

**Minutes of the 22nd Meeting of
Yau Tsim Mong District Council (2012-2015)**

Date : 23 April 2015 (Thursday)
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 CHUNG Kong-mo, JP

Vice-chairman

Ms KO Po-ling, BBS, MH, JP

District Council Members

Mr CHAN Siu-tong, MH	Ms KWAN Sau-ling
Mr CHAN Wai-keung	Mr LAM Kin-man
Mr CHOI Siu-fung, Benjamin	Mr LAU Pak-kei
Mr CHONG Wing-charn, Francis	The Honourable TO Kun-sun, James
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	Ms WONG Shu-ming
Mr IP Ngo-tung, Chris	Mr YEUNG Tsz-hei, Benny, MH

Representatives of the Government

Mrs ARON Laura Liang, JP	District Officer (Yau Tsim Mong)	Home Affairs Department
Miss NG Wai-chung, Jocelyn	Assistant District Officer (Yau Tsim Mong)	Home Affairs Department
Mr CHEUNG Kwok-leung, Eric	District Environmental Hygiene Superintendent (Mong Kok)	Food and Environmental Hygiene Department
Mr WONG Kam-wah	District Environmental Hygiene Superintendent (Yau Tsim)	Food and Environmental Hygiene Department
Mr FOSTER Mark	District Commander (Mong Kok)	Hong Kong Police Force
Mr KWOK Pak-chung, Patrick	District Commander (Yau Tsim)	Hong Kong Police Force
Mr CHOY Chik-sang, Mario	Chief Transport Officer (Kowloon)	Transport Department
Mr CHAIONG David, Stanley	Chief Leisure Manager (Hong Kong West)	Leisure and Cultural Services Department
Mr CHEUNG Kwok-wah, Andrew	Senior Engineer/14	Civil Engineering and Development Department
Mr LEE Chi-yin	Senior Housing Manager (Kowloon West and Hong Kong 1)	Housing Department

In Attendance:

Ms WONG Sean-yeey, Anissa, JP	Permanent Secretary for the Environment / Director of Environment Protection	Environment Bureau
Mr WONG Tak-wai, David	Assistant Director (Environmental Compliance)	Environmental Protection Department
Mr CHAN Shu-to, Kenneth	Principal Environmental Protection Officer (Regional East)	Environmental Protection Department
Mr NG Ping-sum	Senior Environmental Protection Officer (Regional East) 6	Environmental Protection Department
Mr CHUNG Kum-wah, Daniel, JP	Director	Drainage Services Department
Mr CHUNG Yiu-wing	Chief Engineer / Mainland South	Drainage Services Department
Mr FUNG Ying-lun, Allen	Political Assistant to Secretary for Development	Development Bureau
Ms PANG Wai-shan, Catherine	Senior Estate Surveyor / Kowloon Central	Lands Department
Ms YUEN Man-sin, Michelle	Senior Town Planner / Yau Tsim Mong (Acting)	Planning Department
Ms MUI Yee-yu, Yvonne	Regional Officer / Kowloon West	Independent Commission Against Corruption
Miss Ophanny LEE	Senior Community Relations Officer	Independent Commission Against Corruption
Mr TSE Chi-wai	Engineer/Mongkok & Yaumatei	Transport Department
Ms LAI Wing-yu, Jade	Political Assistant to Secretary for Labour and Welfare	Labour and Welfare Bureau
Mr Simon WONG	Head of Community Development	Urban Renewal Authority
Mr SO Ngai-long	Senior Manager, Community Development	Urban Renewal Authority
Ms Lilian YEUNG	Public Relations Manager – External Affairs	MTR Corporation Limited
Mr Ian WONG	Director (Acquisition and Clearance)	Urban Renewal Authority
Mr TAM Kin-keung	Senior Manager (Acquisition and Clearance)	Urban Renewal Authority
Mr Tim SIU	Manager (Acquisition and Clearance)	Urban Renewal Authority
<u>Secretary</u>		
Ms CHUNG Siu-lan, Joanne	Senior Executive Officer (District Council), Yau Tsim Mong District Office	Home Affairs Department

Opening Remarks

The Chairman welcomed representatives from government departments and participants to the meeting. He reported that Mr Ringo MOK, Chief Engineer/Kowloon 5 (Kowloon) of the Civil Engineering and Development Department (“CEDD”) and Mr LUI

Kwong-fai, Chief Manager/Management (Kowloon West and Hong Kong) of the Housing Department (“HD”) were absent due to other commitments. Mr Andrew CHEUNG, Senior Engineer/14 (Kowloon) of the CEDD and Mr LEE Chi-yin, Senior Housing Manager (Kowloon West and Hong Kong 1) of the HD were attending the meeting in their place respectively. The Chairman said that Mr Vincent SO, District Leisure Manager (Yau Tsim Mong) of the Leisure and Cultural Services Department (“LCSD”) was going to retire soon. He suggested a letter of appreciation be sent to the Director of Leisure and Cultural Services in recognition of Mr SO’s contribution to the District and Yau Tsim Mong District Council (“YTMDC”). The participants raised no objection to the proposal.

Item 1: Visit of Director of Environmental Protection to YTMDC

2. The Chairman welcomed Ms Anissa WONG, Permanent Secretary for the Environment / Director of Environmental Protection, Mr. David WONG, Assistant Director (Environmental Compliance), Mr Kenneth CHAN, Principal Environmental Protection Officer (Regional E), and Mr NG Ping-sum, Senior Environmental Protection Officer (Regional E) 6 of the Environmental Protection Department (“EPD”) to the meeting.

(Mr WONG Kin-san joined the meeting at 2:40 p.m.)

(Mr LAM Kin-man joined the meeting at 2:41 p.m.)

(Mr Benny YEUNG joined the meeting at 2:50 p.m.)

(The Hon James TO joined the meeting at 3:06 p.m.)

3. Ms Anissa WONG gave a PowerPoint presentation to briefly introduce the work performed by the EPD:

- (i) The Plastic Shopping Bags (“PSBs”) Levy Scheme was fully implemented on 1 April 2015. The next target was to encourage reduction of waste electrical and electronic equipment and glass beverage bottles.
- (ii) The quantity-based Municipal Solid Waste (“MSW”) Charging was an important waste reducing policy, which aimed at encouraging the public to reduce waste disposed through direct economic incentives. Following the concrete recommendations made by the Council for Sustainable Development in December 2014, the EPD introduced the framework proposal on the quantity-based MSW Charging to the Panel on Environmental Affairs in February 2015 with a view to formulating implementation details of the charging plan.
- (iii) The Government established the Steering Committee to Promote the Sustainable Development of the Recycling Industry (“the Steering Committee”) in 2013. The Steering Committee, chaired by the Chief Secretary for Administration, examined and reviewed in depth the current local situation of collection and disposal of recyclables, as well as the related policies, to facilitate development of the recycling industry.
- (iv) \$1 billion had been earmarked for setting up a Recycling Fund to provide funding for recyclers, non-profit organisations (“NPOs”) and professional bodies to implement projects to upgrade operational capabilities and efficiency of the recycling industry. Moreover, the Government would join

force with operators of the recycling industry, and launch the “clean recycling” campaign this year to promote source separation and cleaning of waste at the community level, with an aim to enhance the recyclable value and recovery rate of recyclable wastes.

- (v) About 40% of Hong Kong’s MSW was organic waste. The bulk of it was food waste. It also included yard waste. The Government had drawn up comprehensive strategies and plans to reduce, recover and treat organic waste, including the provision of modern facilities in stages to convert organic waste into energy and other useful resources.
- (vi) \$400 million had been earmarked for launching the Community Green Station (“CGS”) Programme. Under the programme, a green education centre would be set up in each of the 18 districts. The centre would be operated by an NPO, and would help collect different types of recyclables. The Sha Tin CGS in Shek Mun, the first of its kind in Hong Kong, would be open to the public in mid-2015. The Eastern CGS was due for completion in mid-2015, and was expected to commence operation in the second half of 2015. The Kwun Tong CGS and the Yuen Long CGS were under construction, while planning of the other CGSs was in progress.
- (vii) To echo waste reduction, the Yau Tsim Mong District Environmental Improvement Campaign Organising Committee held the Yau Tsim Mong Community Action for Waste Reduction by setting up recyclable collection points in the district to collect recyclable domestic waste. Moreover, exhibition panels and stall games were set up nearby to disseminate messages on reduction of PSBs, and to encourage the public to participate in waste separation and recycling proactively, as well as to practise "use less, waste less" in daily life.
- (viii) The Government’s major policies in improving the air quality included reduction of roadside air pollutant emissions, reduction of vessels emissions, reduction of other pollutant emissions, and deepening of cross-boundary co-operation between Hong Kong and the Mainland. Measures under these policies included phasing out of diesel commercial vehicles (“DCVs”), and limiting the service life of newly registered DCVs to 15 years. The Government had set up the Pilot Green Transport Fund. Under the fund, about \$100 million had been earmarked as the funding for 86 trial green and innovative transport technologies. Besides, the Government had tightened the sulphur content of locally supplied marine light diesel in April 2014. A new legislation had been introduced in June 2015 to bring non-road mobile machinery under emission control. Another new legislation would come into effect from 1 July 2015 onwards, requiring ocean going vessels (“OGVs”) to switch to ultra-low sulphur diesel (“ULSD”) when at berth in Hong Kong waters.
- (ix) As regards improvement of the water quality of the Victoria Harbour, the EPD had been implementing the Harbour Area Treatment Scheme (“HATS”) over the past two decades to collect and treat sewage generated around Victoria Harbour. The commissioning of HATS Stage 1 in 2001 had improved the water quality of the main water body of Victoria Harbour, which would be further improved upon the commissioning of HATS Stage

2A in 2015. Yet improvements in water quality had mainly been seen in waters away from the coast, and the quality of coastal waters would need further improvements.

4. Ms KWAN Sau-ling said that the EPD had failed to manage the roadside recycle bins, affecting the effectiveness in waste recycling and creating urban eyesores. She also indicated that 80 restaurants in Tsim Sha Tsui East had greasy shop fronts and entrances, causing nuisances to the adjacent shops, pedestrians and visitors. She had lodged a number of complaints to the EPD. However, the EPD had made no follow-up action. Besides, she expressed worries that CGS contractors might not properly handle the glass bottles collected.

5. The Chairman said that roadside recycle bins were often used as ordinary rubbish bins. Moreover, he clarified that Ms KWAN Sau-ling was referring to the fumes emitted from the restaurants.

6. Ms WONG Shu-ming expressed that the light pollution, sound pollution, harbour water pollution and air pollution in the Yau Tsim Mong (“YTM”) District were serious. She was glad that the 2015 Policy Address suggested that a low emission zone (“LEZ”) be set up in Mong Kok. She recalled that a similar suggestion had been raised some years before, requesting inclusion of Reclamation Street, Canton Road, Shanghai Street and Portland Street in the LEZ, lest high emission vehicles should travel via inner roads and cause the air pollution problem in inner roads to deteriorate, as they were not allowed to enter the LEZ (e.g. Nathan Road). She enquired about the implementation schedule and the other details relating to the LEZ, and whether the Government would consult the District Council on implementation of the LEZ. She also expressed worries that residents of the “three nil” buildings (i.e. buildings that did not have an owners’ corporation nor any form of residents organisations nor engage a property management company) would dispose of their garbage by the roadside rubbish bins when the quantity-based MSW Charging was implemented.

7. Mr John WONG recalled that the representative of the EPD had suggested setting up a CGS at Hoi Fan Road, Tai Kok Tsui during the Community Building Committee Meeting on 24 July 2014. He had responded at the meeting that the residents of Tai Kok Tsui were sceptical about the proposed site of the CGS. The representative of the EPD had indicated that district consultation on the proposed site would be conducted. He enquired about the consultation results, as well as the partner selection mechanism of the project.

8. Mr Benjamin CHOI indicated that Councillors of the YTMDC were concerned about the fumes emitted from restaurants, noise emanated from bars, and illegal dumping of construction waste. He shared the view that promotion and education were important, and he hoped that the EPD would enhance law enforcement, including law amendments in order to facilitate law enforcement.

(Mr John WONG left the meeting at 3:18 p.m.)

9. Mr WONG Kin-san stated that loud noises were generated in the Mong Kok Pedestrian Precinct (“MKPP”) during the opening hours. Moreover noises were emanated from 30 to 40 bars in Mong Kok East at night. He would like to know what follow-up action the EPD would take. He also indicated that Yim Po Fong Street and Yuen Po Street were close to the open air rail section of the East Rail Line. Residents in the vicinity suffered railway traffic noise at day and grinding of the tracks at night. However, the MTR

Corporation Limited (“MTRCL”) refused to erect noise barriers along the rail section on the grounds of technological limitations. He asked how the EPD would follow-up on the noise problem of the said area.

