. However, he was dissatisfied that the two bodies had once again failed to provide data requested by Councillors during the discussion of the same item the year before, and had not answered Councillors' questions in a proactive and professional manner. On top of that, the local community had a strong demand for community venues. Under such circumstances, it would be difficult for the DFMC to explain to the public its reason for supporting the provision of the venue to the two bodies.

84. Mr Francis CHONG supported the two bodies in borrowing one classroom and one meeting room of the HGLYCC for four hours each time to provide mediation, but hoped that pro bono mediation services should be of top priority. He thought that the controversial point of the current discussion was whether the two bodies had a genuine need to borrow the venue for two days each week. If they could cut the reserved days to either Monday or Wednesday, a balance could be struck between the demand for the venue from the two bodies and other organisations.

85. In response to Mr Barry WONG's question, the Chairman recalled that it was the third time that the two bodies applied to the DFMC for borrowing the community venue. The last session of the DFMC had approved the first application of the two bodies. The two bodies had to submit papers to the DFMC whenever they applied for an extension of the booking arrangement afterwards, otherwise their application to borrow the venue might have been rejected without being informed. He had approved the arrangement in the capacity as the Chairman of the DFMC, and asked new members of the DFMC to take note of the arrangement. If any Councillors objected to the arrangement, he would first consult Councillors whether they agreed to discuss the application for the extended borrowing of community venues of the two bodies at the meeting in future.

86. Prof LEUNG Hing-fung responded as follows:

- (a) The Mediation Ordinance provided a regulatory framework in respect of the confidentiality of mediation communications and the admissibility of mediation communications in evidence. It was anticipated that public demand for the service would increase significantly after strengthened education and promotion campaigns by the Steering Committee and its sub-committees. However, as the target of the service was limited to people who were unable to afford the costly mediation charge and generally had a lower level of education, the time needed to educate and encourage them to use mediation would be longer. He hoped that the YTMDC could provide community venues so as to allow people in need to use mediation. In addition, before the commencement of a court action, the Court would ask both parties to first go through mediation process. However, the mediation service provided by the two bodies was different from that process which mainly involved persons who were able to afford higher mediation fees, and

such persons could also seek help from other relevant service agencies.

- (b) To his knowledge, the FDRC only handled financial disputes between financial institutions regulated by the Hong Kong Monetary Authority and the Securities & Futures Commission of Hong Kong and their customers on an individual basis, so the nature of the service was different from that provided by the two bodies.
- (c) The Government encouraged the practice of “mediate first” and had organised many forums to promote mediation. The two bodies also proactively appealed to their members to act as pro bono mediators.

87. The Chairman asked whether the two bodies had set up mediation venues throughout all 18 districts of Hong Kong.

88. Miss Connie LIU said that the two bodies had tried hard to look for suitable community mediation venues in various districts of Hong Kong, and that the YTMDO had helped the two bodies to contact community halls/centres of the 18 districts to identify venues for mediation purpose. Since only the community halls/centres in the Wan Chai District and the YTM District could make available two rooms together for mediation, there were currently only two mediation venues at the two districts. There was an imminent need for the two bodies to apply to the DFMC to borrow the venue at the HGLYCC.

89. The Chairman added that not all community centre in every district could be used as mediation venues. The previous session of the DFMC had supported the two bodies in borrowing the HGLYCC because it was easily accessible. Providing mediation service there could benefit residents of both the local community and the whole territory. If any Councillors thought that it was inappropriate to provide the community centres in the YTM District as mediation venues, which had added burden to the district’s supply of community venues, he suggested a resolution by voting.

90. Ms Betty HO asked Miss Connie LIU to give supplementary information on the utilisation of the HGLYCC’s classrooms and meeting rooms for time slots which were not reserved by the two bodies.

91. Miss Connie LIU said that the overall utilisation rate of the HGLYCC was about 70%. The utilisation rates of the classroom and meeting room that the two bodies borrowed for mediation were over 50% and about 70% in the afternoon and evening periods respectively. Therefore, after the DFMC had approved the continued borrowing of the venues by the mediation bodies in the year before last year, the two bodies changed the reserved time slots of the venue from two evenings per week to the afternoons of every Monday and Wednesday with a relatively lower rate of booking.

92. The Chairman asked the two bodies if they would accept provision of the venue for only one day per week, on either Monday or Wednesday; if not, whether this was because the reduction in the time available for mediation would make it difficult to meet the expected increase in demand for the service in future. In addition, he asked how an appointment could be made for the service, and whether the two bodies could provide information on mediation for uploading onto the YTMDC’s website for greater publicity. He stressed that the relative low utilisation rate of mediation did not necessarily mean that the rate would not become higher in future. He compared the mediation service with the accident and emergency service, which could not be cut just because of the low utilisation rate at a certain time so that patients in need would not be affected.

93. Prof LEUNG Hing-fung responded as follows:

- (a) Users of the two bodies' service generally could not afford high mediation charges, therefore it was impossible for mediators to refer them to mediation institutions which charged expensive fees or were profit-making. In addition, recipients of legal aid were not qualified to use pro bono mediation services, so the two bodies were not worried that the mediators would solicit business at community venues.
- (b) In addition to appealing to its members to participate in the pro bono mediation programme, the two bodies would also consider connecting the two bodies' websites and step up efforts to promote and publicise mediation to the public.
- (c) Since both parties to mediation had to agree on a time and place for mediation, the two bodies needed to provide more choices to the parties by borrowing the venue for two days (Monday and Wednesday) per week.

94. The Chairman added that in the year before last year, the two bodies had already changed the booking time from two evenings every week to Monday and Wednesday afternoons in which the booking rate was relatively lower.

95. Prof LEUNG Hing-fung said that the evening time was generally more popular to the working population.

96. Mr Jango CHAN pointed out that mediation time had been changed from the more popular evening to the afternoon time slots since 2011, but the utilisation rate of the service had increased, which reflected that there was an upward trend in the demand for the service. Therefore, only one day of service per week at the Community Centre could hardly serve the community and facilitate the public in using the service. He also said that the mediation provided by the two bodies was similar to DC members' duty in helping the public resolve disputes. The only difference was that the two bodies helped both parties reach a settlement by professional mediation skills. If Councillors were interested in better understanding the two bodies' service, they would be happy to exchange views with Councillors after the meeting.

97. Mr Barbarossa WAN said that information about mediators and mediation could be obtained from the Mediation Information Office established by the Judiciary or the Joint Mediation Helpline Office established by the eight major mediation bodies in Hong Kong. The latter could even arrange for mediation services when necessary.

98. The Chairman asked if the two bodies could provide publicity leaflets to Councillors so that they could help promoting the service.

99. Mr Jango CHAN said he would be glad to provide Councillors with leaflets. He added that the public could input "mediation" in internet search engines or visit the websites of the two bodies to find their contact details.

100. The Chairman said that he tried searching the Internet on the spot and had successfully found the URLs of the two bodies.

101. Mr Derek HUNG believed that Councillors were generally in support of the mediation provided by the two bodies. Given that the utilisation rate of the HGLYCC was only about 50% during Monday and Wednesday afternoons, he suggested passing the two

bodies' application for an extension of the booking arrangement to promote mediation, and to review the arrangement a year later.

102. Mr CHUNG Kong-mo said the YTMDO had already confirmed that the booking rates of the proposed time slots and days of using the classroom and meeting room of the HGLYCC were relatively lower. In order to avoid affecting the continuity of the two bodies' service, he agreed to approve the two bodies' application for the extended use of the HGLYCC. However, he added that the two bodies must allow sufficient time and provide adequate information for Councillors' consideration when submitting the application next time. He further added that Councillors would be happy to display posters about the two bodies' service in their offices to help promote mediation.

