

Minutes of the 13th Meeting of the HKSAR Third Term of
Wong Tai Sin District Council
(Summary Translation)

Date: 10.11.2009 (Tuesday)
Time: 2:30 p.m.
Place: Conference Room, Wong Tai Sin District Office,
6/F, Lung Cheung Office Block,
138 Lung Cheung Road,
Wong Tai Sin, Kowloon.

Present:

Chairman:

Mr. LI Tak-hong, MH, JP

Vice-chairman:

Mr. WONG Kam-chi, MH, JP

Wong Tai Sin District Council Members:

Mr. CHAN Lee-shing
Ms. CHAN Man-ki, Maggie
Mr. CHAN On-tai
Mr. CHAN Wai-kwan, Andie
Mr. CHAN Yim-kwong, Joe
Mr. CHOI Luk-sing, MH
Mr. CHOW Ching-lam, Tony, MH
Mr. CHUI Pak-tai
Mr. HO Hon-man
Mr. HO Yin-fai
Mr. HUI Kam-shing
Mr. KAN Chi-ho, BBS, MH
Ms. KWOK Sau-ying
Mr. LAI Wing-ho, Joe
Mr. LAM Man-fai, JP

Dr. LAU Chi-wang, James, JP
 Mr. LEE Tat-yan, MH
 Mr. MOK Chung-fai, Rex
 Mr. MOK Kin-wing
 Mr. MOK Ying-fan
 Mr. SHI Lop-tak, MH
 Mr. SO Sik-kin
 Mr. TO Kwan-hang, Andrew
 Mr. WONG Kam-chiu
 Mr. WONG Kwok-tung
 Mr. WONG Kwok-yan
 Mr. WONG Yat-yuk
 Mr. WU Chi-wai, MH
 Mr. YUEN Kwok-keung

Absent with Apologies
 Mr. WONG Kwok-yan

In attendance:

Mr. CHAN Ka-shun, Carlson	Dep Dir of Env Protection (3) EPD)	Re: Item III(i)
Mr. PANG Sik-wing	Prin Env Protection Offr (Air Policy))	
Mr. AU Wai-kwong, Elvis, JP	Asst Dir of Env Protection (Water Policy))	Re: Item III(ii)
Mr. CHUNG Chi-hoi	Sr Env Protection Offr)	
Dr. K.L.PUN	Professional Consultant)	
Dr. C.C. YEUNG	Professional Consultant)	
Mr. Raymond CHEUNG	Political Asst to Sec for Development)	Re: Item III(iii)

Mrs. Teresa WONG, JP	District Officer (WTS)	WTSDO
Mr. David Michael GUNTON	District Commander (WTS)	HKPF
Miss Cecilla LI	DSWO (WTS/SK)	SWD
Mr. MAK Chi-biu	Ch Engr/ Kln 2 (Kln)	CEDD
Mrs. SUNG CHEUNG Mun-chi, Margarita	Sr Housing Mgr/WTS	HD
Mr. S.F. AU	Sr Transp Offr (WTS)	TD
Mr. WONG Wai-wan	DEHS (WTS)	FEHD
Ms. YAU Lai-sze, Lizzy	Dist Leisure Mgr (WTS)	LCSD
Miss. Kathy MA	ADO (WTS)	WTSDO
Mr. Patrick CHUNG	SEO (DM)	WTSDO
Mr. TING Tin-sang	SLO 1	WTSDO
Mr. Jester CHAN	Atg EOI (DC)	WTSDO

Secretary:

Mrs. Teresa SOH	SEO (DC)	WTSDO
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Opening Remarks

The Chairman welcomed everyone to the thirteenth meeting of the Wong Tai Sin District Council (WTSDC), especially Mr. CHAN Ka-shun, Carlson, Deputy Director of Environmental Protection (3) and Mr. PANG Sik-wing, Principal Environmental Protection Officer (Air Policy) of the Environmental Protection Department who attended the meeting for the first time for agenda item III (i).

2. The Chairman welcomed Mrs. SUNG CHEUNG Mun-chi, Margarita, Senior Housing Manager (Wong Tai Sin) of the Housing Department (HD). Mrs. SUNG attended the meeting on behalf of Mr. MA Kam-chuen, Chief Manager/Management (Kowloon East) of HD who could not attend the meeting due to other official commitments.