10. Mr CHAN Siu-tong recalled that he had reflected the fumes emitted by the restaurants at Ferry Point and Tai Kok Tsui to the EPD. However officers of the department had expressed that following-up on the case was not easy. He suggested that the fumes emission system of any premises intended to be used as a restaurant should meet the specified standard before a licence was issued by the Food and Environmental Hygiene Department (“FEHD”). He said the newspapers had reported that some shops dumped their wastes at Reclamation Street at night. The EPD should not ignore the situation before implementing the quantity-based MSW Charging.

11. Mr Benny YEUNG asked whether the EPD had enough manpower for law enforcement. He was of the view that compliance of the environmental protection requirements on fumes emission systems should be one of the FEHD’s requirements for issuance of a restaurant licence. He also expressed that a number of high speed roads in the YTM District were close to residential buildings, imposing noise and air pollution to the residents. Yet, the EPD had failed to handle the problem. He hoped that with the construction of the Central Kowloon Route, the EPD would seize the chance and consider erecting full-enclosure noise barriers along those high speed roads close to residential buildings so as to ease the noise and air pollution.

12. Mr CHAN Wai-keung was concerned about the air pollution caused by the cruise ships berthed at the Ocean Terminal, Tsim Sha Tsui. He asked whether the EPD would consider provision of on-shore power supply at the terminal. Moreover, he stated that a lot of residents of the Park Avenue and the Central Park had reflected to him that vessels plying the New Yau Ma Tei Typhoon Shelter had a strong petrol smell. He wanted to know whether the EPD would exert control over vessel diesel. He said residents of the two estates had also pointed out that the loud sound from the amplifying devices when the vessels were loading / unloading at the New Yau Ma Tei Typhoon Shelter at night deprived them of their sleep.

13. Mr Derek HUNG indicated that the EPD was going to bring a new legislation into effect on 1 July 2015, requiring OGVs at berth to switch to ULSD. He asked whether the law enforcing officers of the EPD would check the sulphur content in the diesel with a measuring device, or observe refuelling at the engine room in person. He continued that as the Government had tightened the sulphur content of locally supplied marine light diesel in April 2014, he wanted to know whether the Government would consider modelling on the Pilot Green Transportation Fund by providing funding to facilitate installation of catalytic converters in vessels, or limiting the service life of vessels.

14. Mr Barry WONG said that waste separation bins (“WSBs”) had been placed throughout the territory for years. He asked whether the Government was going to review the size and spots of the bins. He further stated that many people believed that wastes collected by these bins would all be brought and disposed of at landfills without any form of separation or recycling. He hoped that the representatives of the EPD would clarify it to allay the public's worry.

(Mr Barry WONG left the meeting at 3:36 p.m.)

15. The Hon James To indicated that the Task Force on External Lighting (“Task Force”) had just submitted a report to the Government, which recommended launching of guidelines or a charter to encourage business operators to observe the switch-off requirement on a voluntary basis. He believed that without statutory regulation, it would be difficult to protect the public from the light nuisance caused by signboards at night. He expressed dissatisfaction that the EPD had all along failed to handle properly the fumes and smoke problem brought by restaurants. He suggested conditions be set down that restaurant licence applicants must prove that the fumes emission system at his premises met the requirements of the EPD before a licence was issued.

16. Mr LAM Kin-man commended the EPD for following-up closely on the light pollution complaints in the district. He said that residents along the Mong Kok section of the East Rail Line (i.e. the area of Yim Po Fong Street) had been subject to noise nuisance for over 10 years. However, the MTRCL refused to erect noise barriers along the rail section on the grounds of technological limitations. He hoped that the EPD and the concerned departments would explore means to minimise the noise nuisance brought upon the residents by the rail.

17. The Chairman called upon the representatives of the EPD to respond to the noise nuisance concerning the railway, the road and the MKPP, as well as the issues of light pollution, fumes emitted by restaurants, illegal dumping of debris, and the noise and odour problems at the New Yau Ma Tei Typhoon Shelter.

18. Ms Anissa WONG responded as follows:

- (i) Before placing the WSBs, the EPD had to consider whether the placement of the bins would cause obstruction to the pedestrians. If any member of the public was of the view that the hygiene condition of any WSB was not satisfactory, he should inform the EPD. The EPD and the FEHD would follow-up on the case. Moreover, according to the contract, the WSB service contractor should handle the materials collected by the bins properly. Non-recyclable wastes (e.g. those contaminated) had to be brought to the landfills. She stated that the EPD had a monitoring system in place to ensure that all the wastes collected would be handled properly during the recycling process. Moreover, through publicity and education, the EPD would remind the public of the important points before dropping recyclables into the recycle bin in order to achieve clean recycling.
- (ii) The EPD had requested the franchised bus companies to deploy low emission buses. Besides, buses of more than 18 years old would be phased out. The EPD would also provide funding for implementation of selective catalytic reduction devices (“SCRs”) in Euro II and III buses which had not attained the retirement age in order to minimise emissions. As regards liquefied petroleum gas taxis and public light buses, the EPD had provided funding previously to retrofit them with SCRs. Moreover, emission tests were conducted with remote sensing equipment. If a vehicle was found to have exceeded the emission standard, the EPD would demand that the vehicle be repaired and tested. The purpose of such arrangements was to ensure that vehicles were regularly repaired, and that they would not exceed the applicable emission limit.

- (iii) The EPD was planning to set up LEZs only at busy corridors. Since the operation areas of the bus fleets of the franchised bus companies were not limited to LEZs, it was expected that these measures would in general improve the emission problems of franchised buses.
- (iv) The EPD provided funding to the franchised bus companies for procurement of electric buses and hybrid buses for trial run.
- (v) A new legislation would come into operation on 1 July 2015, requiring OGVs at berth to switch to ULSD. The EPD and the Marine Department (“MD”) were responsible for enforcement of the new legislation. Officers would be deployed to check whether the OGVs at berth complied with the requirement.
- (vi) There were a number of considerations concerning on-shore power supply, e.g. availability of compatible ancillary facilities on board. The Ocean Terminal was conducting a feasibility study on provision of on-shore power supply. The EPD would keep the issue in view and study the proposal. As for the smell generated by vessels in operation, the problem might involve the fuel / combustion process. The EPD and the MD would follow-up on the issue.
- (vii) The EPD and the nearby marine work activities contractors would follow-up on the noise problem raised by the public. Members of the public could also call the complaint hotline to reflect the situation directly.
- (viii) As regards the quantity-based MSW Charging, the EPD understood the Councillors were concerned that the related measures might cause the environmental hygiene condition of the “three-nil” buildings and the nearby areas in the district to deteriorate. Apart from pilot schemes, the EPD would strengthen liaison with the local communities in order to enhance civic awareness of the general public. Moreover, the EPD would strengthen law enforcement to cater for the policy.
- (ix) The EPD understood the Councillors’ concerns about the proposed location of the YTM CGS. The EPD would strengthen communication with the District Council, as the department attached great importance to the Councillors’ views. The EPD would also select an NPO for the programme through open tendering.
- (x) Under the existing law, large restaurants must obtain EPD’s approval before installation of fume emission systems. The existing regulation did not cover medium and small restaurants. However, if complaints about fumes and smoke from these restaurants were lodged by members of the public, the EPD would take follow-up action. The EPD would issue to the trade guidelines on good practices for fumes emission control. The EPD and the FEHD would also follow-up on the problems concerning fumes emission and the licensing system.
- (xi) As for the noises emanated from bars at night, investigation would be conducted after a complaint was received. If the complaint was substantiated, the EPD would issue a Noise Abatement Notice to the bar concerned. According to the current practice, the EPD would submit to the

Liquor Licensing Board (“LLB”) the number of complaints against the bar for the consideration of the LLB whether to accept the renewal application. Besides, the EPD advised the LLB on the licensing conditions, e.g. no band performance or karaoke activities was allowed after 11:00 p.m., or requiring the bar to keep the doors and windows closed during operation hours. The records revealed that the number of complaints received by the EPD in 2014 was fewer than that in 2013.

- (xii) Regarding railway traffic noise, the EPD had been liaising with the MTRCL. In order to minimise railway traffic noise, the MTRCL was conducting a pioneer programme on cutting down the number of crossings.
- (xiii) The Task Force had studied the feasibility of mandating a switch-off requirement by legislation. Reference had been made to overseas experiences. The Task Force believed that encouraging shops to switch-off their external lighting installations by means of a charter scheme would cater for special features of individual districts, and allow flexibility in implementation of the requirement.
- (xiv) The EPD would answer the Councillors’ enquiries through the District Council Secretariat by providing details on the department’s follow-up action.

19. The Chairman thanked the representatives of the EPD for joining the discussion on this item.

Item 2: The Work of Drainage Services Department in Yau Tsim Mong (“YTM”) District (YTMDC Paper No. 26/2015)

20. The Chairman welcomed Mr Daniel CHUNG, Director of Drainage Services and Mr CHUNG Yiu-wing, Chief Engineer (Mainland South) of the Drainage Services Department (“DSD”) to the meeting.

21. Mr Daniel CHUNG gave a PowerPoint presentation on the functions of the DSD and its major projects in the YTM District:

- (i) The two major duties of the DSD were flood prevention and sewage treatment.
- (ii) The routine work of the DSD in the YTM District included regular inspection and repair of stormwater drains and sewers of about 150-km and 110-km long respectively. In addition, the DSD had to properly operate and repair three sewage pumping stations in the district. In 2013/14, the recurrent expenditure of the DSD for the YTM District was about \$31 million.
- (iii) The DSD was conducting the Drainage Master Plan Review Studies for East and West Kowloon in order to review the existing drainage systems throughout the district in the light of the latest planning and development of East and West Kowloon as well as the potential impact of climate change. The DSD would make recommendations for improvement after completion of

the studies to further reduce the risk of flooding in East and West Kowloon (including the YTM District). The studies, which cost approximately \$27 million, were expected to complete by late 2015.

- (iv) At the upstream of Cherry Street box culvert in Tai Kok Tsui, a sewer was misconnected to a stormwater drain, causing the inflow of sewage into New Yau Ma Tei Typhoon Shelter. The Government would follow up the case and enforce the law to prevent illegal discharge of sewage. In addition, the DSD was designing the dry weather flow interceptor at Cherry Street box culvert. The project was expected to commence in 2016 and complete in 2020 at an estimated cost of approximately \$550 million.
- (v) The DSD was planning for the sewerage improvement works in the YTM District, including improvement of existing sewers of about 10-km long, improvement of six existing dry weather flow interceptors and provision of a new dry weather flow interceptor. The works were expected to commence in 2016 and complete by 2024 at an estimated cost of approximately \$530 million.
- (vi) He thanked the YTMDC for its valuable opinions on drainage work in the district in the past and hoped to maintain close cooperation with the YTMDC. The DSD would continue to listen to public views in order to improve the drainage systems in the district.

22. Ms KWAN Sau-ling said that some members of the public had reflected that with the advent of the rainy season, flooding would occur in the vicinity of Centenary Garden in Tsim Sha Tsui East, Observatory Road and the vicinity of Chatham Road South, which caused inconvenience to the public and tourists. She hoped that the DSD could improve the situation.

23. The Hon James TO said that the proposed dry weather flow interceptor at Cherry Street would take four years to complete, he would like to know how this project could alleviate the odour problem in New Yau Ma Tei Typhoon Shelter in different stages.

24. Mr HAU Wing-cheong said that in the Mong Kok District, the misconnection of sewers to stormwater drains was not uncommon. The sewage discharged to the sea would not only affect the water quality at New Yau Ma Tei Typhoon Shelter but also cause sea water pollution. He would like to know how the DSD would monitor the problem of misconnection of sewers.

25. The Vice-chairman said that the dry weather flow interceptor at Cherry Street and sewerage improvement works would commence in 2016 but the completion dates would be 2020 and 2024 respectively, which would take too much time. The residents in Tai Kok Tsui could hardly tolerate the odours from New Yau Ma Tei Typhoon Shelter for a long time. She requested the DSD to expedite the completion of the above works.

26. The Chairman said that sometimes there was odour problem at the place in between Cherry Street Park and Charming Garden recently, and sewage pipes were generally laid underground, the two should be interrelated which required the attention of the DSD. In addition, he hoped that the construction of the dry weather flow interceptor at Cherry Street

could be started and completed as early as possible. He also asked whether the Legislative Council (“LegCo”) had granted funding approval for carrying out this project.