103. The Chairman asked the two bodies to provide the leaflets on their services later so that Councillors could help to distribute them. He summarised that Councillors supported the mediation service, but did not necessarily support the two bodies' continued borrowing of the HGLYCC for another year. He noted that the two bodies still hoped to borrow the HGLYCC between 1:00 p.m. to 5:00 p.m. on every Monday and Wednesday for one year, and would provide more information and data when submitting an application next year in response to Councillors' requests. He then asked whether there were any Councillors who objected to providing the venue to the two bodies as proposed.

104. Mr Benny YEUNG suggested that the two bodies first contact the HKHS about borrowing the 5th floor of the HGLYCC or consider borrowing the two rooms outside the DC Conference Room on the 4th floor of the Mong Kok Government Offices.

105. The Chairman restated the two bodies' decision of not to adjust or shorten the booking time. He also reminded Councillors that the DFMC should first decide whether it should continue to provide the venue to the two bodies but not whether the two bodies should borrow venues from the HKHS.

106. Mr HUI Tak-leung said that the two bodies' service could benefit all the people of Hong Kong. He therefore urged Councillors to support the two bodies' application for borrowing the venue although there was room for improvement.

107. The Chairman asked Councillors to vote on whether they agreed to allow the two bodies to continue borrowing the HGLYCC between 1 p.m. to 5 p.m. on every Monday and Wednesday for one year. He said since the two bodies had stated that the booking time of the venue could not be reduced, Councillors could only vote for or against the application. In addition, he noted that many Councillors had suggested approving the application but reducing the period by half to six months and then reviewed the arrangement later. He pointed out that the DFMC met once about every two months, so the two bodies would have to prepare documents in a hurry to meet the schedule of the review in six months' time, which seemed to be disrespectful to the two bodies.

108. Mr Chris IP said that Councillors made a counter-proposal to cut the term because the two bodies did not respect the DFMC in the first place.

109. The Chairman put aside the voting option and asked whether Councillors objected to the two bodies' application under their borrowing conditions, but with a reduced lending period for six months subject to further review.

110. Mr Derek HUNG questioned the accuracy and adequacy of data collected during half a year.

111. The Chairman said that if Councillors had any objections to the proposal of lending the venue for half a year, then they had to decide whether they supported the two bodies' original application by voting. He then asked participants of the meeting whether they needed time for discussion.

112. Prof LEUNG Hing-fung requested that the meeting be adjourned. The Chairman adjourned the meeting for two minutes.

(The meeting reconvened after two minutes.)

113. The Chairman said that before the adjournment of the meeting, Councillors had suggested that either the two bodies revised the number of days and time of borrowing the venue, or Councillors approved the two bodies' application with the original borrowing conditions, but only for half a year and subject to further review. He asked the two bodies to clearly indicate whether they would revise the borrowing conditions so that Councillors could make a decision.

114. Prof LEUNG Hing-fung declared that the two bodies respected their partnership with the DFMC and expressed apology for causing misunderstanding among Councillors. He pointed out that public demand for the two bodies' mediation service was expected to increase, so there might not be enough mediation venues to meet the demand. If the term was shortened to half a year, then it would be difficult for the two bodies to collect meaningful data for Councillors' consideration due to time constraints. That would be unfair to the two bodies and Councillors. He added that during the adjournment of the meeting, the two bodies had decided to stick to the original condition, which was to borrow one classroom and one meeting room of the HGLYCC between 1:00 p.m. to 5:00 p.m. on every Monday and Wednesday for a period of one year.

115. Mr Jango CHAN added that the two bodies had proactively supported the Government in promoting mediation and had helped to establish a harmonious community. The conflict between the two bodies and Councillors lay in the limited number of successful mediation cases handled at community venues, which was unable to show that the demand for mediation would see an increase with the implementation of the Mediation Ordinance and a burst of promotional activities. Councillors, therefore, were not convinced that it was worth extending the provision of community venues to the two bodies. He undertook that the two bodies would take a more active role in promoting mediation in future and provide substantial data to Councillors in the coming year, so he hoped that Councillors could allow the two bodies one more year to make improvements.

116. The Chairman said that if the two bodies and Councillors could not reach a compromise, then the DFMC must vote on the matter.

117. Mr CHUNG Kong-mo proposed a balanced option. He suggested that the DFMC support the two bodies in the continued borrowing of the venue for one year, but the two bodies must report on the relevant information after three DFMC meetings. If the two bodies were still unable to make improvements by that time, then in principle, the DFMC would not accept the two bodies' application to continue borrowing the community venue in the coming year.

118. The Chairman thought that if the two bodies did not make any improvements in half a year's time, then it might be difficult to recover the right to use the venue and facilities for the remaining period.

119. Mr Chris IP and the Chairman agreed to first approve the lending of the venue to the

two bodies for half a year. If the two bodies could provide sufficient data after that and the lending of the venue was proved to be effective, then the provision of the venue would automatically be renewed for half a year, otherwise the DFMC would terminate the two bodies' application to borrow the venue.

120. Mr Benjamin CHOI said that before Councillors casted their votes, they must first confirm whether the lending period was half a year or one year. The proposed option should be final and should not be open to further discussion.

121. The Chairman agreed with Mr Benjamin CHOI. He also said that Councillors must bear collective responsibility for the DFMC's resolution. He said that the suggestion to revise the lending period to half a year was unilaterally made by the DFMC, but the two bodies did not accept it. The DFMC could otherwise immediately approve to lend the venue to the two bodies for half a year since no Councillors objected to the proposal.

122. Mr Benjamin CHOI said that the lending period of for half a year was a new proposal which was different from the one-year proposal under discussion before the meeting was adjourned. He suggested that Councillors be given time to consider the new proposal.

123. To prevent delay, the Chairman asked Councillors to vote on whether they would support the two bodies in borrowing the HGLYCC as a mediation venue for another year.

124. Ms Betty HO hoped that Councillors, before making a decision, could fully understand that the mediation service provided by the two bodies did benefit the grassroots and could support the Government's policy objective to reduce legal proceedings by way of mediation. She added that community mediation provided by the two bodies was very meaningful. She understood that there was a strong demand for the venue at the HGLYCC but she appealed to Councillors to support the service, taking into consideration the need to balance the interests of organisations that wanted to hire the venue and grassroots citizens who needed the service. She also said that if the two bodies applied to continue borrowing the venue in future, she would request them to submit papers earlier and prepare adequate information to allow Councillors sufficient time for consideration.

125. Mr Chris IP believed that the majority of Councillors at the meeting were against the two bodies' conditions of borrowing the venue for one year. If the two bodies did not make a concession, Councillors would ultimately have no choice but to pass the alternative of lending the venue for half a year followed by a review.

126. Prof LEUNG Hing-fung responded that after discussion, the two bodies proposed a revision to the borrowing conditions. The one-year period and venue would remain unchanged, but the time slots would be changed to Wednesday afternoons.

127. Mr Benjamin CHOI was dissatisfied that the two bodies made a counter-proposal when Councillors were about to vote on the one-year application.

128. Mr Francis CHONG said that the two bodies had shown goodwill by making a concession. He asked Councillors to consider accepting the new borrowing conditions proposed by the two bodies.

129. The Chairman asked Councillors to vote on whether they supported the extended provision of one classroom and one meeting room at the HGLYCC to the two bodies as a mediation venue between 1:00 p.m. to 5:00 p.m. on every Wednesday in the coming year. He said that if Councillors were against the application, the DFMC would no longer lend the venue to the two bodies and the matter would not be discussed again.

130. Councillors voted on the issue. The Chairman declared that with 11 Councillors voted for and 4 Councillors voted against the proposal, the DFMC supported the extended provision of one classroom and one meeting room of the HGLYCC to the two bodies as a mediation venue, but the time slot would be changed to between 1:00 p.m. to 5:00 p.m. every Wednesday for a period of one year. The two bodies must provide more data for the DFMC to consider before submitting its next application to borrow the venues. He added that if public demand for mediation did increase, then the DFMC could consider increasing the time slots.

131. Mr Benny YEUNG thought that the course of the negotiation between the two bodies and Councillors at the meeting was not a good example of mediation at all.