3. Members noted that Mr. WONG Kwok-yan was absent with apologies. Mr. WONG had notified the Secretariat in writing before the meeting.

4. Members studied the proposed time schedule for discussion of agenda items of the thirteenth meeting submitted by the Secretariat on table.

Mr. HUI Kam-shing suggested discussing item III (iv) “Establishment of Wong Tai Sin Monitoring Group on Shatin to Central Link” first, so that residents of Chuk Yuen area who audited in the meeting especially for this agenda item could leave early. As the Secretariat had made arrangement for the attendance of representatives of Government departments according to the proposed time schedule for discussion, and Mr. KAN Chi-ho, BBS, MH, the Chairman of the District Facilities Management Committee, also agreed to discuss the concern of Members towards the acquisition of Ma Chai Hang Playground and the football pitch by MTR Corporation Ltd as the works site for Shatin to Central Link, Members agreed that there was no need to change the time schedule and order for discussion of agenda items in the meeting.

I Confirmation of the Minutes of the 12th Meeting of WTSDC on 22.9.2009

5. The minutes of the 12th meeting of WTSDC held on 22.9.2009 were confirmed without amendment.

II Matters Arising from the 12th Meeting of WTSDC (WTSDC Paper 61/2009)

6. Members noted the paper.

III(i) Public Consultation on Air Quality Objectives Review

7. The Chairman welcomed Mr. CHAN Ka-shun, Carlson, Deputy Director of Environmental Protection and Mr. PANG Sik-wing, Principal Environmental Protection Officer (Air Policy) who introduced the paper of Public Consultation on Air Quality Objectives Review.

8. Mr. CHAN introduced the consultation paper with powerpoint, the highlights were as follows:

- (i) Purpose of Renewing Air Quality Objectives:
The prevalent Air Quality Objectives (AQOs) was set down in 1987. The World Health Organisation (WHO) issued the Air Quality Guidelines (AQGs) applicable to the world in 2006. Recently, the United States of America and European Union (EU) had also updated AQOs, AQOs of Hong Kong were outdated, and new AQOs must be enacted to attain the higher and more stringent air quality objectives. On the other hand, the Environmental Protection Department (EPD) was

studying the measures to reduce the emission from Hong Kong to achieve the proposed new AQGs and was considering suitable mechanism to update AQGs regularly.

(ii) Air Quality of Hong Kong

The Hong Kong Government had implemented a number of measures to reduce the emission for the past decade, the emission of the air pollutants, like carbon dioxide, nitrogen dioxide, respirable suspended particulates, volatile organic compound, had been markedly reduced. Nevertheless, the hours of low visibility kept increasing. Although the emission of the air pollutants in Hong Kong had been reduced, the visibility deteriorated owing to the rise in background air pollution. On the other hand, vehicular emission was another source of pollution.

(iii) There were three guiding principles for setting the new AQOs:

- (a) Protection of public health,
- (b) Benching against WHO guidelines, and
- (c) A staged approach in achieving WHO's highest standards.

(iv) Taking into consideration the situation of Hong Kong, the consultant(s) suggested adopting the Interim Targets (ITs) of WHO and the standard of the final guideline as the new AQOs, the details were as follows:

- (a) adopting the concentration targets set out under WHO AQGs for sulphur dioxide (10 minutes), nitrogen dioxide (1 hour and annual); carbon monoxide (1 hour and 8 hours) and lead (annual);
- (b) adopting the concentration targets set out under WHO IT1 for sulphur dioxide (24-hour) and fine suspended particulates (24-hour and annual), IT for ozone (8-hour). It was suggested that the target for sulphur dioxide (24-hpur) would be narrowed down drastically from $350\mu\text{g}/\text{m}^3$ to $125\mu\text{g}/\text{m}^3$ set out under IT1 of WHO;
- (c) adopting the concentration targets set out under WHO IT2 for respirable suspended particulates (24-hour and

annual). It was suggested that the target for suspended particulates(24-hour)be drastically dropped from the existing 180 ug/m³ to 100ug/m³ set out under WHO IT2;