27. Mr Daniel CHUNG responded as follows:

- (i) Chatham Road South was currently the only flooding black spot in the YTM District. The DSD had carried out improvement measures there and the flooding problem had been mitigated in recent years, but the problem could not be solved so far. Chatham Road South was a low-lying area, a large-scale flood prevention project had to be carried out to eradicate the flooding problem there. After the completion of the Drainage Master Plan Review Studies late this year, the DSD would carry out appropriate improvement works at the district level having regard to the recommendations of the consultant.
- (ii) The odours from drains might be caused by the misconnection of sewers to stormwater drains, illegal discharge of sewage to road surfaces or blockage of sewers. The DSD would deploy staff to clean the drains regularly and increase the frequency of desilting works at Cherry Street box culvert outlet. The DSD would also extend the operating hours of dry weather flow interceptors subject to weather conditions, so as to intercept the pollutants from entering the stormwater drains. The sewage would be sent to sewage treatment plants for treatment before discharging into the sea.
- (iii) The DSD was designing the dry weather flow interceptor at Cherry Street which was expected to complete by late this year. The DSD planned to seek funding approval from the LegCo in 2016 for carrying out the project which would commence in 2016 and complete in 2020.

28. The Chairman thanked the representatives of the DSD for joining the discussion on this item.

Item 3: Confirmation of Minutes of 21st YTMDC Meeting

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

Item 4: Matter Arising:

- **Further Request for Early Settlement of Disputes over Opening of Public Space of Metro Harbour View**
(YTMDC Paper No. 18/2015)
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30. The Chairman said that the written response of the Development Bureau (“DEVB”) (Annex 1) had been placed on the table for Councillors’ reference. He then welcomed the following representatives to the meeting:

- (a) Mr Allen FUNG, Political Assistant to Secretary for Development;

- (b) Ms Catherine PANG, Senior Estate Surveyor/Kowloon Central of the Lands Department (“LandsD”); and
- (c) Ms Michelle YUEN, Senior Town Planner/Yau Tsim Mong (Atg) of the Planning Department (“PlanD”).

31. Mr LAU Pak-kei supplemented the contents of the paper. He said that the issue of public space of the Metro Harbour View had been dragging on for years without progress. During the period, the Yau Tsim Mong West Area Committee (“West Area Committee”) voted against the request for addressing this issue by means of a “waiver” in November 2012. He continued that waiving the opening of public space on private land of the Metro Harbour View required modification of land lease conditions, which should be supported by the respective District Council and area committee, but the West Area Committee had voted against the waiver application of the owners’ corporation (“OC”) of the Metro Harbour View. He would like to know how the Government would follow up the request of owners. He also enquired whether the Government would consider modifying the land lease to waive the condition that owners had to open the public space of the Metro Harbour View.

32. Mr Allen FUNG responded as follows:

- (i) The application for waiving the opening of public space on private land should be made by all owners or the OC, it was not feasible for the Government to make a waiver application.
- (ii) The Town Planning Board (“TPB”) was responsible for considering the planning of district development projects which rendered it inappropriate to make waiver applications of this kind.
- (iii) On the issue of opening the public space of the Metro Harbour View, the former Secretary for Development had stated five principles for the application for waiving the land lease condition concerned at a LegCo meeting. The five principles still applied.
- (iv) The owners of the Metro Harbour View should continue to seek the support of the West Area Committee and the YTMDC in order to submit a waiver application.

(The Hon James TO left the meeting at 4:30 p.m.)

33. Ms Michelle YUEN responded that the OC of the Metro Harbour View had applied to the TPB for removing the note of public open space in the housing estate on the outline zoning plan (“OZP”) more than two years ago. The TPB considered the application in June 2012, but in view that the application of the OC failed to secure the support of the West Area Committee and the YTMDC, the TPB decided to defer making a decision on this application and reiterated that the waiver application would only be considered with the support of the respective DC and area committee.

34. Mr LAU Pak-kei declared that he was a flat owner of the Metro Harbour View and a member of the West Area Committee. He expressed his understanding of the stance of the DEVB and the relevant departments, but the West Area Committee had voted against the

request of the OC of the Metro Harbour View for addressing the issue of open space of the housing estate by means of a “waiver”. He would like to know how the OC could follow up the issue at present. He also asked whether the Government would consider modifying the land lease to waive the condition of opening the public space on private land.

35. The Vice-chairman declared that she was a member of the West Area Committee. She said that members of the West Area Committee had conducted a site inspection at the podium of the Metro Harbour View before. Since public open space contained in a number of housing estates in Tai Kok Tsui, the developer of the Metro Harbour View had reflected in flat prices the provision of public open space on private land. To avoid being unfair to other private housing estates with public open space, the West Area Committee did not support the waiver application of the OC of the Metro Harbour View.

36. Mr Allen FUNG responded as follows:

- (i) Waiving the opening of public space on private land would reduce the public open space available at the district. In this regard, the then Secretary for Development requested the OC of the Metro Harbour View to secure the support of the West Area Committee and the YTMDC for the waiver application, and the application should be made by all owners or the OC.
- (ii) The OC of the Metro Harbour View had made enhancement to the waiver application in order to seek the support of the West Area Committee and the YTMDC. If support was secured, the OC could then make the waiver application to the LandsD and re-submit the application to the TPB for consideration in order to amend the relevant note of the OZP.

37. Mr HAU Wing-cheong said that he had joined the members of the West Area Committee for a site inspection at the podium of the Metro Harbour View. As far as he could see, despite that the public space should be opened, the public could hardly go there for leisure activities.

38. Mr LAU Pak-kei emphasised that the OC of the Metro Harbour View had endorsed at its owners’ meeting addressing the issue of public open space of the Metro Harbour View by means of a “waiver”, at that time the Government did not request the OC to submit any enhancement proposals as an exchange condition for the waiver application. He continued that the public open space was located at the podium of the housing estate and hardly any members of the public would go there on weekdays, but opening the public space would give rise to security problems. He hoped that the Government could show concern to the situation. In addition, he urged the Government to increase public open space in the district rather than requesting the owners of the Metro Harbour View to open the podium of the housing estate for public use.

39. Mr Allen FUNG responded that in respect of waiving the opening of public space of private housing estates, other than the five principles, the DEVB had not imposed other conditions.

40. Ms Michelle YUEN said that in addition to the said five principles, the Government had not requested the owners of the Metro Harbour View to submit any enhancement proposals in respect of the waiver application. When the TPB discussed the issue, the OC

had taken the initiative to put forth the enhancement proposal to seek the support of the area committee and the YTMDC. In addition, according to the Hong Kong Planning Standards and Guidelines, the TPB would also give regard to the location, distance and distribution of public open space in considering whether to waive the opening of public space on private land. She continued that in the PlanD's view, public open spaces in the Mong Kok District were not sufficient in number, but there were several sites of public open space near the Metro Harbour View. The PlanD had submitted the relevant information to the TPB for consideration in June 2012.

41. The Chairman thanked the relevant government representatives for joining the discussion on this item.

Item 5: 2015-2016 District Council Funds ("DC Funds") for Community Involvement Projects ("CIPs")
(YTMDC Paper No. 33/2015)

42. After discussion, Councillors endorsed the budget and the funding approval procedures for the CIPs for 2015-16 as set out in the captioned paper.

Item 6: Application for DC Funds to Cover Payment for CIPs Carried Forward from 2014-2015 to 2015-2016
(YTMDC Paper No. 27/2015)

43. After discussion, Councillors endorsed an allocation of \$1,153,315.30 from DC funds for 2015-16 to cover payment for the outstanding amount payable for the CIPs for 2014-15.

Item 7: YTMDC's Continued Employment of Contract Staff Until 31 March 2016
(YTMDC Paper No. 28/2015)

Item 8: Funding Application from 2015 Yau Tsim Mong Building Management Promotion Campaign Organising Committee ("BMPCOC")
(YTMDC Paper No. 29/2015)

Item 9: Funding Application from 2015-2016 Yau Tsim Mong Environmental Improvement Campaign Organising Committee ("EICOC") for Organising 2015 Yau Tsim Mong Community Participation in Environmental Sanitation Scheme and Its Kick-off Ceremony
(YTMDC Paper No. 30/2015)

Item 10: Funding Application from Working Group on Women's Affairs ("WGWA"), YTMDC for Preparation of a Thematic Study Report on Women's Affairs in YTM District
(YTMDC Paper No. 31/2015)

Item 11: Funding Application for Organising Hong Kong Reunification Anniversary Cantonese Opera Show 2015 by YTM Area Committees (YTMDC Paper No. 32/2015)

44. The Chairman proposed that the papers in respect of Items 7 to 11 about DC funding applications be discussed together and there was no objection. He reminded Councillors to fill in the Declaration of Interests form on the table if necessary.

45. Councillors endorsed the funding proposal in Paper No. 28/2015 and would provide an allocation of not more than 15% of the funding for CIPs for 2015/16 for the continued employment of dedicated staff until 31 March 2016 to assist in performing the duties of the YTMDC.

46. Councillors endorsed the funding applications for Items 8 to 11.

(Mr Francis CHONG left the meeting at 4:50 p.m.)

Item 12: Work Plan 2015/2016 of ICAC Regional Office (Kowloon West) (YTMDC Paper No. 34/2015)

47. The Chairman welcomed Ms Yvonne MUI, Regional Officer/Kowloon West and Miss Ophanny LEE, Senior Community Relations Officer, Regional Office (Kowloon West) of the Independent Commission Against Corruption (“ICAC”) to the meeting.

48. Ms Yvonne MUI briefly introduced the contents of the paper.

- (i) The ICAC Regional Office (Kowloon West) (“Regional Office (Kowloon West)”) planned to conduct around 700 visits and talks and organised over 40 preventive education programmes in 2015/16 in order to achieve three work objectives, including enhancing anti-corruption awareness of the general public and encouraging the prevention and report of corruption; maintaining public confidence and support for the ICAC and strengthening and preserving the culture of integrity in Hong Kong.

(ii) District Entrenchment Work to Promote Integrity

2015 was the District Council (“DC”) election year. The Community Relations Department (“CRD”) of the ICAC would promote clean election in various districts in the territory. To tie in with voter registration activities of District Offices (“DOs”), the ICAC would carry out publicity activities against vote-rigging starting from 9 May onwards. In addition, during May and June, anti vote-rigging message was promoted in the roller features at the end of the episodes of the “Come Home Love” television drama of the Television Broadcasts Limited. The second stage of publicity activities would be carried out from August to November. In the YTM District, the Regional Office (Kowloon West) planned to continue to cooperate with the YTMDC and the YTM District Office (“YTMDO”) to launch a joint publicity programme on the theme of “Support Clean Elections”, the details of which would be introduced later.

- (iii) The ICAC would invite district organisations to visit the ICAC headquarters in North Point. During the visit, the ICAC officers would introduce to participants the work of the ICAC, anti-corruption and electoral legislation and channels for reporting corruption.
- (iv) At the district level, the ICAC officers would continue to attend meetings of the relevant district advisory committees to enlist district support for anti-corruption work, including educating the community against the evils of corruption and promoting the channels for reporting corruption.
- (v) The ICAC would continue to hold the meet-the-public sessions to expand district network and gauge public opinions on anti-corruption work.
- (vi) The ICAC would continue to invite district organisations to participate in the Community Involvement Project to provide resources and support to participating organisations to assist them in organising anti-corruption activities on their own. The ICAC would also strengthen cooperation with government departments and voluntary organisations to disseminate anti-corruption message to ethnic minorities.

(vii) **Moral Education of Young People**

Regarding moral education of young people, the ICAC would recruit tertiary students and secondary school students through the “ICAC Ambassador Programme” and the “iTeen Leadership Programme” for tertiary institutions and secondary schools respectively. In the Programmes, training would be provided to them for organising anti-corruption activities in their respective institutions.

- (viii) Regarding parenting education, the Regional Office (Kowloon West) would distribute an activity package with a “Gee-dor-dor” cartoon movie DVD to all primary schools and kindergartens in the YTM District to encourage schools to use these interesting education kits in class or during extra-curricular activities to publicise the evils of corruption. The Regional Office (Kowloon West) would also promote the “ICAC eBooks” Tablet App containing, among others, moral education stories to the schools.

(ix) **Integrity Management among Public Officers**

The Regional Office (Kowloon West) would introduce ICAC’s services to individual government departments and public organisations to provide integrity training courses and introduce online training resources tailor-made for civil servants to the relevant government departments.

(x) **Business and Professional Ethics and Corporate Governance**

In line with the anti-corruption publicity strategies for the industrial and business sectors formulated by the CRD, the Regional Office (Kowloon West) would promote integrity management among directors and managerial

staff of listed companies and provide advisory services on corruption prevention for unlisted large enterprises and small and medium enterprises. With construction, catering, finance and insurance, testing and certification, tourism and retailing industries as the priority targets, practitioners would realise that corruption was a high-risk crime that was not tolerable.

(xi) **Building Management**

The ICAC had all along attached importance to promoting corruption prevention education to owners and OCs. Every year, the ICAC promoted clean building management through a variety of activities including visits and talks, and set up a thematic website and a building management hotline. The Regional Offices of the ICAC also provided advice to OCs and owners to answer their enquiries.