132. There being no other comments, the Chairman closed the discussion on the item.

Item 4 Renovation of Hong Kong Museum of Art
(YTMDPMC Paper No. 16/2013)

133. The Chairman welcomed the following representatives to the meeting:

- (a) Dr Louis NG, Assistant Director (Heritage and Museums), Miss Eve TAM, Chief Curator (Art) and Ms Selina LI, Senior Executive Officer (Planning) 6 of the LCSD; and
- (b) Mr Job WEI, Senior Project Manager, Miss Vivien FUNG, Senior Architect/24, and Ms Lilian CHEUNG, Project Manager of the ArchSD.

134. Dr Louis NG said that the department planned to refurbish the Hong Kong Museum of Art ("Museum") with a view to facilitating culture and arts development in Hong Kong and enhancing the building cluster of the Hong Kong Cultural Centre ("HKCC").

135. Miss Eve TAM gave a Powerpoint presentation (Annex 1) on the background of the renovation of the Museum. Miss Vivien FUNG then talked about the works project.

(Mr Benjamin CHOI left the meeting at 4:45 p.m.)

(Mr Francis CHONG and Mr Benny YEUNG left the meeting at 4:55 p.m.)

136. Dr Louis NG thanked the YTMDC for its concern about the Strategic Development Plan for HKCC Building Cluster, Tsim Sha Tsui proposed by the LCSD, including the Art Plaza Development Plan for Salisbury Garden, Tsim Sha Tsui which was the first phase of the Strategic Development Plan introduced at the last DFMC meeting. He thanked Councillors for their valuable views on the Art Plaza. Regarding the suggestion on the provision of a covered pedestrian walkway connecting the car park exit in Salisbury Garden and the Museum, he said that the department was currently reviewing the design of the walkway. The refurbished Museum would be connected with the enhanced HKCC upon completion of the redevelopment of waterfront buildings by the New World Development Company Limited ("NWD") and depending on the new locations of the exits of pedestrian subways. He also thanked Ms KWAN Sau-ling for reflecting the local community's aspirations for art development, and said that some of the Councillors' views had been incorporated into the design of the renovation of the Museum. As for the long-term development plan of the HKCC, the department needed more time to make detailed plans.

137. Mr Chris IP supported the renovation project of the Museum. However, he thought that the layout plan presented by the LCSD was not accurate. He added that the design of

the Art Plaza must be compatible with the overall design of NWD's redeveloped building cluster and the beautification of the surrounding environment. He said it would be even better if NWD was willing to provide financial and labour resources to build the Art Plaza, so as to ensure the compatibility of the overall design and layout. In addition, he asked when the Museum renovation works would commence, and how the LCSD would ensure that other exhibition venues were available for displaying collections and holding art exhibitions while the Museum was close.

138. Mr CHAN Wai-keung asked about the budget of the renovation project of the Museum. Given that the rate of attendance of the Museum was already not very high, he was worried that audience would be attracted to the new West Kowloon Cultural District ("WKCD"), in which case the objective of renovating the Museum to build audiences could not be accomplished. On top of that, if the cost was too high, it would not be cost-effective to carry out the renovation works and would even be a waste of money. He also asked about the architectural characteristics of the renovated Museum.

139. Ms KWAN Sau-ling supported the renovation plan of the Museum. She was also glad to see that the LCSD was committed to increasing the sunlight penetration of the Museum. In addition, she hoped that the LCSD would update the contents of the LED monitor outside the Museum in a timely manner, and suggested that the title and wording of promotional materials outside the Museum be displayed in both English and Chinese, so as to help visitors easily find the Museum.

140. Mr Derek HUNG supported the renovation plan of the Museum. Given the lack of space for art exhibitions in Hong Kong, he suggested that the LCSD divide the new exhibition halls on the podium level and the rooftop of the Museum into several smaller ones so as to flexibly meet the needs of exhibitions of different scales. He hoped that the Museum, besides holding more international exhibitions, would display the artworks of more local emerging artists in future as well. In addition, he supported the LCSD's application to the Town Planning Board ("TPB") for relaxing the building height restriction of the Museum to 37.5 metres so that the works could be launched as soon as possible.

141. Mr WONG Kin-san said that the LCSD had introduced the enhancement and improvement plans for the HKCC building cluster to the YTMDC in phases. It had first presented the Art Plaza project at the last DFMC meeting, followed by the Museum renovation plan at the current meeting. He believed it would be difficult for Councillors to understand the overall development of the building cluster at the Tsim Sha Tsui waterfront if the department continued to present the plans to enhance the HKCC and the Space Museum in a piecemeal approach. He added the LCSD should present a holistic development plan so that Councillors could provide practical advice, otherwise individual buildings with their own architectural characteristics would ultimately mix but not match with each other.

142. Mr WONG Kin-san said that because the WKCD was close to the Museum, there was public opinion that there might be duplications in functions of the two upon completion of the WKCD. It might be controversial of whether the Museum should be preserved at the current location. He thought that instead of simply renovating the Museum, the LCSD should conduct a public consultation on the use and positioning of the Museum. For example, the Museum could focus mainly on the YTM District so that it would have a different positioning from the WKCD which would organise territory-wide cultural and artistic events and exhibitions.

143. Mr Barry WONG supported the renovation plan of the Museum. He hoped that the LCSD would continue to communicate with the YTMDC to allow the works to commence as

soon as possible. He also suggested that user-friendly measures be adopted for the renovated Museum, such as free wireless Internet access to attract visitors staying in the Museum. In addition, artistic elements could be added to environmental protection facilities inside the Museum, such as waste separation bins. He asked the LCSD to note that illegal parties might gather in the Museum to engage in so-called “arts-related activities”. He hoped that the LCSD could consider appropriate measures in advance.

(Mr HUI Tak-leung left the meeting at 5:17 p.m.)

144. Mr Edward LEUNG said that the Museum had been established for a long time, so it would be a pity if it had to close with the completion of the WKCD. He therefore supported preserving and renovating the Museum. In addition to enhancing facilities in the Museum, he suggested that the LCSD take other measures to create an artistic atmosphere for visitors. He also asked the LCSD to consider assigning one of the performance venues of the HKCC for the use of the YTMDC with the Government holding the ultimate management right. The arrangement could help to address the shortage of civic centres and community halls/centres in the district.

145. Ms KO Po-ling said that she was a member of the West Kowloon Cultural District Consultative Committee. To her knowledge, the M+, a museum for visual culture, in the WKCD would be used to display large exhibits, while the Museum to be renovated by the LCSD would focus mainly on local art exhibitions. Since the two museums had different positionings, she supported the renovation of the Museum and the relaxation of the building height restriction to increase exhibition space. She recalled that at the last meeting, she and other Councillors had mentioned that there was a need to provide a covered pedestrian walkway at Salisbury Garden and retain the gatehouse of the Garden. She would like to know whether the LCSD could incorporate the two points in the works design. She also suggested providing sufficient parking spaces for coaches near Salisbury Garden to facilitate tourists going to the Tsim Sha Tsui waterfront.

146. Mr John WONG welcomed the renovation plan of the Museum and was concerned about the theme of the project and the design of the surrounding facilities. He asked whether there were any cultural and historical features of the Museum that needed to pay attention to, and whether the LCSD had conducted consultation work on the relaxation of the height restriction of the Museum. If it had conducted a consultation, he would like to know whether the department had received any objections.

147. Dr Louis NG responded as follows:

- (a) The LCSD valued the importance to the positioning of the Museum. To ensure cooperation between the Museum and the WKCD, the department had always maintained communication with the West Kowloon Cultural District Authority (“WKCD A”). The Museum would focus on local artworks that showcased the development of arts in Hong Kong from a historical and holistic perspective. The WKCD, on the other hand, would focus on contemporary visual culture. The LCSD and WKCD A met regularly to discuss the contents of exhibitions and activities, and even share their collections, so there would not be any conflicts in the roles of the Museum and the WKCD.
- (b) In recent years, the number of visitors to the museums under the LCSD and the Museum had increased greatly. The audience was expected to be even larger after the renovation of the Museum, which would benefit the WKCD

or even create a synergy effect. In fact, it would not be surprising to have two museums in Hong Kong as a cosmopolitan city.