- (d) the target of sulphur dioxide promulgated by Hong Kong would be similar to that of EU and USA; the target for sulphur dioxide (24-hour) would be 125ug/m³ and the target was exceeded less than three times per year, which was more stringent than USA and identical with the target of EU. Taking into the consideration that the suspended particulates emitted from Hong Kong only constituted 1-2% of the total emission of Pearl River Delta (PRD), the proportion was small. It would still be difficult to reach the target of USA or EU if the emission control measures for reducing suspended particulates were solely adopted in Hong Kong. Hong Kong needed to strengthen the cooperation with Guangdong province to reach a higher standard.
- (e) EPD would introduce a regular review mechanism and AQOs would be reviewed at least once per five years.
- (v) Proposed Emission Control Measures:

The consultants had suggested 36 emission reduction measures to be carried out in three phases. The first phase had 19 measures, which covered the following 4 categories:

- (a) emission capping and control:
 - (1) To tackle the largest source of emission-power station, it was suggested that the use of natural gas for electricity generation would be raised from 28% to 50%.
 - (2) Vehicular emission was another source of pollutants in Hong Kong. The emission of diesel vehicles was the highest, and the consultants suggested earlier replacement of Euro II or pre-Euro vehicles, and expedited the replacement of Euro III vehicles. To reduce the emission on road, it was suggested that

the wider use of environmentally-friendly vehicles like hybrid and electric vehicles be promoted.

- (3) To reduce the emission from vessels, EPD discussed with local ferry companies the full-scale implementation of using ultra low sulphur diesel (ULSD). At the same time, a study would be made on the installation of de-sulphurisation devices on vessels to reduce the emission of nitrogen oxide.
- (4) Most of the facilities in Hong Kong Airport were activated by diesel-fuelled equipment. To reduce the emission of nitrogen oxide of aviation facilities, electric equipments were recommended.
- (5) USLD and emission control devices could be installed in off-road vehicles in construction sites and ports to reduce emission.
- (6) In 2007, Hong Kong adopted the standard of California, USA to enact legislation to control the quantity of volatile organic compound of a number of products. In 2009, the Legislative Council (LegCo) had endorsed the amendment of ordinances by extending the scope of control of volatile organic compounds to vessel paint and vehicle repair paint to protect the health of the public.

(b) Traffic Management:

- (1) Low emission zone would be set up as suggested to ban vehicles of Euro III or below standards from entering busy areas such as Central, Mongkok and Causeway Bay to reduce the pollution caused by vehicular emission.
- (2) Several pedestrianised streets had been set up in Hong Kong and it was suggested that the scope of pedestrianised zones be enlarged to further reduce the exposure of the public to roadside pollutants.
- (3) The emission level of pollutants from Central, Mongkok and Causeway Bay constituted about

40% of the total emission in Hong Kong. Suggestion was made to rationalise the routes and frequencies of buses to minimise the impact of bus emission to the public.

(c) Infrastructural Development and Planning:

To encourage the public to use rail, it was suggested that the Government enlarged the rail network to motivate the public to reduce the use of private cars. On the other hand, it was suggested that the Government constructed more cycling paths and motivated the public to adopt motorcycles as the means of traffic connection.

(d) Energy Efficiency Measures:

- (1) To enhance energy efficiency of Hong Kong buildings, the mandatory implementation of “Building Energy Codes” was suggested to regulate the overall design, and lighting, elevator and air cooling system must comply with the requirements of the Code.
- (2) The mandatory “Energy Efficiency Labelling Scheme” had come into effect, covering products like air-conditioner, compact fluorescent lamp and refrigerator. The Government suggested enlarging the scope to dehumidifier and washing machine to encourage the public to use energy saving products.
- (3) It was suggested that light-emitting diode (LED) which was more energy efficient be adopted for traffic signal or street lighting to reduce the overall electricity consumption of Hong Kong.
- (4) The promotion of tree planting and rooftop greening could help reduce urban heat island effect.
- (5) It was suggested that district cooling system for Kai Tak Development be installed. It would be more energy efficient as compared with the

installation of individual cooling tower in individual buildings.