- (xii) The ICAC had noted the concerns of the public over “bid-rigging” in building maintenance works in recent years. “Bid-rigging” generally referred to a prior agreement of bid prices among tenderers in violation of competition rules. If corruption was not involved, “bid-rigging” would not fall within the purview of the ICAC. On the contrary, if “bid-rigging” activities involved corruption and bribery, the ICAC had to conduct investigation. “Bid-rigging” would sometimes involve other issues. For example, the Police launched the “RenoSafe Scheme” in respect of the involvement of crime syndicates in maintenance works to make profits by employing unlawful means. In addition, “bid-rigging” was serious anti-competitive conduct under the Competition Ordinance. After the full operation of the Competition Ordinance, the Competition Commission could initiate legal proceedings against “bid-rigging agreements”. The ICAC was pleased to strengthen cooperation with the relevant organisations in combating corruption in building management.
- (xiii) In response to the concerns of owners over building management issues, the Corruption Prevention Department (“CPD”) of the ICAC had produced training videos and updated the Building Maintenance Toolkit in 2012 and 2013 respectively which included recommended corruption preventive measures to prevent any possible fraud including “bid-rigging” in maintenance works. At the district level, the CRD had organised five sessions of seminars on “Integrity Building Management and Building Maintenance Toolkit” for owners, OCs and the relevant organisations in Hong Kong, Kowloon and New Territories to explain to participants the risks involved in bribery and fraud in respect of building maintenance and how to strengthen regulatory control during the process of building maintenance works to prevent bribery and fraud.
- (xiv) Building management involved a wide range of issues which would require the joint efforts among departments and the relevant stakeholders. For example, the CPD cooperated with DOs, Hong Kong Housing Society and the relevant professional bodies to update the Building Maintenance Toolkit and produce training videos for distribution to all OCs through the relevant organisations and regional offices of the CRD, and cooperated with the

Government for various government initiatives relevant to maintenance of private buildings including “Operation Building Bright”, “RenoSafe Scheme”, “Mandatory Building Inspection Scheme” and “AP Easy” Building Maintenance Advisory Service Scheme”. The ICAC also worked closely with the relevant departments and organisations and provided anti-corruption information and education services to the target OCs through their networks.

- (xv) This year, the ICAC would continue to provide OCs with a better understanding of anti-corruption legislation and measures through visits and talks/seminars in West Kowloon, as well as continue to take the initiative to write to newly established OCs and OCs which had received repair orders from the Buildings Department or safety directions from the Fire Services Department to introduce corruption prevention education services. In addition, the ICAC would attend the Building Management Certificate Course and the seminars concerned in the district to explain corruption prevention legislation and measures.
- (xvi) To ensure clean and effective building maintenance and management, in addition to the cooperation among departments and the relevant professional bodies, OC members and owners should also actively participate in the preparatory and supervisory work of building maintenance.

(xvii) Publicity Programme for Clean Elections in the YTM District

The Regional Office (Kowloon West) hoped to maintain cooperation with the YTMDC and the YTMDO in 2015/16. To tie in with the publicity efforts to promote clean elections across the territory, a series of district activities on clean elections would be held in the YTM District. These activities would be jointly organised by the Regional Office (Kowloon West) and the YTMDO sponsored by the YTMDC while the four Yau Tsim Mong Area Committees and the Yau Tsim Mong District School Liaison Committee would be assisting organisations. The activities were expected to take place between May and December and to reach 22 000 residents and students. The proposed district activities on anti-corruption included Parenting Activity on Moral Education, Moral Education Story eBooks and e-Reading Scheme, “iTeen Leadership Programme” for Senior Secondary Students, “Support Clean Elections” Roving Exhibitions, “Support Clean Elections” Mobile Truck Exhibition and “A Clean Future for Our Next Generation” Community Involvement Project.

- (xviii) In addition, the Regional Office (Kowloon West) would organise a briefing on the Elections (Corrupt and Illegal Conduct) Ordinance tentatively scheduled for 26 June 2015 at Henry G. Leong Yaumatei Community Centre to introduce legislation on clean elections to the target groups in the district. The Regional Office (Kowloon West) would organise talks and provide appropriate services to district organisations and elderly centres on request.
- (xix) The Regional Office (Kowloon West) would apply to the YTMDC for an allocation of \$30,000 from DC funds for organising the above programme, and the remaining programme expenditure of \$30,000 would be borne by the

ICAC. It was hoped that Councillors would provide support to the publicity programme.

49. Mr WONG Kin-san suggested that in arranging visits to the headquarters, the ICAC should allow participants to understand more about the day-to-day operations of the ICAC, rather than receiving visitors at the meeting room of the headquarters and broadcasting publicity videos. In addition, he said that the ICAC had planned to vigorously launch publicity against vote-rigging activities this year, which might give the public the perception that vote-rigging was serious in the community. The ICAC could consider including anti vote-rigging as one of the items of the publicity programme for clean elections.

50. Ms KWAN Sau-ling said that in Tsim Sha Tsui East constituency, many building OCs had reflected to her that there were sometimes fake proxy instruments at owners' meetings. In addition, bid-rigging was involved in a number of building maintenance works. Unscrupulous contractors insidiously marked up maintenance fees and minority owners would suffer losses. She hoped that the ICAC could actively follow up and investigate corruption and other unlawful acts in relation to building maintenance works.

(Mr LAM Kin-man left the meeting at 5:15 p.m.)

51. Mr HUI Tak-leung said that a number of candidates would make unnecessary election complaints in every election year and the ICAC had to deploy considerable manpower in handling those complaints which was a waste of public money. In addition, he opined that the ICAC should proactively investigate suspected cases of corruption and other unlawful acts even though no complaint was received, rather than conducting investigations only when complaints were received.

52. The Vice-chairman supported the Work Plan 2015/2016 of the ICAC Regional Office (Kowloon West). She continued that there were a great number of private buildings in the YTM District and local residents were highly concerned with building management. The ICAC should organise talks on clean building management for building OCs in the YTM District more often.

53. Mr Derek HUNG supported the proposed activities for the ICAC 2015/2016 Publicity Programme for Clean Elections in the YTM District. He enquired whether the ICAC would recruit senior secondary school students as "iTeen leaders" on a long-term basis in a way similar to the "Junior Police Call" ("JPC") scheme. He also said that some candidates might make unnecessary complaints during the election period to attack their contestants through the ICAC's investigations, the respondents might in return make use of the ICAC's replies to mislead the public into thinking that they were the victims. All those would be unfair to other candidates.

54. The Chairman declared that he was a member of the ICAC Citizens Advisory Committee on Community Relations. He showed his full support to the corruption prevention activities carried out by the ICAC throughout Hong Kong and in the YTM District.

55. Ms Yvonne MUI responded as follows:

- (i) She thanked Mr WONG Kin-san for his suggestion regarding visits to the ICAC headquarters. Without affecting the work of the Operations Department of the ICAC, the ICAC would provide an opportunity for visitors to learn more about the facilities of the headquarters during the visits as far as possible.
- (ii) Regarding the publicity against vote-rigging, the ICAC would arrange the “Support Clean Elections Mobile Exhibition Vehicle” to carry out publicity in line with the voter registration activities of DOs. The ICAC would also produce and distribute publicity leaflets to remind the public to provide correct information to the Registration and Electoral Office. In addition, the ICAC would provide appropriate anti-corruption publicity activities for candidates and election agents before the DC election.
- (iii) The ICAC was a law enforcement department. The ICAC would take follow-up actions and conduct investigations of the reports as long as they were under the purview of the ICAC.
- (iv) After the previous DC election, the Administration had formulated some administrative measures for the declaration of election expenses for DC elections. The ICAC would pay close attention to the implementation of the measures concerned. If Councillors had any views on electoral legislation, they were welcome to express their views to the Administration.
- (v) During the DC election, candidates would monitor each other and might make reports to the ICAC. As a law enforcement department, the ICAC must take follow-up actions and conduct investigations upon the receipt of reports. However, if the informers wilfully misled the ICAC officers, they would be subject to legal sanctions.
- (vi) The ICAC could only terminate the investigation of a corruption complaint with the endorsement of the Operations Review Committee.
- (vii) In addition to corruption reports, the ICAC would also proactively investigate suspected corrupt conduct.
- (viii) If Councillors knew that an OC was planning to carry out building maintenance works, they could suggest the OC to contact the ICAC in advance so that the ICAC could send officers to explain the legislation concerned and the points to note to the OC.
- (ix) The Home Affairs Bureau (“HAB”) was reviewing the Building Management Ordinance. If necessary, the ICAC would give advice to the HAB from the perspective of corruption prevention.
- (x) This academic year was the second time the ICAC had organised the “iTeen Leadership Programme”. In each of the past two years, a hundred secondary schools had participated in the Programme, a total of 700 to 800 senior secondary school students became “iTeen leaders” every year. As the Programme was launched for two years only, the ICAC would keep an eye on

its development for timely review, including whether to follow the operation of the JPC scheme.

56. The Chairman thanked the ICAC representatives for joining the discussion on this item.

(Ms KWAN Sau-ling left the meeting at 5:30 p.m.)

**Item 13: To Further Request Transport Department to Provide Pedestrian Crossing Facilities at Junction of Nathan Road and Shantung Street
(YTMDC Paper No. 35/2015)**

57. The Chairman welcomed Mr TSE Chi-wai, Engineer (Mong Kok & Yaumatei) of the Transport Department (“TD”) to the meeting.

58. Mr HUI Tak-leung supplemented the contents of the paper. He said that dating back from the meeting of the Traffic and Transport Committee (“TTC”) on 23 March 2006, he had requested the TD to provide pedestrian crossing facilities at the junction of Nathan Road/Shantung Street. Subsequently, he, together with the Vice-chairman and Mr CHOW Chun-fai, had made repeated requests but the TD considered it undesirable to provide a pedestrian crossing there, and suggested installing a lift in the pedestrian subway at Soy Street for convenience to wheelchair users or other people in need. However, at the TTC meeting on 24 May 2012, the TD’s representative said that a number of pipes were laid under the pedestrian subway at Soy Street and it was not technically feasible to install a lift there. In this connection, he and other submitters requested the TD to consider afresh the provision of pedestrian crossing facilities at the junction of Nathan Road/Shantung Street for convenience to the public.

59. Mr TSE Chi-wai responded that there were a great number of bus stops along Nathan Road and many passengers would get on and drop off at the bus stops concerned every day. The provision of a pedestrian crossing at the junction of Nathan Road/Shantung Street might affect bus movement or passenger pick-up and set-down, which would further worsen the traffic congestion at Nathan Road or Argyle Street. Furthermore, the distance between the junction at Nathan Road/Shantung Street and the pedestrian subway at Soy Street was approximately 100 metres only. There had already been a pedestrian crossing near Dundas Street at around 100 metres to the south of the said subway for crossing Nathan Road, if a pedestrian crossing was provided at the junction of Nathan Road/Shantung Street, the utilisation rate of the pedestrian subway at Soy Street might be affected, which might give rise to security or sanitary problems. In view of the said reasons, the TD had reservation over the proposal of providing pedestrian crossing facilities at the junction of Nathan Road/Shantung Street.

60. Mr CHOW Chun-fai said that the TD had considered the request from the traffic and transport perspective and opined that the provision of pedestrian crossing facilities at the junction of Nathan Road/Shantung Street might worsen the traffic congestion in the vicinity, but the TD failed to take consideration of pedestrian safety. He recalled that there was a pedestrian crossing at the junction of Nathan Road/Shantung Road previously. However, after the MTR station was built, the pedestrian crossing had not been reprovisioned in-situ. He also said that the pedestrian crossing at the junction of Argyle Street/Nathan Road was a

traffic black spot, it was not convenient for elders or wheelchair users to use the pedestrian subway at Soy Street, therefore Councillors had submitted papers three times to request the TD to consider afresh the provision of pedestrian crossing at Nathan Road/Shantung Street to ensure the safety of pedestrians (in particular elders and wheelchair users).

61. Mr HAU Wing-cheong said that a number of elders and wheelchair users would cross the road at the junction of Nathan Road/Shantung Street every day. In view of pedestrian safety, Councillors had made repeated requests to the TD for the provision of pedestrian crossing at that junction since 2006, but the TD had rejected the proposal many times. Despite the TD's proposal of installing a lift at the pedestrian subway at Soy Street, the proposal was not feasible due to the large number of pipes laid under the pedestrian subway there. In this connection, he requested the TD to consider afresh the provision of pedestrian crossing facilities at the junction of Nathan Road/Shantung Street.

62. Mr HUI Tak-leung was dissatisfied with the response of the TD's representative. He requested the TD's representative to provide statistics in support of his view, or make other feasible proposals. He suggested that the discussion of this item be continued and requested the TD to send an officer of a higher rank to attend the next meeting for discussion on this item.