- (c) The LCSD had always developed the overall planning by implementing both projects concurrently, with a view to ensuring a consistent design under the enhancement scheme of the building cluster of the HKCC. When the department prepared the development plan of the Art Plaza, it was planning the renovation of the Museum at the same time. While the department now put forward the renovation plan of the Museum, it was planning for the overall enhancement of the HKCC's facilities. It would also transform the HKCC into a dynamic and creative platform by making full use of its space to produce and manage events of different types and standards in the long run.
- (d) The design of the Museum renovation works was compatible with the enhancement plan of the HKCC building cluster. As shown in the layout plan, space had been reserved on the periphery of the Museum for the provision of a covered pedestrian walkway to be connected to the HKCC in future. Regarding the covered pedestrian walkway of the Art Plaza, the LCSD would consult Councillors once there was a specific plan.
- (e) The works for the Art Plaza would commence in 2013 and complete in the same year with a view to re-opening the sitting-out facilities for public use as soon as possible. The NWD would only commence the redevelopment of its building cluster and beautification of the surrounding environment afterwards. In addition, the LCSD had already preliminarily discussed with the NWD the design of the works, the closing and opening hours of the facilities a week prior to the meeting. Overseas environmental planning designers commissioned by the NWD would pay a visit to Hong Kong and the department would meet them to discuss improvement measures a week after the meeting.
- (f) The Museum renovation works was still under consultation. It took time for the LCSD to apply for funding, so there was no budget for the works, but it was believed that the cost of renovating the Museum would be lower than the cost of demolition and redevelopment. The department hoped that the works could be launched as soon as possible.
- (g) The LCSD upheld the principles of environmental protection and sustainable development in choosing suitable and visually attractive rubbish bins and waste separation bins for the renovated Museum and other museums under the LCSD.
- (h) The LCSD had already commissioned a consultant to follow up on the application for the relaxation of the height restriction of the Museum. The TPB would hold a meeting to discuss the application in June of the current year. The aim of the application was to complement the addition of an exhibition hall with a ceiling height of five metres for local artists to improvise and for exhibiting large-scale sculptures or installation arts. The department was confident that the TPB would support the application.

148. The Chairman said that Councillors generally supported the Museum renovation plan. He then asked the LCSD when it could present the works design of the enhancement plan and other options to the DFMC for discussion after considering Councillors' views. He

also asked the LCSD to respond to Mr Edward LEUNG's question and reply whether it could consider allocating one of the HKCC's performance venues for the use of the YTM District.

149. Dr Louis NG said that the LCSD would consider the needs of the YTM District in formulating long-term plans on the usage of the HKCC's indoor and outdoor space, and on the collaborations with local organisations. The department would consult Councillors again in future if there were relevant plans.

150. Mr Edward LEUNG said he had made the relevant suggestion in a bid to seek performance venues for arts and cultural groups in the district. He added that the number of Cantonese opera groups in the district alone was equivalent to the sum of the other 17 districts of Hong Kong.

151. Mr CHAN Wai-keung asked about the architectural characteristics of the renovated Museum again. He said that the Museum was one of the landmarks in the district, so its architectural characteristics must be compatible with the theme of the exhibitions in the Museum.

152. Dr Louis NG responded that a contemporary design with a sense of vitality and spaciousness would be adopted for the renovated Museum. To achieve the purpose, there would be exhibition halls with the Victoria Harbour as the backdrop, a layout with traditional Chinese features, and an exhibition hall for contemporary creative arts on the top floor.

153. The Chairman hoped that the LCSD would incorporate Councillors' views into the Museum's design as far as possible and report on the progress again later at the DFMC meeting. The Chairman concluded that Councillors supported the renovation plan of the Museum.

154. There being no other comments, the Chairman closed the discussion on the item.

Item 5 Report on Recreational and Sports Activities and Management of Facilities in YTM District by LCSD (December 2012 to May 2013)
(YTMDFMC Paper No. 18/2013)

155. The Chairman welcomed Mr Richard WONG, Chief Leisure Manager (Hong Kong West), Mr Vincent SO, District Leisure Manager (Yau Tsim Mong), Ms Brenda YEUNG, Deputy District Leisure Manager (District Support) Yau Tsim Mong and Mr Raymond CHAN, Assistant District Leisure Manager (District Support) Yau Tsim Mong of the LCSD to the meeting.

156. Ms Brenda YEUNG briefly presented the paper.

157. Mr Chris IP said that a number of withered old trees at Park Lane Shoppers' Boulevard ("Park Lane") had been removed earlier, but nearby commercial tenants had reflected to him that the department had not removed the roots of the withered trees and had not replanted new trees. He hoped that the LCSD would follow up on the matter.

158. Ms KO Po-ling said it was stated in the captioned paper that there were 14 trees in the district suffering from pest attack and fungal infection and could not be recovered. She asked the LCSD when it would remove such trees.

159. Mr WONG Kin-san said that the LCSD's appraisal of its contractor for security services in the district was "average overall performance; need to be closely monitored to

meet the contract requirements”. He reviewed past relevant documents and found that the contractor had repeatedly given such an appraisal. The LCSD should address and handle the problem. He then asked the LCSD whether the “average” grade was acceptable.

160. In response to Ms KO Po-ling’s enquiry, Ms Brenda YEUNG said that the 14 trees had been removed in January 2013.

161. The Chairman asked the LCSD to respond to Mr WONG Kin-san’s question. He asked the department whether the contractor was employed on contract term; if yes, when the contract would complete and whether the department would appoint a new contractor if the poor performance persisted.

162. Mr Vincent SO replied that according to the internal guidelines of the department, the grade of “average” was acceptable for security services. The appraisal was made with reference to the scores of various venues. The contractor had received this appraisal because of the misconduct of some security guards, such as absence from work. He added that the staff members had already been punished with a salary deduction, but the situation was not so serious as to warrant a warning letter; a verbal advice would do. Regarding the removed trees at Park Lane, the LCSD would ask the contractor to remove the roots of withered trees and replant trees as soon as possible.

163. Members noted the contents of the paper and had no other comments. The Chairman closed the discussion on this item.

Item 6 Report on DMWs and Environmental Improvement Projects (“EIPs”) in LCSD’s Venues in YTM District in 2012-2015
(YTMDFMC Paper No. 19/2013)

164. Ms Brenda YEUNG briefly presented the paper.

165. Mr Chris IP said that regarding the “replacement of the fence around the basketball courts at King’s Park Recreation Ground”, Mr Benny YEUNG and he had just visited the site and many morning walkers had reflected to them that they were unable to do stretching exercises because of the newly provided chain link fence next to the basketball courts.

166. The Chairman recalled that the chain link fence was provided in response to the request of basketball court users to prevent basketballs from bouncing outside the railings. Since there were contrary views, he thought that the demands of both sides should be balanced.

167. Mr Chris IP clarified that morning walkers welcomed the provision of the chain link fence near the two end-lines of the courts, but the chain link fence near the sidelines had made them difficult to do stretching exercises with the railings.

168. Mr CHUNG Kong-mo disagreed with removing the chain link fence. He suggested adding a horizontal bar with a different colour to the existing green railings of the basketball court.

169. Mr Edward LEUNG said that to balance the views of both sides, he suggested preserving a large part of the chain link fence, but removing a small section on both ends or extending the current railings for morning walkers to do stretching exercises.

170. The Chairman suggested that new railings be provided at other areas near the courts.

171. Mr Edward LEUNG said that providing railings at other areas might not be able to satisfy the needs of morning walkers.