(vi) Energy Efficiency:

- (a) It was endorsed that 19 emission control suggestions of the consultants be adopted, coupled with the emission reduction measures implemented consistently in Guangdong province, it was hoped that the air quality in Hong Kong could meet the new AQOs.
- (b) To put into practice the measures for enhancing energy efficiency could assist the public and the organisations in saving energy cost and minimising electricity charges.
- (c) The Measures could improve the air quality of Hong Kong and attract more tourists and foreign investment and thus consolidate the reputation of Hong Kong being the world city.
- (d) Based on the assessment of consultants, it was envisaged that the cost of about HK \$0.6 billion or above be spent to implement the emission control measures, and the proceeds of about HK \$1.228 billion be obtained annually as expected. On the other hand, the number of people admitted to hospital and thus dying as a result of air pollution dropped, which brought long-term benefit to members of the public.

9. Mr. CHAN hoped that all Members could express their views towards the phased tightening of AQOs to achieve the AQGs of WHO, the proposed control measures put forward by the consultants, other emission reduction measures, the pace in measures implementation, the cost of measures implementation, and the impact on stakeholders. The consultation would last until the end of November.

10. The Chairman informed Members that the paper (Annex 1) submitted by ten WTSDC Members of DAB (Wong Tai Sin Branch) was put on table. Before other Members gave their speeches, Mr. YUEN Kwok-keung introduced the paper on behalf of other Members.

11. Mr. YUEN Kwok-keung spoke on behalf of ten WTSDC Members of DAB (Wong Tai Sin Branch), and the highlights were as follows:

- (i) Welcoming the initiative of EPD to propose reviewing AQOs and the emission control measures. The existing AQOs established in 1987 had been used for more than 20 years, reviewing and renewing them could protect the health of the public. Accepting the proposals in the consultation paper that the highest AQOs set by WHO's guidelines be achieved in phases, but appropriate timetable, coupled with review by phases, were required to evaluate the effectiveness of measures in improving air quality.
- (ii) Supporting a number of emission control measures stated in the consultation paper and hoping that EPD could provide more concrete details relating to the control measures to facilitate public discussion.
- (iii) They were concerned with the impact of 19 emission reduction measures on the public, and they were also worried that these measures would lead to the increase in the cost of electricity generation and public bus operation cost. The consultation paper only stated the commitment of the public without mentioning the roles of the Government and the enterprises in cost sharing. The improvement of air quality not only guaranteed public's health, but also reduced the cost of public healthcare, improved the business environment of Hong Kong, strengthened its attraction to external investors. As a result, the Government and enterprises should bear the cost of emission reduction measures instead of fully passing the cost on to the public.
- (iv) They were worried that the rationalisation of bus routes would cut bus trips and bus stoppings, which directly caused inconvenience to residents. A detailed study must be carried out prior to a large-scale bus rationalisation, with the provision of adequate data, alternative option and the interchange arrangement. On the other hand, the Government must consult the views of the District Councils (DCs) and the public to minimise

the impact of bus rationalisation on the public.

- (v) To further enhance the environmental protection awareness of the public, only with the change in daily habits and aligning with the policies of the Government, could air quality be effectively improved.

12. Mr. WONG Kam-chiu shared the views of DAB and put forward his views relating to the consultation paper:

- (i) Suggesting that the Government stipulated clear and concrete schedule and set down short-term, mid-term and long-term working objectives to enhance air quality on a gradual basis.
- (ii) He was concerned with the increase in electricity charges and traffic expenses incurred by environmental protection cost. The Government could not pass all the environmental protection cost to consumers, whereas the Government must do their best to reduce the burden of the public in order to secure their support.
- (iii) He hoped that the Government could adopt practical actions as quickly as possible at the end of the four-month consultation and implement other measures on a gradual basis to increase the confidence of the public towards the Government.

13. Mr. SO Sik-kin supported the consultation paper. With the increased severity of global warming, the air quality of Hong Kong was deteriorating, which dampened the interest of foreign investors in investing in Hong Kong. He hoped that the Government could keep up with the promotion of environmental protection and enhance the environmental protection awareness of the public. The air quality of Hong Kong was affected by the development in PRD, and the emission from Mainland factories and vehicles was serious. He hoped that the Hong Kong Government could forge an effective cooperation and communication with the Mainland Government to improve air quality. On the other hand, he hoped that the Government could promote the development of environmentally-friendly electric vehicles to reduce air pollution.