63. The Vice-chairman said that since 2006, Councillors had repeatedly made the proposal of providing pedestrian crossing facilities at the junction of Nathan Road/Shantung Street in order to thoroughly improve pedestrian safety at Nathan Road. In addition, Councillors had requested the TD to extend the pedestrian green time of traffic lights at Nathan Road and provide additional traffic lights at Nathan Road, but the TD had rejected the proposals. She continued that it was neither convenient for elders to use the pedestrian subway at Soy Street in terms of its design nor technically feasible to install a lift at the subway, the TD should propose improvement measures to ensure pedestrian safety.

64. Mr WONG Kin-san said that in addition to considering afresh the provision of pedestrian crossing facilities at the junction of Nathan Road/Shantung Street, the TD could also consider installing a lift or an escalator at the MTR exit at Nelson Street to provide convenience to pedestrians.

65. Mr CHOW Chun-fai said that the paper jointly submitted by eight Councillors had already reflected the strong request of the public. He hoped that the TD's representative could be people-based and re-examine the proposal of Councillors.

66. Mr TSE Chi-wai thanked Councillors for the views. He invited Councillors to have a site inspection to examine whether there were other feasible proposals for improving pedestrian safety at the junction of Nathan Road/Shantung Street.

67. Mr HUI Tak-leung said that the TD's representative and Councillors had already had a site inspection in 2006, but he did not object to another site inspection with the TD's representative. He reiterated that the discussion of this item should be continued at the next meeting and suggested that the TD might provide pedestrian crossing facilities at the junction of Nathan Road/Shantung Street on a trial basis for three months.

68. The Chairman suggested that the discussion of this item be continued and there was no objection. He hoped that the TD could send an officer of a higher rank to attend the next meeting for discussion on this item.

Item 14: Strong Dissatisfaction with Labour and Welfare Bureau, Labour Department, Home Affairs Department, Etc. over Their Disregard for Small Owners' Demands and Refusal to Attend Meetings of a YTMDC Committee to Answer Enquiries on Minimum Wage Increases (YTMDC Paper No. 36/2015)

----- 69. The Chairman said that the written responses of the Civil Service Bureau ("CSB") and the Home Affairs Department ("HAD") (Annexes 2 and 3) had been placed on the table for Councillors' reference. He then welcomed Ms Jade LAI, Political Assistant to Secretary for Labour and Welfare to the meeting.

70. Mr WONG Kin-san supplemented the contents of the paper. He was dissatisfied that the CSB, the HAB and the HAD only provided written responses without sending representatives to attend the meeting to directly exchange views with Councillors. In view that policy bureaux and departments often failed to send representatives to attend the meetings of the YTMDC and its committees, he considered that the CSB was obliged to issue guidelines to policy bureaux and departments to remind them to send representatives to attend meetings upon the invitation of DCs and their committees to show respect to DCs. He also said that at the meeting of the Housing and Building Management Committee ("HBMC") on 26 March 2015, the minimum wage and building management fees were discussed, the Labour and Welfare Bureau ("LWB") did not send representatives to attend the meeting at that time, but the LWB's representative had attended this YTMDC meeting. He would like to know why the LWB attended meetings at its discretion.

71. Mr HUI Tak-leung hoped that the LWB's representative could relay the views of Councillors expressed at the meeting to the LWB. He emphasised that policy bureaux/departments were obliged to send representatives to attend the meetings of DCs and their committees.

72. Ms Jade LAI responded as follows:

- (i) The LWB was pleased to send representatives to attend meetings of DCs and their committees to directly exchange views with Councillors.
- (ii) The minimum wage policy aimed at providing a wage floor to forestall excessively low wages. The Minimum Wage Commission ("MWC") had recommended to the Chief Executive in Council ("CE in Council") that the minimum wage of \$30 per hour be raised to \$32.5 per hour, which was adopted by the Legislative Council on 19 March 2015. The new minimum wage rate would be effective as of 1 May 2015.
- (iii) Councillors reflected the concerns of minority owners that the increase of the minimum wage would increase building management fees, therefore Councillors requested the Government to provide subsidy to owners "in financial difficulty". Although this issue did not fall within the scope of the

minimum wage policy, she would still relay the views of Councillors to the LWB and the Labour Department.

73. Mr WONG Kin-san said that the upward adjustment of the minimum wage would give rise to a corresponding increase in building management fees, which would add burden to minority owners. As the relevant policy bureau, the LWB was obliged to handle this problem. He continued that he had raised the same issue in 2013, he would like to know whether the LWB and the MWC had learnt of his views back then. He also asked the LWB's representative whether she would reflect the views of Councillors to the LWB.

(Mr LAU Pak-kei left the meeting at 6:00 p.m.)

74. Ms Jade LAI responded as follows:

- (i) The LWB noted the discussion at the HBMC meeting on 24 January 2013.
- (ii) The minimum wage rate was reviewed at least once every two years in line with social, economic and employment situation and the impact of the minimum wage on the public would be taken into consideration.
- (iii) The Government had all along been concerned with the potential social impact of the minimum wage, in particular whether low-paid jobs would be lost. The report on employment situation released by the Government on 23 April 2015 showed that the latest unemployment rate was 3.3%, the figure stayed at a low level for a number of quarters, and the labour market could be regarded as "in a state of full employment".
- (iv) The Government was concerned with whether there would be negative impact of the implementation of the minimum wage on the employment situation. After implementing the minimum wage, more than 260 000 people (including 180 000 women) had joined the labour market, which revealed that the minimum wage had attracted some people to join the labour market again. A majority of these people were of older age and lower education level.
- (v) Since the implementation of the minimum wage, the monthly income for low-paid jobs had increased by 34%. After discounting for inflation, there was still an increase of 12%, which proved that the minimum wage could increase the remuneration for low-paid jobs and help improve the livelihood of the grassroots.

75. Mr WONG Kin-san hoped that when the LWB recommended raising the minimum wage in future, it could give thorough consideration to the impact of the recommendation on the public. In addition, he requested the District Officer (Yau Tsim Mong) ("District Officer") and the Chairman and Vice-chairman of the YTMDC to urge the Secretaries of Departments or department heads to send representatives to attend meetings of the YTMDC and its committees when they had meetings.

76. The Vice-chairman said that Mr WONG Kin-san and Mr HUI Tak-leung had proposed to discuss this item not because they objected to the implementation of the minimum wage, rather, they hoped that the MWC could protect the livelihood of the

grassroots while having regard to the potential increase in property management fees due to the minimum wage, which would create financial pressure to minority owners. She considered that the department concerned should formulate measures to ease the financial difficulty of minority owners in this regard.

77. The Chairman said that he had served as the Chairman of the YTMDC for almost eight years. During the period, policy bureaux/departments often failed to send representatives to attend meetings of the YTMDC and its committees upon invitation and only provided written responses before meetings. As a result, Councillors who had submitted papers could not have direct exchange of views with the relevant policy bureaux/departments, while other Councillors could not provide further views in the process of discussion. He and the Vice-chairman had reflected the situation to the Chief Secretary for Administration, the Secretary for Home Affairs and the Director of Home Affairs. Since the HAB, the HAD, the respective DOs and the respective DCs were responsible for district administration, he hoped that the Director of Home Affairs could appeal to policy bureaux/departments to face up to this problem, and send representatives to attend meetings of DCs and their committees as far as possible to respond to the enquiries of Councillors and listen to the views of the public. He also hoped that the District Officer could reflect the views concerned to the HAD.

**Item 15: Concern over Waste of Public Funds Due to Idling of the Building at 12 Soy Street by Urban Renewal Authority
(YTMDC Paper No. 37/2015)**

----- 78. The Chairman said that the written response of the Urban Renewal Authority (“URA”) (Annex 4) had been placed on the table for Councillors’ reference. He then welcomed Mr Simon WONG, Head of Community Development and Mr SO Ngai-long, Senior Manager, Community Development of the URA to the meeting.

79. Mr HUI Tak-leung supplemented the contents of the paper. He said that the building at 12 Soy Street was a property of the URA which had been left vacant for years, resulting in a waste of considerable public funds. However, the written response of the URA indicated that the income and expenditure of the building involved the terms and conditions of the leases between the URA and private tenants, the URA was not in a position to disclose the details. He was dissatisfied with the written response of the URA and would like to know the amount of public funds spent on subsidising the building per annum. He enquired why the URA did not develop the building and left the building idle for years. He recalled that a fire had broken out at the Cornwall Court many years ago, at that time he suggested the District Officer lease that building from the URA as a temporary accommodation for fire victims. He had also suggested using the building as a temporary cold and heat shelter for street sleepers but the URA did not accept the suggestion. In addition, he was dissatisfied that the URA had intended not to send representatives to attend the YTMDC meeting to join the discussion on this item.

80. Mr Simon WONG responded that the URA’s representatives were pleased to attend meetings of the YTMDC. He said that in addition to the building at 12 Soy Street, the building at 466 Des Voeux Road West had also been used as a temporary accommodation for tenants affected by the redevelopment projects. He continued that at a meeting of the Concern Group on Urban Renewal Projects in the Central and Western District under the

Central and Western District Council (“C&WDC”) last year, Councillors also raised a similar question, the response of the URA at that time was similar to the written response of the URA given to Mr HUI Tak-leung. At this stage, he was not authorised to provide more information on the project at 12 Soy Street.

(Mr CHOW Chun-fai left the meeting at 6:15 p.m.)

81. Mr HUI Tak-leung said that the fact that the Councillors of the C&WDC had enquired about the issue did not mean that he could not enquire about the project at 12 Soy Street. He emphasised that public funds were involved in that project, accordingly the URA was obliged to give an account of the number of flats in the building, its occupancy rate, and the reasons why the URA did not develop the property for years. He also said that he had intended to resign from office as a member of the Yau Tsim Mong District Advisory Committee (“YTMDAC”) of the URA on which he had served for 12 years to show his dissatisfaction over the refusal of the URA to disclose the above information.

82. Mr Simon WONG responded that he was not in a position to disclose the details of this item as internal sensitive information of the URA and the personal particulars of tenants were involved. He clarified that he simply wanted to show that the URA held a consistent stance on the relevant issue by saying earlier that the written response of the URA to a similar question raised by the Councillors of the C&WDC was more or less the same as the written response received by Mr HUI Tak-leung.

83. The Chairman said that he had learnt that the URA would like to invite the local community and Councillors to join the said YTMDAC. He would like to know whether the URA had communicated with the members of that Committee on this item.

84. Mr Simon WONG hoped that Mr HUI Tak-leung could continue to serve as member of the YTMDAC. He continued that the project at 12 Soy Street had never been discussed by the YTMDAC.

85. Mr HUI Tak-leung said that he had raised this item for discussion in order to request the URA to face up to the long-term idling of the building and hoped that the URA could optimise the use of land resources.

86. The Chairman said that there were a number of redevelopment projects in the district. He enquired whether the URA would lease the building at 12 Soy Street to re-house the parties affected by redevelopment projects.

87. Mr Simon WONG responded that the building at 12 Soy Street would be used to re-house the residents affected by redevelopment projects with housing needs, such as the parties affected by the redevelopment project at Hai Tan Street.

88. The Chairman opined that the URA should consider providing more information in response to the enquiries of Councillors in future.

89. Mr HUI Tak-leung said that the operations of the URA should be subject to public inspection and the URA should optimise the use of land resources. He showed his regret over the refusal of the URA’s representative to provide more information on the project at 12 Soy Street.

90. The Chairman thanked the representatives of the URA for joining the discussion on this item.

**Item 16: Demand for Full Review of Fare Adjustment Mechanism and Strong Objection Against MTR Fare Increases
(YTMD C Paper No. 38/2015)**

----- 91. The Chairman said that the written response of the Transport and Housing Bureau (Annex 5) had been placed on the table for Councillors' reference. He then welcomed the following representatives to the meeting:

- (a) Mr Mario CHOY, Chief Transport Officer/Kowloon of the TD; and
- (b) Ms Lilian YEUNG, Public Relations Manager – External Affairs of the MTR Corporation (“MTRC”).

92. Mr HUI Tak-leung supplemented the contents of the paper. He said that at the YTMD C meeting on 24 April 2014, a number of Councillors had submitted a paper to request the MTRC to conduct a full review of the fare adjustment mechanism (“FAM”) and strongly objected to MTR fare increases. However, the MTRC announced last month that MTR fares would be increased in June in accordance with the latest computation result under the FAM. He enquired whether the representative of the MTRC had reflected to the company management the objection of DCs against MTR fare increases year after year.

93. Mr WONG Kin-san said that he strongly objected to MTR fare increases. However, under the existing FAM, MTR fares only went up and he felt helpless. He opined that the MTRC had recorded huge profits and further improvements should be made to station facilities. He also requested the MTRC to install lifts or escalators at other exits of Prince Edward MTR station after the installation of the lift at exit E of the said station to provide convenience to elders and wheelchair users.