172. The Chairman suggested that the LCSD, Mr Edward LEUNG and Mr Chris IP inspected the site together to find a balanced solution.

173. Ms Brenda YEUNG reported that regarding the funding which had been passed at the last meeting for the provision of a pet garden and model car play area under the Ferry Street Flyover, the LCSD was currently preparing the funding submissions in order to conduct a feasibility study and commence the preparatory work of project.

174. The Chairman asked whether the latest quotation for the works project was still unavailable, and whether the cost was still approximately \$15.4 million.

175. Ms Brenda YEUNG responded that since the LCSD was still preparing the estimates of expenditure for the works, the cost of the works was still estimated to be the proposed funding of \$15.4 million .

176. There being no other comments, the Chairman closed the discussion on the item.

Item 7 Funding Application for DMWs and EIPs in LCSD's Venues in YTM District in 2013/14
(YTMDPMC Paper No. 20/2013)

177. Ms Brenda YEUNG briefly presented the paper.

178. Mr LAU Pak-kei said that he had visited the chess playing facilities at the locations in question with staff members of the LCSD and the ArchSD, and found that such facilities had worn out and needed to be replaced. During the visit, many users had reflected to him requests for sitting-out facilities near the chess tables. Mr Benjamin CHOI and he fully supported the LCSD's proposal for replacing two chess tables and stools at the Lok Kwan Street Park.

179. There being no other comments, Councillors endorsed the funding proposal. The Chairman closed the discussion on the item.

(Ms KWAN Sau-ling left the meeting at 5:52 p.m.)

Item 8 LCSD—Handling of Fibres of Kapok
(YTMDPMC Paper No. 21/2013)

180. Mr Vincent SO reported on the contents of the paper.

(Mr Barry WONG left the meeting at 6:00 p.m.)

181. Councillors noted the contents of the paper. The Chairman concluded that Councillors endorsed the funding proposal.

Item 9 Report on Free Entertainment Programmes and Arts and Cultural Activities in YTM District
(YTMDPMC Paper No. 22/2013)

182. The Chairman welcomed Mr Alex CHEUNG, Senior Manager (Kowloon West/Cultural Services) of the LCSD to the meeting.

183. Mr Alex CHEUNG briefly presented the paper.

184. Participants noted the contents of the paper. The Chairman closed the discussion on the item.

**Item 10 Report on Extension Activities and Usage of Public Libraries in YTM District from December 2012 to January 2013 and Extension Activities Program Plan from April to May 2013 by LCSD
(YTMDPMC Paper No. 23/2013)**

185. The Chairman welcomed Mrs Karen CHU, Senior Librarian (Yau Tsim Mong) and Ms Adeline HO, Librarian (Fa Yuen Street Public Library) of the LCSD to the meeting.

186. Mrs Karen CHU briefly presented the paper.

187. Councillors noted the contents of the paper and had no other comments. The Chairman closed the discussion on the item.

**Item 11 Report on DMWs in Public Libraries in YTM District in 2012/13 by LCSD
(YTMDPMC Paper No. 24/2013)**

188. Mrs Karen CHU reported on the work progress.

189. Councillors noted the work progress and had no other comments. The Chairman closed the discussion on the item.

**Item 12 Funding Application for Proposed Beautification and Greening Projects in YTM District under DMW Programme 2013-14
(YTMDPMC Paper No. 25/2013)**

190. The Chairman welcomed Miss Connie LIU, Senior Executive Officer (District Management) and Miss Poe WONG, Acting Executive Officer (District Management) 1 of the HAD to the meeting.

191. Miss Poe WONG presented the paper. She asked Councillors to endorse an allocation of \$3.5 million for the YTMDO to implement beautification and greening projects in the district.

192. Mr Derek HUNG asked whether the initiative “to enhance the beautification of external walls of Kwong Wah Hospital and Queen Elizabeth Hospital” would conflict with the redevelopment project of Kwong Wah Hospital.

193. Miss Poe WONG said that the beautification work only involved an external wall of Kwong Wah Hospital near Dundas Street and an external wall of the Queen Elizabeth Hospital accident and emergency department, which did not conflict with the redevelopment of Kwong Wah Hospital.

194. There being no other comments, the Chairman concluded that Councillors endorsed the funding proposal.

**Item 13 Request for Provision of Shelters at Minibus Stops of Routes No. 46, 70 and 78 at Junction between Sham Mong Road and Chung Wui Street
(YTMDPMC Paper No. 26/2013)**

195. The Chairman said that the written responses of the ArchSD and the Highways Department (“HyD”) (Annexes 2 and 3) had been distributed to Councillors by fax before the meeting, while the written response of the Transport Department (“TD”) (Annex 4) was tabled at the meeting for Councillors’ perusal.

196. Mr LAU Pak-kei supplemented the paper with additional information. He said that although the TD had requested the operators of those minibus routes to provide shelters for the minibus stops, the operators could not accede to the request due to financial problems. He asked the YTMDO whether it would follow up on the proposal.

197. The Chairman said that in general, the DFMC would be able to save money if a government department took over a certain DMW and was responsible for the works cost. However, if no department did so and the DFMC had sufficient funds to cover the relevant expenses of the works, then the DMW could be passed to the YTMDO for feasibility study. The commencement of works, however, was subject to the DFMC’s approval of the design and assessment of the quotation.

198. The Chairman asked Councillors whether they agreed to use the DFMC’s funding to finance the DMW.

199. Councillors had no other comments. The Chairman asked the YTMDO to follow up on the works proposal, including data collection, feasibility study, cost quotation and design, etc. He then closed the discussion on the item.

**Item 14 Request for Provision of Rain Shelter at Walkway of Prince Edward West (between Church of Christ in China Cheung Lo Church and Sai Yee Street Substation)
(YTMDPMC Paper No. 27/2013)**

200. The Chairman said that the written response of the HyD (Annex 5) had been distributed to Councillors by fax before the meeting for Councillors’ perusal.

201. Mr WONG Kin-san supplemented the paper with additional information.

202. The Chairman asked Councillors whether they supported the recommendations stated in the paper.

203. There was no objection to the recommendations. The Chairman asked the YTMDO to follow up on the works proposal and closed the discussion on the item.

**Item 15 To Beautify the “Small Piece of Barren Land” next to Nullah Road SOA Soonest
(YTMDPMC Paper No. 28/2013)**

204. The Chairman said that the written responses of the HyD and TD (Annexes 6 and 7) had been distributed to Councillors by fax before the meeting, while the written response of the LCSD (Annex 8) was tabled at the meeting for Councillors’ perusal. He then welcomed

Ms Yvonne CHANG, Senior Estate Surveyor/Kowloon Central of the Lands D to the meeting.

205. Mr WONG Kin-san supplemented the paper with additional information. He said that he aimed at seeking clarification on the planned use and land right of the “small piece of barren land” next to the Nullah Road SOA by submitting the captioned paper. He hoped that the relevant departments could respond to the public demand to remove the fence around the piece of land and carry out beautification works as soon as possible so as to resolve the rubbish accumulation problem there, which had affected the cityscape. He added that members of the public had suggested widening the adjacent carriageway by the piece of land to facilitate vehicles going to Nullah Road from Nathan Road, or converting the land into a pavement to separate the vehicles and pedestrians on Nullah Road to ensure pedestrian safety. However, the TD and HyD had not sent any representatives to attend the current meeting to discuss the item. He hoped that the TD and HyD would respond to the matter later.

206. The Vice-chairman supported the recommendations stated in the paper. She did not understand why the right of the land was still unclear, and asked Councillors if the Lands D should be reprimanded. She added that if the land right was clarified, the LCSD should be willing to take over the land and incorporate it in the area of the Nullah Road SOA. Alternatively, the departments concerned could incorporate the land into the area of carriageways and manage them together.