14. Mr. LAI Wing-ho, Joe supported the stipulation of mid-term and long-term goals of the Government, but was concerned whether air quality improvement in Hong Kong would be mutually beneficial to or run counter

to economic effectiveness. The increase in electricity cost and fares stated in the consultation paper attracted greatest attention, the Government should not pass all the environmental protection cost to the public, whereas adequate incentive must be provided to the public so that they understood that environmental protection and economic effectiveness could go hand in hand. The Government must consider thoroughly and tackle the three sources of air pollution in Hong Kong, i.e., power station, vehicles and a high density of buildings. At the same time, measures like promoting environmental protection vehicles must also be implemented to solve the problem with great strength.

15. Mr. CHUI Pak-tai considered that air pollution problem must be solved immediately. Although the Government had made slight achievements in environmental protection, with the progress in economic development, the air quality was declining. He suggested that the Government enhanced the authority of EPD and expedited the solution of the problem. He hoped that EPD could provide adequate grounds to prove that the policies could enhance air quality of Hong Kong, so that the public could support the policies. The establishment of pedestrianised zones would only distribute the pollutants to other regions, which was not effective enough in improving air quality, and thus should not be incorporated in the area of priority improvement. Also, the Government should strengthen the promotion of environmental friendly vehicles. The Government and the public should join hands in sharing the responsibility.

16. Mr. HO Yin-fai considered that the public should align with the policies of the Government in implementing environmental protection, but the Government should also set the example by taking the lead in reducing energy consumption and emission. Taking Ngau Chi Wan Market as an example, the light was still on after its closure on the grounds of burglary prevention. The spotlight of industrial and commercial buildings were on all night long, it was a waste of energy and caused light pollution. He hoped that EPD could monitor it by enacting legislation.

17. Mr. SHI Lop-tak, MH considered that air and public health were closely related, and thus gave support to EPD for strengthening the monitoring of air quality in Hong Kong. Global warming and the emission of vehicles and industries affected the health of the public, and the Government should enact legislation to strengthen the monitoring. The Government should strengthen the communication and cooperation with the Mainland Government on one hand, and set up a comprehensive emission regulation system on the other. Air quality in Hong Kong could be enhanced through an inter-departmental environmental protection scheme advocated by the Chief Secretary for Administration to protect

public health.

18. Mr. MOK Kin-wing hoped that EPD could set down air quality improvement measures from a macro perspective and review the contradictions between policies to check if they were complementary. For example, the silt incinerator built in Tuen Mun would generate toxic substance like dioxin, which was harmful to human body. EPD should not expand the landfill to handle solid waste, but rather should promote the reduction and recycling of waste to strengthen the promotion of the policies like “polluters-pay” and “environmental protection recycling” with great strength to minimise the amount of solid waste.

19. Mr. CHAN On-tai considered that the Government must communicate and coordinate with the Mainland Government when formulating AQOs. To improve air quality in Hong Kong, the specific measures included enhancing the greening of the external walls of Government buildings, the rooftop of the public buildings, central divider on roads. On the other hand, the Government should take the lead in promoting the optimisation of refuse and segregation of waste. As vehicular emission was the important source of pollution in Hong Kong, and the geographical environment of Hong Kong might not be suitable for electric vehicles, the Government should promote hybrid environmental protection vehicles and set down the objectives for the manufacturers to encourage the manufacturing and use of environmental protection vehicles and the alignment with the said measures to improve air quality in Hong Kong.

20. Dr. LAU Chi-wang, James, JP pointed out that the Government had regulated the amount of volatile organic compound since January 2010, however a number of people from construction sector would think that the material was banned as a result of its toxicity, they had no idea that the measures aimed at improving air pollution, and some construction companies or renovation companies had not replaced the material in response to the measures. He hoped that EPD could give more publicity to it, so that the construction sector could understand that the measures of the Government aimed at improving air pollution and protecting public’s health.