94. Ms Lilian YEUNG responded as follows:

- (i) Fare adjustment would be made under the FAM of the MTRC based on the data published by the Government through a direct-drive formula. The components included in the formula were the year-on-year changes in the Composite Consumer Price Index (“CCPI”) and the Nominal Wage Index (Transportation Section), as well as a pre-determined value of the Productivity Factor (“PF”). The FAM was objective, open and transparent.
- (ii) The operating costs of the MTRC increased 9.3% last year, which was higher than the overall fare adjustment rate, and the fare adjustment rate this time was lower than inflation rate.
- (iii) The MTRC required stable revenue to improve facilities, invest in new operating systems, facilities and equipment for maintaining quality services, as well as increase carrying capacity. Fare was one of the major sources of stable revenue of the MTRC. At present, the MTRC spent \$6 billion per

annum for repair and maintenance and enhancement of railway facilities to ensure that railway operations could be maintained in a good condition. The MTRC would continue to invest more resources to improve the services and facilities of the MTRC.

- (iv) The MTRC had awarded the signalling system upgrading contract for six MTR lines at a total contract value of \$3.3 billion. After the upgrading of the signalling system, the overall carrying capacity would be increased.
- (v) The MTRC was improving or replacing the 78 eight-car trains running on Island Line, Kwun Tong Line, Tsuen Wan Line and Tseung Kwan O Line.
- (vi) The MTRC had provided washrooms and lifts at the MTR stations in the YTM District early this year. Various facilities at the MTR stations in the YTM District would be completed this year.
- (vii) As in the past, the MTRC would set aside over \$2 billion this year to provide fare concessions to different passenger groups.
- (viii) On the basis of the revised FAM, the MTRC would set aside \$220 million in 2015 under the “Profit-related Fare Concession Scheme” and the “Service Performance Arrangement” to provide “10% Same-day Second Trip Discount”.

95. Ms WONG Shu-ming said that under the existing FAM, the MTRC recorded high profits every year, but it was ridiculous that the MTRC could raise fares year after year. She considered that it would be more practical for the MTRC to lower fares directly rather than offering different concessions. In addition, the MTRC should introduce more value-added services, such as free provision of in-train Wi-Fi service and provision of additional MTR Fare Savers in the YTM District to bring convenience to the public.

96. The Vice-chairman would like to know whether the frequent service disruptions of the MTRC in recent years were caused by the high frequency of use of MTR services and unsatisfactory maintenance of facilities. In addition, she requested the MTRC to have a full review of the FAM to genuinely benefit the public.

97. The Chairman suggested the MTRC set aside a certain amount from its profits recorded in the year as a provision for future fare increase to offset the pressure of fare increase. He continued that Fare Savers were highly welcomed by the public, and the MTRC should set up a Fare Saver at Hoi Wang Road again.

98. Mr Chris IP said that the MTRC had been earning stable revenues in the past few years with profits of \$10.4 billion, \$9.7 billion, \$8.6 billion and \$11.5 billion in 2011 to 2014 respectively. The recurrent profit ranged from \$6.2 billion to \$8.0 billion per annum, but the MTRC only provided fare concessions to passengers of approximately \$2.2 billion in 2015, the MTRC could not be regarded as having performed its corporate social responsibility. He continued that the grassroots would need to travel by MTR to and forth between their residence and their workplaces on weekdays, the MTRC should consider a fare freeze or even reduction to alleviate the livelihood pressure of the public.

99. Mr CHAN Wai-keung reflected that a number of residents of Hoi Fu Court requested the provision of a Fare Saver at Hoi Fu Court again. He continued that other than fare revenue, there was also considerable revenue from the lease of the property above MTR stations and the management fees due to the surge of property price in recent years. These revenues should be sufficient to offset the rise in operating expenses for MTR services. He suggested extending the East Rail Monthly Pass Scheme to other MTR lines. He also said that some patrons using MTR services might switch to bus or minibus services because of MTR fare increase year after year, but the bus service was undergoing reorganisation. Some bus routes might be amalgamated or their frequency might be reduced, which would affect the members of the public who switched to bus service.

100. Mr Benjamin CHOI said that the MTRC had increased fares year after year despite its profitability in the past few years, the FAM existed in name only. He also said that the representative of the MTRC had not responded whether the FAM would be reviewed.

101. Ms Lilian YEUNG responded as follows:

- (i) The MTRC made fare adjustment under the existing FAM. The Government and the MTRC would conduct a review of the FAM once every five years and the latest review was conducted in 2013. After the review, the MTRC had introduced a series of new measures, including a 0.5 percentage point decrease of the PF value. Accordingly, the overall fare adjustment rate for MTR fares for this year was decreased by 0.5 percentage point in contrast with the rate calculated with the original formula under the FAM before review.
- (ii) The “Profit-related Fare Concession Scheme” and the “Service Performance Arrangement” had been introduced under the revised FAM. The MTRC was introducing the “10% Same-day Second Trip Discount”, the rate offered to patrons would be adjusted in view of the profitability level of the MTRC.
- (iii) She would reflect the views of Councillors on the FAM to the management so that the views could be considered together with other views to be collected in the next FAM review.
- (iv) A Wi-Fi hotspot was offered at every MTR station for free provision of wireless Internet services. As regards the Councillor’s proposal of providing Wi-Fi network on MTR trains, the MTRC had to study the feasibility of the proposal thoroughly.
- (v) The MTRC was reviewing the fare concession schemes for 2015-16. She would reflect the views of Councillors to the management regarding the provision of MTR Fare Savers and expansion of the scope of monthly pass schemes.

102. The Chairman thanked the representatives of the TD and the MTRC for joining the discussion on this item.

Item 17: Strong Dissatisfaction over URA's Disregard of a Yau Tsim Mong District Councillor's Demand for URA Representative(s) to Attend YTMDC Meetings to Report Progress of Its Acquisition of Private Land for Implementation of Development Project YTM-010 at Reclamation Street/Shantung Street, Mong Kok, Kowloon
(YTMDC Paper No. 39/2015)

103. The Chairman said that the written response of the URA had been distributed to Councillors for perusal before the meeting.

104. The Chairman welcomed Mr Ian WONG, Director, Acquisition and Clearance, Mr Simon WONG, Head of Community Development, Mr TAM Kin-keung, Senior Manager, Acquisition and Clearance, and Mr Tim SIU, Manager, Acquisition and Clearance of the URA to the meeting.

105. Mr HUI Tak-leung said that the URA had made an application for land resumption at Reclamation Street/Shantung Street to the CE in Council in accordance with the Lands Resumption Ordinance without consulting the YTMDC, and the URA was suspected of “jumping the gun”. He requested a one-minute break for the owners affected by the redevelopment project to submit the petition letter to the YTMDC.

106. The Chairman said that he understood the appeal of Mr HUI Tak-leung and the affected owners, but in order not to interrupt the meeting, he hoped that Councillors could first discuss the paper submitted by Mr HUI. He pledged to receive the petition letter in person after the meeting.

107. Mr HUI Tak-leung supplemented the contents of the paper. He said that at the YTMDC meeting on 26 June 2014, Councillors had discussed the item “Resumption of Private Land for Implementation of Development Project YTM-010 by Urban Renewal Authority at Reclamation Street/Shantung Street, Mong Kok, Kowloon”. At that time, the representative of the URA had pledged to consult the Councillors of the YTMDC on this project again and report the progress to the YTMDC before making a recommendation for land resumption to the CE in Council. However, the URA simply submitted the progress report on this project to Councillors by email on 23 December 2014 for their information. At that meeting, the Chairman concluded that the URA would consult Councillors of the YTMDC on this item again in due course and the representative of the URA had pledged to report to the YTMDC the meetings between the URA and the owners, and listen to the views of Councillors. In this regard, he considered that the URA was suspected of “jumping the gun” by making the recommendation for land resumption to the CE in Council. He urged the URA to consult the YTMDC first before making the recommendation for land resumption to the CE in Council. In addition, he would like to know the status and progress of meetings between the URA and the affected owners.

108. The Chairman said that the audio records, minutes and the relevant information papers of all DC meetings were uploaded to the websites of the respective DCs. The work of DCs was highly transparent without any room for concealing. At the meeting on 26 June 2014, the representative of the URA had pledged to report to the YTMDC the latest progress of the said redevelopment project in due course to seek the views of Councillors. On 23 December 2014, the URA had submitted to the YTMDC Secretariat the progress report on the redevelopment project. The Secretariat had sent the report to Councillors for information by

email on the same day rather than by circulation to request Councillors for endorsement of any decisions. He and other Councillors expected that other than providing the above progress report to the YTMDC, the URA could send representatives to report to Councillors the progress of the redevelopment project and seek the views of the YTMDC again. He continued that the YTMDC was very much concerned with whether the URA had “jumped the gun” by making the recommendation for land resumption for this project to the CE in Council without consulting the YTMDC.

109. Mr HUI Tak-leung emphasised that the YTMDC had been monitoring this project and very much concerned with whether the URA had “jumped the gun”.

110. The Chairman reiterated that the progress report submitted by the URA to the YTMDC on 23 December 2014 was for Councillors’ information only. The YTMDC expected that the URA could report the progress of this redevelopment project to Councillors and seek the views of Councillors again.

111. Mr Simon WONG responded that the URA had pledged to report the progress of this redevelopment project to the YTMDC in due course. As Mr HUI Tak-leung had submitted a discussion paper, the URA took this opportunity to make a report to Councillors at the meeting.

112. Mr Ian WONG responded as follows:

- (i) After submitting the progress report on the redevelopment project to Councillors on 23 December 2014, the URA had been actively discussing with the owners who had not yet accepted the acquisition offers.
- (ii) As at 23 April 2015, owners holding 73.41% of property interests had accepted the acquisition offers of the URA.
- (iii) As at 23 December 2014, the URA had assisted 115 households to move out from the redeveloped area. Some of these tenants had accepted rehousing arrangement and some others had accepted ex-gratia payment.
- (iv) Subsequent to 23 December 2014, 50 additional households had moved out from the redeveloped area. A total of 165 households had moved out. The URA would continue to assist the tenants of the acquired property to move out.
- (v) As regards street level shops and upper floor shops, the URA would, at the request of individual owners, appoint an independent surveyor to provide property revaluation in light of the prevailing property market.
- (vi) In addition, in this redevelopment project, three owners of street level shops had made compensation claims for business loss from the URA. However, the surveyors of both sides had not reached a consensus on the valuation basis so far.
- (vii) The URA commenced this redevelopment project on 10 February 2012. The Secretary for Development approved the project on 30 October of the

same year. The Urban Renewal Authority Ordinance provided that the URA should make an application to the Secretary for Development for land resumption within one year of project approval. Accordingly, the URA made an application to the Secretary for Development for land resumption for this project on 29 October 2013 (i.e., one day before the expiration of the statutory application period). During the 18-month period from 29 October 2013 on which an application for land resumption was submitted to the present, the URA had been actively discussing the acquisition issues with the owners concerned, including assisting owners in the purchase of replacement properties and providing professional advice on the opinions of the surveyor appointed by owners. The discussion on acquisition would be ongoing until the formal land resumption by the Government. The discussion would not cease on the grounds of the land resumption application submitted by the URA.

- (viii) If the CE in Council eventually approved the land resumption application, the LandsD would make a compensation offer to the owners who had not reached an acquisition agreement with the URA in accordance with the Lands Resumption Ordinance. If the owners were not satisfied with the compensation amount, they could appoint a professional surveyor to provide advice on the compensation claims and negotiate with the Government. If both parties failed to reach an agreement on the compensation amount, the owners/the Government may make an application to the Lands Tribunal for determination of the compensation amount to be paid by the Government. The whole land resumption process and compensation arrangement were fair, just and open, the compensation right of owners was fully protected by law.

(Mr CHAN Siu-tong left the meeting at 7:02 p.m.)

113. Mr HUI Tak-leung said that the owners affected by the acquisition had reflected to him that after 26 June 2014, the URA had not made any acquisition offers again, not to mention property revaluation. He reiterated that at the YTMDC meeting on 26 June 2014, the representative of the URA had pledged to seek the views of the YTMDC on this redevelopment project before making the recommendation for land resumption to the CE in Council, but the URA did not fulfil its pledge. He also said that some affected owners had reflected to him that the staff of the URA simply explained the policy issues to them without making a substantive acquisition offer. Some other owners said that the staff of the URA were very mean in discussing the acquisition with them. He emphasised that the YTMDC would not interfere in the compensation agreements between the URA and the affected owners, the YTMDC only hoped that both parties could have candid communication and reach a consensus. He continued that some owners had told him that the URA had only acquired 52.96% of property interests, but the representative of the URA claimed that 73.41% of property interests had been acquired successfully. He requested the URA to clarify this point.

114. Mr Ian WONG responded that among the 173 property interests for the said redevelopment project, the owners of 127 property interests had accepted the acquisition offers of the URA, accounting for 73.41% of the total property interests. He supplemented that the URA would report the progress of this project to the YTMDC from time to time.