207. Ms Yvonne CHANG briefly explained the history of the open space next to the Nullah Road SOA:

- (a) The long and narrow open space and the present site of the Nullah Road SOA together used to be a filling station. After the filling station was vacated, the whole lot was zoned for leisure use in accordance with the “Outline Zoning Plan”. Later, when the YTMDO intended to develop the whole site into a SOA, it was discovered that there were underground fuel tanks at the long and narrow open space, so it had not been included in the land that was allocated to the YTMDO for the development of a SOA. Upon completion of the SOA, the Lands D passed the land where the SOA was situated to the LCSD for management in July 2012.
- (b) The Lands D had asked the LCSD whether it would incorporate the open space into the area of the Nullah Road SOA. The LCSD responded that it had no such plans then.
- (c) The Lands D had inspected the open space and consulted the HyD and TD about the feasibility of incorporating the open space in the road improvement scheme and converting it into a pavement to separate the pedestrians and vehicles on Nullah Road. However, both the HyD and TD said that they had no plan for such a road improvement scheme. Since quite a number of departments had no intention to use the land, the Lands D fenced off the area for easier management.

208. Mr WONG Kin-san said that the current DFMC had been repeatedly discussing levelling the “small piece of barren land” as soon as possible for further development. He believed that some departments had already reflected the DFMC’s views to the Lands D. He held that if the land continued to be left idle, the cityscape of the district would be harmed.

209. The Vice-chairman recalled that the suggestion to build a SOA at the site of the

former Nullah Road filling station was made by her and another Councillor from the previous DFMC, so she clearly understood the history of the “small piece of barren land” and its developments. As at the present moment, the Nullah Road SOA had been completed, but the “small piece of barren land” remained undeveloped because of the unknown land right. She hoped that the Lands D could address the land right issue of the open space as soon as possible to facilitate early development by government departments. For example, the land right could be granted to the LCSD for beautifying the environment by placing potted plants.

210. Ms KO Po-ling asked whether the LCSD would be willing to take over the “small piece of barren land” and place potted plants there to beautify the environment, leaving aside the land right issue. If the LCSD could not do so, she would like to know whether the YTMDO could use the DFMC funding to beautify the area.

211. The Chairman believed that the DFMC would be glad to support the allocation of funding to beautify the area once the land right problem was solved. He asked the Lands D to give a detailed response on when the right of the land (after land levelling) could be transferred to the relevant departments for development.

212. Ms Yvonne CHANG responded that the piece of undeveloped land was returned to the Lands D’s purview after the filling station had been vacated. If any department proposed a development plan in accordance with the land use stipulated in the “Outline Zoning Plan” of the land, then the Lands D could arrange for the department to use the piece of land for beautification purposes without having to go through the process of land allocation.

213. The Chairman asked Ms Yvonne CHANG whether the Lands D could allow the DFMC to carry out beautification works on the piece of land and remove the perimeter fence for placing flower pots.

214. The Vice-chairman asked about the situation of the underground fuel tanks at the piece of land, and asked the Lands D whether movable flower pots could be placed there.

215. Ms Yvonne CHANG said that fuel tanks were located underneath the open space. The Lands D had carried out an Environmental Impact Assessment (“EIA”) on the fuel tanks and had proven that the piece of land was uncontaminated. Regarding the load capacity of the concrete above the fuel tanks, she said that further assessment was required as she did not have any relevant information at hand. If flower pots were to be placed there, then an assessment of load capacity needed to be carried out to ensure safety.

216. The Chairman asked the YTMDO whether it could remove the perimeter fence, and place an appropriate number of flower pots there in accordance with the load limit of the ground surface to prevent illegal parking or illegal hawking.

217. Mr Chris IP suggested that the DFMC should first discuss whether or not to pass the recommendations stated in the paper, and then decide on the number of flower pots having regard to the load capacity of the ground surface.

218. Miss Connie LIU said that the “small piece of barren land” was originally within the area of the Nullah Road SOA which Councillors had proposed to build in 2008. Later it was found that there were underground fuel tanks that had not been removed. Since there was a potential risk of soil contamination with fuel leaked from the tanks, which would cause delay to the SOA works, the Lands D then took out the piece of land from the scope of the Nullah Road SOA and fenced it off. She added that according to land allocation procedures, the Lands D should have first properly removed the underground fuel tanks of the vacant filling station under normal circumstances. Then it should have transferred the right of the whole

piece of land to the lead department of the works after the EIA report was approved. However, the Lands D had not followed this procedure to transfer the whole lot to the LCSD for the construction of the Nullah Road SOA. She pointed out that as the underground fuel tanks and contamination problem had remained unresolved, placing too many or too heavy flower pots there might result in land subsidence in future, thus crushing the underground fuel tanks/oil pipelines and causing oil leakage which would affect the environment. Furthermore, even if the YTMDO did not take over the “small piece of barren land” but was only responsible for placing flower pots, the Lands D would still have to level the land first and concrete the existing sand area before flower pots could be placed.

219. Mr CHUNG Kong-mo suggested using shorter (e.g., one foot) flower pots or setting up smaller planters. Moreover, a footpath could be provided next to the open space for beautification purpose.

220. The Chairman asked if the LCSD would follow up on the works.

221. Mr Vincent SO said that the LCSD was not a works department and therefore could not undertake the works, but it could follow up on the maintenance of potted plants (if any). As for the land levelling works and removing of perimeter fence, it would be more appropriate for a works department or the Lands D to assume that responsibility.

222. The Chairman suggested that the DFMC support the recommendation on beautifying the “small piece of barren land” next to Nullah Road SOA, and let the YTMDO follow up on the placement of potted plants. The feasibility of placing potted plants and the design of the flower pots could be discussed at the next meeting.

223. Ms Betty HO pointed out that if the YTMDO carried out beautification works at the land, the cost of land levelling should be borne by the Lands D instead of the DFMC.

224. The Chairman said that to his knowledge, the Lands D was only responsible for land allocation but not land levelling and the relevant cost.

225. Miss Connie LIU reiterated that the open space was currently a sandy area which was an unallocated land under the management of the Lands D. The Lands D must first level and concrete the land and properly provide a footpath before the YTMDO could place flower pots there.

226. Ms Yvonne CHANG responded that the EIA report on the open space had been approved. The Environmental Protection Department had confirmed the findings that the soil underneath the land had not been contaminated. Therefore, if the YTMDO was to follow up on the placement of flower pots there, the Lands D would follow routine land allocation procedures and transfer the land right to the department on an “as is” basis. She also said that the Lands D did not have the resources to level the land to be transferred, and had not formulated any guidelines or standards on land levelling works.

227. The Chairman said that the current meeting would only discuss the recommendations of the paper. Whether the works could be carried out would depend on the cost estimates of the works.

228. The Vice-chairman was dissatisfied with the Lands D for its failure to accurately assess that the underground fuel tanks at the “small piece of barren land” were free from the potential risk of soil contamination in 2008. As a result, that piece of land and the current site of the Nullah Road SOA could not be passed together to the department for the construction of a park. The land right of the whole piece of land could otherwise have been

transferred to the LCSD upon completion of the SOA. Therefore, she held that the Lands D could not shirk the responsibility and must bear the cost for levelling the “small piece of barren land”.

229. Mr Chris IP agreed with the Vice-chairman. He said that since the Lands D had pointed out that there were unsolved problems for the “small piece of barren land” in the first place, the department should be responsible for the levelling works when it was found that there were actually no such problems.

230. The Chairman said that the situation would not become so messy if the Lands D had incorporated the “small piece of barren land” into the land allocated for the construction of the Nullah Road SOA. He added that although the DFMC might have sufficient funds to cover the expenses of the land levelling works, it should ensure proper use of the funds and should avoid wasting resources.

231. Mr Chris IP stressed that the problem did not lie in the expenditure of the land levelling, but in the fact that the DFMC should not bear the cost.