115. Mr TAM Kin-keung responded that the URA would provide property revaluation for the said redevelopment project from time to time at the requests of owners. After 23 December 2014, the URA was still providing property revaluation for flats on upper floors, but no street level shop owners had made such request and therefore no revaluation of street level shops had been made for the time being. Recently, it happened that four street level shop owners had requested the URA to provide property revaluation for making new acquisition offers for their consideration, and the URA was following up the requests. In fact, after 23 December 2014, two owners had accepted the acquisition offers of the URA on the basis of the revaluated property. He continued that the URA would only provide property revaluation with the consent of owners.

116. Mr WONG Kin-san enquired whether the URA had ever made a recommendation for land resumption to the CE in Council without consulting the respective DCs.

117. Mr HUI Tak-leung was dissatisfied with the response of the representatives of the URA as they initially said that property revaluation was provided for the properties in the redevelopment project, then indicated that property revaluation was only provided for flats on upper floors. After the repeated enquiries of Councillors, they said that the URA would only provide property revaluation service to the owners who were willing to consider the acceptance of acquisition offers.

118. The Vice-chairman emphasised that the YTMDC was only concerned with the fairness and propriety of the acquisition procedures involved in the said redevelopment project without interfering in the acquisition agreements between the URA and the affected owners. She noted that if there was any difference in the property valuation between the surveyor appointed by owners and the surveyor of the URA, the surveyors of both parties could discuss separately. In this connection, she enquired about the actual status of discussion between the URA and the owners who had not reached an acquisition agreement after the YTMDC meeting on 26 June 2014. She hoped that the URA could have an active negotiation with the owners who had not accepted acquisition offers in order to reach a consensus. She also enquired whether the Executive Council (“ExCo”) had discussed the recommendation for acquisition for this redevelopment project.

119. Ms WONG Shu-ming said that the URA had not updated Councillors on the progress of the redevelopment project after the progress report issued to Councillors on 23 December 2014. Apart from Mr HUI Tak-leung, other Councillors might not understand the acquisition offers in depth. She requested the representatives of the URA to confirm whether the URA had made a recommendation for land resumption for this project to the ExCo. If so, she would like to know the date of making the recommendation. She continued that following the established land resumption procedures of the URA, the URA must seek the agreement of the respective DCs before making a recommendation for land resumption to the CE in Council. She queried why the URA was diametrically opposed to the established rule. She suggested the YTMDC write to the ExCo with the minutes of this meeting appended to express the dissatisfaction of the YTMDC over the non-compliance of the URA with the established land resumption procedures.

120. Mr Simon WONG responded as follows:

- (i) The URA would never “jump the gun” in land resumption procedures.

- (ii) At the YTMDC meeting on 26 June 2014, Mr Lawrence YAU, the then Director, Corporate Communications had pledged to continue to communicate with the affected owners and report the progress of acquisition to the YTMDC. Accordingly, the URA was fulfilling its pledge by reporting the latest progress of the said redevelopment project to the YTMDC.
- (iii) The agenda items of the ExCo were highly confidential. He did not know when the ExCo would discuss the land resumption application nor understand why the URA was said to have submitted the application without consulting the YTMDC to request the ExCo to discuss the Reclamation Street/Shantung Street redevelopment project.

121. Mr Ian WONG responded as follows:

- (i) The URA made an application for land resumption with the Secretary for Development who would then give a recommendation for land resumption to the CE in Council in accordance with the mechanism of the DEVB for handling applications for land resumption. Accordingly, the URA was not sure when the Secretary for Development would make a recommendation for land resumption to the ExCo. However, as far as he knew, the application for land resumption for the said redevelopment project had not been submitted to the ExCo for deliberation.
- (ii) Generally speaking, the DEVB would, before giving a recommendation for land resumption to the ExCo, write to the owners who had opposed the land resumption earlier to listen to their views and report the views collected to the CE in Council.

122. Mr TAM Kin-keung responded as follows:

- (i) With the arrangement of the Vice-chairman and other Councillors, the URA had a meeting with the affected owners on 18 August 2014. Subsequently, the URA had continued to actively communicate with the affected owners (including street level shop owners). Since August last year, probably due to a general downward trend of property valuation, no street level shop owner requested the URA to provide property revaluation, there were still 12 street level shop owners who had not accepted the acquisition offers so far. He hoped that those street level shop owners would accept the acquisition offers based on the revaluation of their property, or appoint surveyors to discuss with the URA or make compensation claims for business loss from the URA.
- (ii) From August 2014 onwards, only four street level shop owners had requested the URA through their appointed surveyors to make new acquisition offers on the basis of revaluation recently. In addition, three other street level shop owners had recently made compensation claims for business loss from the URA.

123. Mr Ian WONG responded as follows:

- (i) After 23 December 2014, the URA had processed 12 requests from street level shop owners and flats on upper floors for property revaluation for making new acquisition offers, and three other street level shop owners had appointed surveyors to make compensation claims for business loss. The surveyors of both parties had exchanged views on the three compensation cases, but they held different views as to whether the compensation for business loss should be calculated on the basis of business closure. Having said that, the URA would continue to actively discuss with the surveyors appointed by owners to reach a consensus.
- (ii) He pledged that before the formal land resumption by the Government, the URA would continue to actively discuss with owners for both parties to reach an agreement. If any owners requested the URA to provide property revaluation, the URA would definitely take follow-up actions in the hope that the revaluation would be close to market value.

124. The Vice-chairman enquired whether property revaluation had to be requested by owners. A number of owners reflected to her that they had requested the URA to make property revaluation but the URA did not follow up their requests. In this connection, she enquired about the procedures for making requests for property revaluation by owners. She continued that from the response of the representative of the URA, the DEVB was responsible for making recommendations for land resumption to the CE in Council while the URA did not necessarily know when the DEVB would make the recommendation for land resumption to the ExCo. She enquired whether the negotiations between the URA and owners would have to be terminated after the DEVB had made a recommendation for land resumption to the ExCo during the negotiation of acquisition agreements between the URA and owners.

125. Mr HUI Tak-leung queried the accuracy of the claim of the URA's representative that the DEVB was responsible for giving recommendations for land resumption to the ExCo. In fact, the URA shifted the responsibility to the DEVB by making an excuse. He considered that the URA had not consulted the YTMDC and made a recommendation for land resumption to the ExCo by "jumping the gun".

126. The Chairman said that the URA should proactively negotiate with the owners of street level shops and flats on upper floors. The affected owners should also proactively made requests to the URA for property revaluation. He reiterated that the agreements on compensation amount between the URA and the owners were private deals which fell outside the purview of the YTMDC. The concern of the YTMDC was whether there was fairness in the land resumption procedures for the Reclamation Street/Shantung Street redevelopment project.

127. Mr Ian WONG responded that if owners required property revaluation from the URA, they only had to make the request to the staff responsible for their cases. To avoid future disputes or misunderstanding, owners requesting property revaluation must make a simple application in writing. Although the URA had no idea of when the Government would approve land resumption, the URA would endeavour to reach an agreement with the owners who had not accepted the acquisition offers before land resumption by the Government, including three months within the gazettal of the notice of resumption.

128. The Chairman suggested the URA expeditiously negotiate with the owners who had not accepted the acquisition offers. He continued that a Councillor had requested sending the minutes of this meeting relevant to this item to the ExCo for information.

129. Ms WONG Shu-ming requested that the minutes of this meeting relevant to this item be sent to the DEVB and the ExCo at the same time.

130. The Chairman said that the audio records and minutes of meetings of DCs were uploaded to the respective DC websites for listening and viewing by the public and government officers at any time. He also asked Councillors whether they agreed to send the minutes for this item to the DEVB and the ExCo and there was no objection.

131. There being no other business, the Chairman closed the discussion on this item.

(Mr Benny YEUNG left the meeting at 7:48 p.m.)

Item 18: Progress Reports

- (1) **District Management Committee**
(YTMDC Paper No. 40/2015)
 - (2) **Community Building Committee**
(YTMDC Paper No. 41/2015)
 - (3) **District Facilities Management Committee**
(YTMDC Paper No. 42/2015)
 - (4) **Food and Environmental Hygiene Committee**
(YTMDC Paper No. 43/2015)
 - (5) **Housing and Building Management Committee**
(YTMDC Paper No. 44/2015)
 - (6) **Traffic and Transport Committee**
(YTMDC Paper No. 45/2015)
 - (7) **YTM Area Committees**
(YTMDC Paper No. 46/2015)
-

132. Councillors noted the contents of the progress reports.

Item 19: Any Other Business

(1) Funding Scheme for Women's Development of the Women's Commission

133. The Chairman said that the Women's Commission would continue to launch the "Funding Scheme for Women's Development" this year to give an allocation of \$53,000 to each of the 18 DCs to provide funding for organising activities facilitating the development of women at the district level and promoting "Women's Employment" as the focus of the work of the Women's Commission for 2015-16. He enquired whether Councillors agreed to authorise the Working Group on Women's Affairs to use the allocation for organising the relevant activities. There was no objection.

(2) Public Education Activities on Rehabilitation in 2015-16

134. The Chairman said that the Sub-committee on Public Education on Rehabilitation under the Rehabilitation Advisory Committee would continue to provide an allocation of \$53,000 to each of the 18 DCs this year for organising public education activities for promoting rehabilitation at the district level. He enquired whether Councillors agreed to authorise the Working Group on Care for the Community to use the allocation for organising the relevant activities. There was no objection.

(3) The 5th Hong Kong Games Opening Ceremony

135. Mr Derek HUNG reported that the 5th Hong Kong Games (“HKG”) Opening Ceremony was scheduled for 25 April 2015 (Saturday) at 7:30 p.m. at the Hong Kong Coliseum. The Organising Committee of the 5th HKG had written to invite Councillors to attend this ceremony.

136. The Chairman thanked Mr Derek HUNG for serving as the Team Manager of the YTM District Delegation Team and urged the leaders for various sports items representing the YTM District to participate in the 5th HKG Opening Ceremony to show support to athletes on the spot.

137. There being no other business, the Chairman closed the meeting at 7:51 p.m. The next meeting would be held at 2:30 p.m. on 25 June 2015 (Thursday).

Yau Tsim Mong District Council Secretariat
May 2015

油尖旺區議會

「再次要求盡早解決港灣豪庭公共空間事宜」事項

發展局回應

港灣豪庭位於九龍內地段 11127 號。根據該地段的地契，業權人須提供及開放不少於 9800 平方米的公眾休憩空間供公眾使用，有關的公眾休憩空間位於 1 樓、2 樓及平台，每天上午 7 時至晚上 10 時向公眾開放。

政府在 2010 年 1 月向立法會發展事務委員會介紹於私人發展項目內提供公眾休憩空間的優化安排，並於其後不時向發展事務委員會匯報有關情況，最近一次為 2013 年 6 月。政府在有關會議上重申了有關政策和規定，即在私人發展項目內私人土地上的現有公眾休憩空間，政府不會收回管理和維修保養。然而，在非常特殊的情況下，政府可考慮從諒解的角度出發，視乎每宗個案的情況，並按下述原則，考慮豁免有關讓公眾使用私人土地上的公眾休憩空間的土地契約規定：

- (a) 地政總署豁免有關規定在法律上是恰當的；
- (b) 豁免的要求必須由全體業主一同或經業主立案法團提出，並須符合地政總署定下的條款及條件，包括支付涉及這項豁免所應支付的豁免限制費用；
- (c) 根據《香港規劃標準與準則》，在有關地區內的適當地點已有或規劃了足夠的公眾休憩空間。此外，亦須考慮公眾休憩空間的位置、距離和分布情況；

- (d) 如提供公眾休憩空間的規定已包括在分區計劃大綱圖的《註釋》，要取消相關大綱圖內的公眾休憩空間規定，須徵得城市規劃委員會（城規會）的同意；以及
- (e) 豁免申請已獲得有關區議會及分區委員會支持，尤其是他們理解到有關公眾休憩空間之後將不再開放予公眾使用。

正如上文所述，若港灣豪庭的全體業主或業主立案法團有意向政府申請豁免履行讓公眾使用公眾休憩空間的規定，並符合上述的五個原則，可向地政總署提出申請。

據了解，港灣豪庭業主立案法團（法團）曾就豁免履行讓公眾使用公眾休憩空間的規定與油尖旺西分區委員會接觸，而油尖旺區議會及該分區委員會亦曾作出討論。法團亦於 2012 年 3 月向城市規劃委員會（城規會）提出修改旺角分區計劃大綱圖的《註釋》中關於在港灣豪庭提供公眾休憩空間規定的申請。城規會在 2012 年 6 月 1 日的會議上同意押後就這宗申請作出決定，並要求申請人在城規會考慮申請前諮詢區議會及其分區委員會。據知，油尖旺西分區委員會曾於 2012 年 11 月討論有關建議，惟未獲該分區委員會支持。

港灣豪庭及其公眾休憩空間屬私人業權，是否提出豁免有關公眾休憩空間的土地契約規定亦取決於業主的意願，政府不適宜代替業主或法團主導此事。事實上，如上文所述，法團曾就此事與分區委員會接觸，而區議會及分區委員亦曾作出討論。本局認為各方應以此作基礎繼續磋商，尋求共識。

Yau Tsim Mong District Council
**“Further Request for Early Settlement on Matters concerning the
Public Open Space of Metro Harbour View”**

Response of the Development Bureau

Metro Harbour View is situated on Kowloon Inland Lot No. 11127. According to the lease of the lot, the lot owner shall provide an open space of not less than 9 800 square metres for use by the public. The relevant public open space (POS) is situated on the 1st floor, 2nd floor and the podium of the development, and is open to the public from 7 am to 10 pm each day.