232. After discussion, the Chairman said that the DFMC would not consider taking over the “small piece of barren land” for beautification at the current meeting. He suggested urging the Lands D to immediately restore and level the land. He then asked the Lands D to explain at the next meeting, preferably with a written reply, whether it would complete levelling procedures before the departments carried out the beautification works, so that the DFMC could proceed to discuss suggestions on beautification works. There was no objection to the proposal. The Chairman declared that the item be put under “Matters Arising”.

233. Mr WONG Kin-san asked whether the departments could submit the preliminary design and quotations for the beautification works of the “small piece of barren land” at the next meeting.

234. The Chairman said that the item could not be followed up by the departments concerned until the DFMC had passed the recommendations of the paper.

235. The Chairman urged the Lands D to give a clear response at the next meeting, so that the beautification of the “small piece of barren land” could commence as soon as possible. He then closed the discussion on the item.

Item 16 Any Other Business

(1) Applications for Use of Facilities in HGLYCC:

— The Hong Kong Bengali Association

— Yaumati Kaifong Association School

236. The Chairman said that the Hong Kong Bengali Association and Yaumati Kaifong Association School intended to hire the facilities in the HGLYCC for more than one day to hold religious festivals and for more than two consecutive time slots in one day to hold graduation ceremonies respectively.

237. After discussion, the Chairman concluded that Councillors supported the applications from the two organisations.

(2) A complaint on the eligibility and vetting priorities regarding applications for use of community hall/community centre facilities in YTM District referred by Office of The Ombudsman, Hong Kong (“OFOMB”)

238. In response to the Chairman’s enquiry, Miss Connie LIU said that the HAD had recently received a complaint referred by the OFOMB about the booking arrangement of community halls/centres in the 18 districts. Some complaints were lodged against the eligibility criteria and the order of priority in the approval of applications for hiring two community halls/centres under the YTMDO. The complaint was lodged by a registered body outside the district which considered it unfair for the two community venues in the YTM District to be hired exclusively by local organisations but not any other organisations in other districts. The OFOMB urged the YTMDO to review the relevant guidelines on booking in respect of the complaint and to respond on the matter.

239. The Chairman said that he had received repeated complaints from other organisations that he was unfair in handling booking applications for the community venues in the district. He indicated that the utilisation rates of the two community halls/centres under the YTMDO were quite high. On top of that, community venue facilities in the district were inadequate. The DFMC, therefore, had to be rigorous in approving booking applications, even in handling the application by the Hong Kong Mediation Council and the Hong Kong Mediation Centre for the extended borrowing of the HGLYCC to provide mediation services for all people in Hong Kong.

240. The Chairman thought it was necessary to bring the complaint to Councillors’ attention as the complaint had been lodged to the OFOMB against the DFMC’s unfair practice in turning down booking applications from bodies outside the district for the two local community venues. He stated that the DFMC did not prohibit bodies/organisations outside the district from hiring community venues in the YTM District, but would simply approve their applications according to the order of priority established by the DFMC due to shortage of community facilities. The principle was that priority would be given to local bodies over bodies in other districts. However, the DFMC could make timely reviews of the booking guidelines for community venues in the district. Councillors could take the opportunity to consider, under the shortage of community venues, whether the DFMC should relax the criteria for applications from bodies outside the district in hiring the two community venues in the YTM District.

241. Miss Connie LIU added that the booking guidelines for the two community halls/centres in the district stated clearly the four levels of priority for booking applications. Priority level (c) was applicable to organisations with registered addresses in the district, such as welfare agencies, educational organisations, owners’ corporations, and registered organisations, etc., whereas priority level (d) was applicable to subvented social welfare agencies, registered schools/educational organisations, charitable organisations with registered addresses outside the district as well as Legislative Councillors’ offices, etc. She added that the complainant was an organisation registered outside the district, so its booking applications were generally not accepted; however, there was a provision in the guidelines on booking which allowed the DFMC to consider booking applications of organisations outside the district on a case-by-case basis.

242. Mr CHAN Wai-keung asked whether it was within the OFOMB’s jurisdiction to investigate into matters concerning the terms of reference of the committees under the DCs, and would like to know the OFOMB’s purpose of referring the complaint.

243. Mr Chris IP thought that the DFMC should respect the complainant's views and timely review the guidelines on booking.

244. Mr WONG Kin-san would like to know the stage of the handling process of the complaint.

245. The Chairman said the OFOMB would like to learn more about the guidelines on booking for community venues formulated by the DFMC, and if the DFMC had contravened any laws.

246. Mr Chris IP said that the DFMC should thank the OFOMB for referring the views of the public to Councillors.

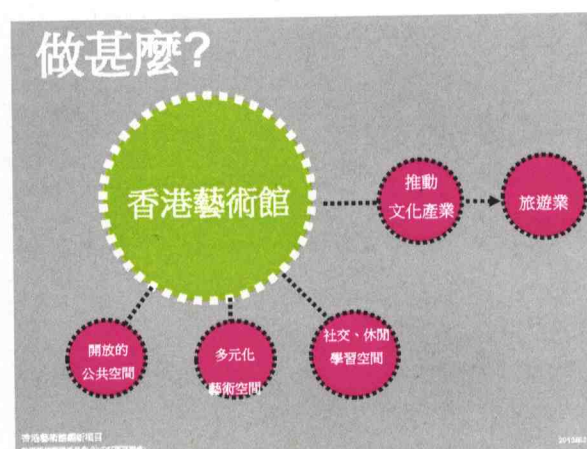
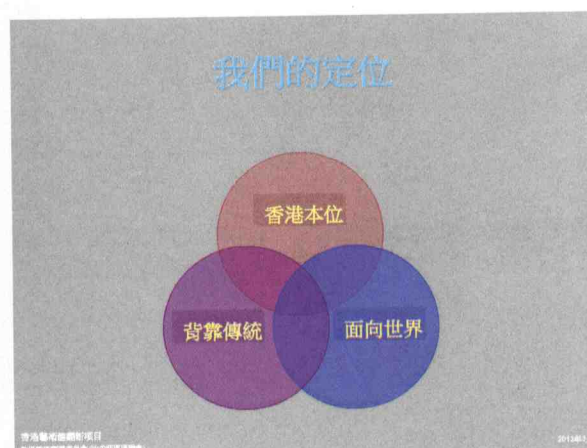
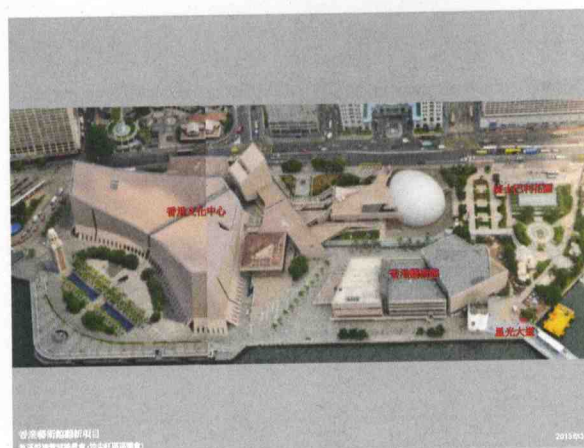
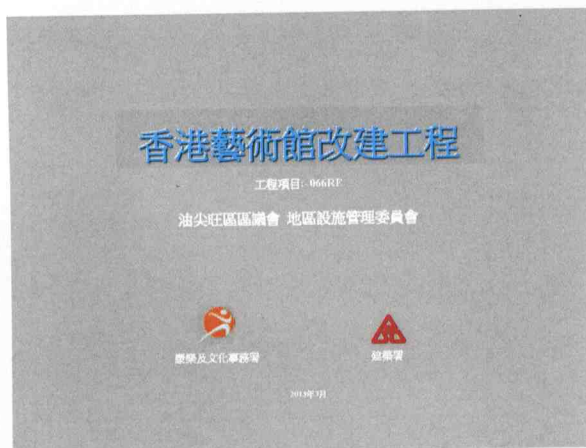
247. Ms Betty HO pointed out that the YTMDO was charged with the ultimate responsibility for managing the two community halls/centres in the YTM District, therefore the OFOMB had referred the complaint to the YTMDO instead of the YTMDC for follow-up. She added that the YTMDO would consult the YTMDC, especially the DFMC, when making decisions on the use of the community venues in the district. The YTMDO would also first consult the DFMC when formulating the order of priority and guidelines on booking of community venues. She said that the complaint was currently under investigation, so the YTMDO had the responsibility to clearly explain the existing guidelines on the booking of community venues to the OFOMB.