In January 2010, the Government briefed the Panel on Development of the Legislative Council (the Panel) on the refined arrangements for provision of POS in private developments, and has updated the Panel on the issue thereafter, with the latest update took place in June 2013. At that particular meeting, the Government reiterated the relevant policies and requirements, i.e., the Government would not take back or assume the management and maintenance responsibility of POS on private land in private developments. In very exceptional cases, however, we may consider sympathetically waiving the requirement in the lease for opening certain POS on private land for public use, based on the individual merits of each case and subject to the following criteria:

- (a) it is legally in order for the Lands Department (LandsD) to do so;
- (b) a request for the waiver must be submitted by all the owners or through its owners' corporation (OC), and subject to the terms and conditions as imposed by LandsD including the payment of the waiver fee for such waiver if granted;
- (c) there are sufficient existing and planned POS in suitable locations within the district according to the Hong Kong Planning Standards and Guidelines. Also, other considerations like the location, distance and distribution of the POS should also be taken into account;
- (d) in case the provision of POS has been incorporated into the Notes of the Outline Zoning Plans (OZP), the consent of the Town Planning Board

(Translation)

(TPB) for deleting the POS requirement from the relevant OZP will be required; and

- (e) there is support from the relevant District Council (DC) and Area Committee (AC), in particular their understanding that a piece of POS will no longer be open to the public.

As stated above, all the owners or the OC of Metro Harbour View may apply to the LandsD if they intend to seek from the Government a waiver from the requirement for opening the POS for public use, as long as the relevant application satisfies the five abovementioned criteria.

We understand that the OC of Metro Harbour View had contacted the Yau Tsim Mong West (YTMW) AC with regard to waiving the requirement for opening the POS for public use, and the matter was discussed in the Yau Tsim Mong DC as well as the said AC. The OC also applied to the TPB in March 2012 to amend the Notes of the Mong Kok OZP which stipulates the provision of POS in Metro Harbour View. At a meeting on 1 June 2012, the TPB agreed to defer a decision for this application, and requested the applicant to consult the DC and AC before the TPB's consideration of the application. The YTMW AC discussed the relevant suggestion in November 2012 but did not support it.

As Metro Harbour View and its POS are under private ownership, whether a waiver should be sought regarding the lease requirement on POS provision is subject to the intention of the owners. The Government is not in a position to take charge of the issue on behalf of the owners or the OC. In fact, as mentioned above, the OC has approached the AC and discussions have been made in the DC and AC on the matter. We believe that all relevant parties shall, on this basis, continue the discussion and seek a consensus.

YTMDC Paper No. 36/2015

政府總部
公務員事務局
香港添馬添美道2號
政府總部西翼



CIVIL SERVICE BUREAU
GOVERNMENT SECRETARIAT
WEST WING
CENTRAL GOVERNMENT OFFICES
2 TIM MEI AVENUE, TAMAR
HONG KONG

本函檔號 Our Ref.: SPA 5/15
來函檔號 Your Ref.: YTMDC/13-10/22/12

電話號碼 Tel. No.: 2810 2358
傳真號碼 Fax No.: 2147 5241
電郵地址 E-mail Address: csbts@csb.gov.hk
網址 Homepage Address: <http://www.csb.gov.hk>

21 April 2015

Ms Joanne Chung
Secretary, Yau Tsim Mong District Council
4/F, Mong Kok Government Offices
30 Luen Wan Street
Kowloon
(By Fax : 2722 7696)

Dear Ms Chung,

Thank you for your letter of 17 April 2015, inviting the Civil Service Bureau (CSB) to be represented at the Yau Tsim Mong District Council meeting to be held on 23 April 2015.

You may wish to note that CSB is responsible for policy matters relating to the overall management and development of the civil service. In this regard, we note that the subject matters to be discussed at the said District Council meeting do not fall under our policy responsibility. Accordingly, we are not going to attend the District Council meeting on 23 April 2015. For the same reason, we are not in a position to co-ordinate other bureaux/departments' attendance of District Council meetings. Grateful if you would help clarify the role of CSB for District Councillors' information.

Yours sincerely,

(Ms Shirley Kwan)
for Secretary for the Civil Service

致：油尖旺區議會

**就當局調升「最低工資」
要求政府向指定樓宇業主提供一次性管理開支補貼事宜**

就黃建新議員與許德亮議員提出「強烈不滿勞福局、勞工處、民政總署等漠視小業主訴求，拒絕出席區議會轄下委員會會議就「最低工資」調升問題接受議員提問」文件，本署回覆如下。

管理大廈是業主的責任。然而，政府亦致力以多管齊下的措施，協助業主履行管理大廈的責任，包括推動、鼓勵和協助業主成立合適的組織(例如業主立案法團)，以及提供所需支援服務等。

我們重申，「最低工資」的政策及向私人樓宇提供財政資助及津貼，均非本署的職權範圍，因此本署對黃建新議員今年三月向房屋事務及大廈管理委員會提出標題事宜文件及提議，沒有補充意見。

民政事務總署

二零一五年四月

To: Yau Tsim Mong District Council

**Request for Government Provision of
a One-off Management Expense Subsidy for Specific Building Owners
in light of the Upward Adjustment of Statutory Minimum Wage**

Regarding the paper titled “Strong dissatisfaction with the Labour and Welfare Bureau, Labour Department and Home Affairs Department, etc for ignoring the request of property owners and refusing to attend the meeting of the committee under the District Council to respond to questions from Members concerning the upward adjustment of statutory minimum wage (強烈不滿勞福局、勞工處、民政總署等漠視小業主訴求，拒絕出席區議會轄下委員會會議就「最低工資」調升問題接受議員提問)” presented by Mr WONG Kin-san and Mr Hui Tak-leung, our reply is as follows.

While building management is the responsibility of property owners, the Government seeks to, through multi-pronged measures, to assist them in discharging their building management responsibilities. These include facilitating, encouraging and assisting owners to form suitable organisations (e.g. owners’ corporations) and providing necessary support services, etc.

We reiterate that the policy of statutory minimum wage and provision of financial assistance and subsidy to private buildings fall outside the purview of the Home Affairs Department. In this regard, we have nothing to add to the paper and suggestion regarding the captioned matter presented to the Housing and Building Management Committee by Mr WONG Kin-san in March this year.

Home Affairs Department
April 2015

來函檔號：YTMDC/13-10/22/12
本函檔號：CCD/CDD/YTMDC/K4/20150421



九龍旺角

聯運街三十號
旺角政府合署四樓
油尖旺區議會秘書處
(經辦人：鍾小蘭女士)

傳真及郵遞
(傳真號碼：2722-2696)

鍾女士：

關於：就豉油街 12 號提出的查詢

謝謝 貴秘書處於 2015 年 4 月 15 日轉交油尖旺區議會許德亮議員就標題事宜撰寫的區議會文件，本局現謹覆如下：

豉油街 12 號乃前土地發展公司(下稱「土發公司」)自費興建的項目，於 1994 年落成，大廈內包括 24 層的住宅居所。按政府發出的入伙紙，共提供 160 多個住宅單位。當年興建的目的是用以安置受土發公司重建項目影響的租客，向他們提供最後選擇的居所設施。隨著市區重建局(下稱「本局」)於 2001 年成立以取代土發公司，現時該大廈除了仍有土發公司安置的租客居住之外，其他單位則用以為受本局重建項目影響並有居住需要的居民，除作為最後選擇的住宅居所，亦作短期臨時安置之用。

至於有關該大廈各項收支事宜，由於涉及本局與私人租戶所簽訂的租約條款和內容，請恕本局不便透露詳情。

由於本局已就標題文件作出書面回覆，本局將不會派員出席有關會議。

市區重建局
社區發展總監 黃永泰

2015 年 4 月 21 日

Your ref: YTMD C/13-10/22/12
Our ref: CCD/CDD/YTMD C/K4/20150421



Yau Tsim Mong District Council
4/F Mong Kong Government Offices
30 Luen Wan Street
Mong Kok, Kowloon
(Attn: Ms Joanne CHUNG)

By Fax and By Mail
(Fax no.: 2722-2696)

Dear Ms CHUNG,

Re: Rehousing Block at No. 12 Soy Street

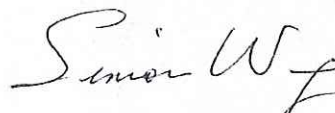
Thank you for your letter dated 15 April 2015 relaying the discussion paper on the captioned subject submitted by YTMD C member Mr Hui Tak Leung to the Urban Renewal Authority (URA). Please see the URA's reply as follows:

The rehousing block at No. 12 Soy Street was built by the Land Development Corporation (LDC) at its own cost in 1994. The building consists of 24 domestic storeys with about 160 residential flats pursuant to the occupation permit issued by the Government. It was designated for rehousing eligible tenants affected by LDC projects as accommodation of last resort.

Following the establishment of the URA in 2001 to replace LDC, the building not only continues to house the previous tenants resettled by the LDC, it also serves as accommodation of last resort and a short term transient shelter for affected residents of the URA's projects with rehousing needs.

For the details related to the incomes and expenses incurred by the building, the URA is not in the position to divulge them as they involve private individuals' tenancy agreements and terms signed with the URA.

As this reply has responded to the discussion paper, the URA will not send representatives to attend the meeting on this agenda item.



Yours faithfully,
Simon WONG
Head of Community Development
Urban Renewal Authority

政府總部
運輸及房屋局
運輸科
香港添馬添美道2號
政府總部東翼



Transport and
Housing Bureau
Government Secretariat
Transport Branch
East Wing, Central Government Offices,
2 Tim Mei Avenue,
Tamar, Hong Kong

本局檔號: THB(T)CR23/986/00
來函檔號: YTMDC/13-10/22/12

電話號碼: 3509 8158
傳真號碼: 2537 5246

九龍聯運街三十號
旺角政府合署四樓
油尖旺區議會秘書處
(經辦人: 鍾小蘭女士)

鍾女士:

2015年4月23日油尖旺區議會會議
要求全面檢討「可加可減」機制及強烈反對港鐵加價

謝謝2015年4月13日的來函,邀請運輸及房屋局派代表出席4月23日舉行的油尖旺區議會會議。現附上書面回覆;運輸署總運輸主任/九龍蔡植生先生將代表局方及署方出席會議。局方亦知悉香港鐵路有限公司將派員出席會議。

運輸及房屋局局長

(鄭懿嘉



代行)

2015年4月20日

副本送:

運輸署總部

(經辦人: 莫英傑先生)

運輸署市區分區辦事處

(經辦人: 蔡植生先生)

港鐵公司

(經辦人: 楊莉華女士)

政府就油尖旺區議會
要求全面檢討「可加可減」機制及
強烈反對港鐵加價的回應

香港鐵路有限公司(下稱「港鐵公司」)的票價調整機制按政府和港鐵公司2007年在兩鐵合併時簽訂的《營運協議》執行。該機制採用直接驅動的方式，按與綜合消費物價指數變動、運輸業名義工資指數變動及生產力因素掛鈎的方程式，釐定該年整體票價調整幅度。2013年4月，政府及港鐵公司公布了票價調整機制檢討結果。2015年的港鐵票價按新票價調整機制行事。根據方程式的計算，2015年的整體票價調整幅度為+4.3%。

2. 檢討後修訂的票價調整機制引入了多項措施，包括引入「分享利潤機制」及「服務表現安排」。在新機制下，乘客在2015年會分別享有額外2億元來自「分享利潤機制」及2千萬元來自「服務表現安排」的票價優惠，即合共2億2千萬元。金額會透過「即日第二程車費九折」優惠贈予乘客。政府知悉港鐵公司會檢討現有的車費推廣計劃。政府會敦促港鐵公司推出合適的車費優惠計劃及投放更多的資源提升鐵路服務的設施。

3. 根據《營運協議》，票價調整機制下一次檢討時間為2018年，我們屆時會考慮檢討的範圍、重點和方法。