248. Mr Chris IP said that the DFMC had repeatedly discussed the guidelines for booking of community halls/centres. He believed that the system had been functioning well and should be maintained.

249. The Chairman concluded that Councillors supported the continued use of the guidelines on booking for community halls/centres and timely reviews of the guidelines.

250. There being no other business, the Chairman closed the meeting at 6:43 p.m. The next meeting would be held at 2:30 p.m. on 16 May 2013 (Thursday).

Yau Tsim Mong District Council Secretariat
April 2013



擴建工程－目標

擴充空間・更新外貌

- － 配合新的展覽規劃，建立清晰定位

重整配套設施

- － 為觀眾提供更方便快捷、以人為本的設施和服務

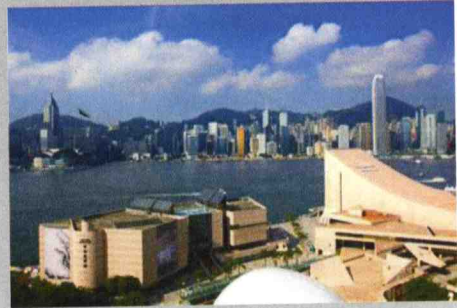
提升設施質素

- － 建立與時並進的專業品牌

香港藝術館擴建項目
香港藝術館管理委員會（與太古公司合作）

2015年9月

如何...讓香港藝術館成為美麗維港上的新亮點？



香港藝術館擴建項目
香港藝術館管理委員會（與太古公司合作）

2015年3月

梳士巴利花園改建項目



梳士巴利花園改建項目（第一期）顯示圖
香港藝術館擴建項目
香港藝術館管理委員會（與太古公司合作）

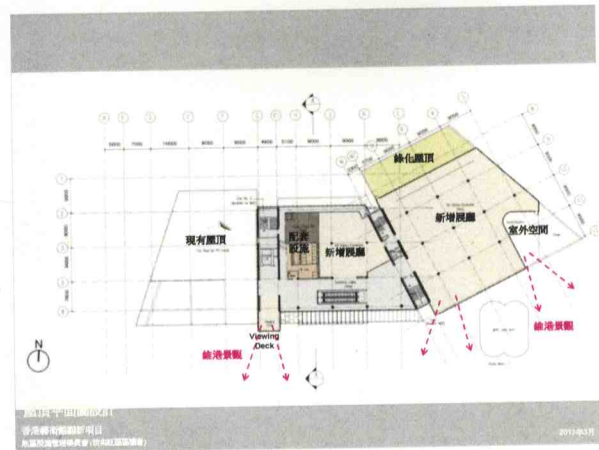
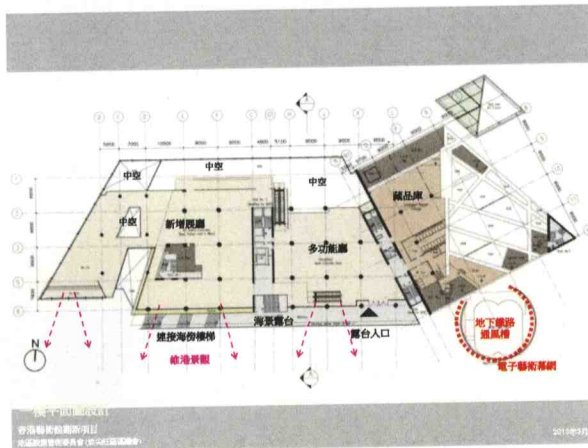
2015年3月

香港藝術館改建項目



香港藝術館擴建項目
香港藝術館管理委員會（與太古公司合作）

2015年3月



2012 至 2015 年度油尖旺區議會

地區設施管理委員會

建築署

所作的書面回應

要求於深旺道中匯街交界46、70、78號小巴士站興建上蓋

由於 貴秘書處於三月四日的來函中建議興建小巴士站上蓋的地點，並非建築署負責的範圍，而一般街上的巴士站上蓋亦非由本署負責興建和維修。因此本署不會派代表出席有關地區設施管理會會議。本署亦了解你已同時邀請其他相關部門出席會議。

二零一三年三月五日

2012 至 2015 年度油尖旺區議會

地區設施管理委員會

路政署就

所作的書面回應

要求於深旺道中匯街交界46、70及78號小巴站興建上蓋

路政署為工務部門，主要職能範圍是建造、保養及維修道路和道路設施。有關為專線小巴站加建上蓋屬於公共運輸管理事宜，並不是本署職能範圍。



本署檔號 Our Ref.: KR 155/250-3 (O)
來函檔號 Your Ref.:
電話 Tel.: 2399 2482

傳真文件
2722 7696

九龍旺角聯運街 30 號
旺角政府合署 4 樓
油尖旺區議會轄下
地區設施管理委員會秘書處
(經辦人：陳耶白女士)

陳女士：

要求於深旺道中匯街交界專線小巴路線第 46、70 及 78 號小巴士站興建上蓋

就劉柏祺議員及蔡少峰議員於2013年2月15日向地區設施管理委員會所提呈文件，要求於深旺道中匯街交界上述小巴士站興建上蓋事宜，運輸署回覆如下：-

運輸署一直鼓勵公共運輸營辦商，在財政許可及對票價不構成上調壓力下，積極考慮為路線總站和沿途上落客點設置上蓋，以讓乘客可在一個舒適的環境下等候公共運輸服務。

就文件中要求於深旺道中匯街交界小巴士站興建上蓋一事，本署曾要求有關路線營辦商考慮。惟營辦商回覆指，在上址興建和設置上蓋將無可避免地引致額外開支及加重財政負擔，這會對有關專線小巴路線構成票價上調的壓力及營運困難。考慮到有關情況，營辦商表示抱歉於現階段未能出資於上址興建和設置上蓋。

如有任何疑問，請致電2399 2482與我們聯絡。

運輸署署長

(袁妙珍)



代行)

2013 年 3 月 13 日

2012 至 2015 年度油尖旺區議會

地區設施管理委員會

路政署

所作的書面回應

要求於太子道西(介乎長老堂至洗衣街變電站外一段)行人路設立避雨亭
路政署為工務部門，主要職能範圍是建造、保養及維修道路和道路設施。有關設立避雨亭事宜，並不是本署職能範圍。

2012 至 2015 年度油尖旺區議會

地區設施管理委員會

路政署

所作的書面回應

儘速美化水渠道休憩處旁「小荒地」

路政署為工務部門，主要職能範圍是建造、保養及維修道路和道路設施。有關建議涉及政府土地用途，並不是本署職能範圍。

2012 至 2015 年度油尖旺區議會

地區設施管理委員會

運輸署就

儘速美化水渠道休憩處旁「小荒地」

所作的書面回應

有關文件主要涉及政府土地以作美化用途，並不是運輸署職能範圍。
如有需要，運輸署會因應個別建議提供交通範疇上的意見

Annex 8

油尖旺地區設施管理委員會第 28 / 2013 號文件
書面回應(3)

2012 至 2015 年度油尖旺區議會
地區設施管理委員會

康樂及文化事務署

就「儘速美化水渠道休憩處旁的『小荒地』」
所作的書面回應

「小荒地」的面積約有三十平方米，以鐵絲網圍起，地權不屬於康樂及文化事務署管轄。就委員提出美化上址的建議，本署持開放的態度，會提供適當的支援(如植物保養)，以配合美化環境工作。

康樂及文化事務署
油尖旺區康樂事務辦事處
2013年3月