21. Mr. WONG Yat-yuk doubted the strength with which the Government implemented greening policy and if they took the lead to do so. Taking rooftop greening as an example, they had striven for rooftop greening in public houses in the district, including elderly housing, however, the Housing Department (HD) delayed in implementing the plan with the excuse that there was a lack of resources. He considered that

EPD should lead other Government departments to implement greening work.

22. Mr. TO Kwan-hang, Andrew commented, when EPD said that the cost for improving air quality was HK \$0.6 billion, with the return of HK \$12 billion, the statement was made simply from the angle of cost effectiveness as the quantifying benchmark, which was greatly deviant from the living quality that the public was pursuing. If the statement was made from economic point of view, the problem of air quality could not be solved thoroughly. The focus of the consultation was that EPD would set down the schedule and concrete option for improving air quality after 4-month consultation. Although no countries could strictly follow the standard for air quality set by WHO, being an international city, Hong Kong should keep up its pace with other advanced countries. The consultation paper also stated that the public had to share with the Government the extra electricity charges and traffic expenses owing to environmental protection, as the two power companies were the main pollution sources of Hong Kong, and their franchises were granted by the Government, and so the Government had to intervene in solving the problem actively. EPD had to know the basic logic before they could solve the air pollution problem in Hong Kong effectively.

23. Mr. WONG Kwok-tung commended the work of EPD, and also supported the two consultation papers relating to air quality and water quality improvement. He was concerned with the improvement on walled buildings that impeded air quality. Although EPD was not authorised to restrict the models of buildings construction, he hoped that EPD could try hard to press on environmental protection standards, and strengthen the cooperation with other Government departments to jointly promote environmental protection policies.

24. Mr. CHAN made a consolidated response as follows:

- (i) Hong Kong was affected by regional air pollution, and EPD would strengthen the cooperation with Hong Kong, Guangdong Province and Greater Pearl River Delta (GPRD) to solve the problem. As early as 2002, Hong Kong Government and Guangdong Provincial Government had reached the consensus on emission reduction, the target would be to cut the total emission at GPRD by 20% to 55% as compared with that in 1997 by 2010. In 2009, Hong Kong Government and Guangdong Provincial Government had already discussed the emission reduction arrangement after 2010

to improve regional air quality in a sustainable manner.

- (ii) The Government also attached importance to emission in Hong Kong, the pollutants which the public was exposed to each day mainly came from vehicular emission. As such, EPD would actively promote measures restricting local emission to achieve emission target.
- (iii) Responsibility and Commitment of the Government
 - (a) The Government was endeavoured to protect public's interest, and had taken concrete measures to control the benefit of power companies. Starting from last year, the permitted return rate of the power companies had been cut from the fixed asset return at more than 13 % to 9.9 %. EPD knew that renewing the energy combination of electricity generation and the use of natural gas for electricity generation would exert greater pressure on the increase in electricity charges. As such, the public would be encouraged to use products with higher energy efficiency. Practising energy saving measures in daily lives could help reduce electricity charges, and offset the increase in electricity charges as a result of using cleaner energy.
 - (b) The Government had carried out active discussion with bus companies and hoped that bus companies could quicken the pace of replacement of old buses to comply with the latest emission standard. To align with the establishment of low emission zones, the Government and bus companies would carry out trial scheme and arrange for buses that complied with emission standard to serve routes at busier districts.
 - (c) Among the 19 proposals stated in stage 1, the Government had applied for funding from the Legislative Council (LegCo) and taken the lead in implementing some measures, for example, application for funding to install the central cooling system in Kai Tak Development,

mandatory implementation of “Building Energy Codes”, “Energy Efficiency Labelling Scheme” for domestic electrical appliances and measures for reduction of volatile organic compound. The Government would implement other complementary measures and enact legislation at an earlier stage to assist in the implementation of measures.

(iv) Schedule for Measures Implementation

Some of the measures stated in the consultation paper required in-depth discussion in the community prior to the development of implementation schedule. However some of the measures had the finalised schedule, for example, legislative amendment relating to energy efficiency and cooling system in Kai Tak had been implemented accordingly. Hong Kong Government had signed a memorandum with National Energy Administration in 2008, which helped Hong Kong obtain adequate natural gas for use. Although the Government had a clear idea in many areas, they still hoped to understand the degree of acceptance and views of the public towards the policies through public consultation before further finalising the technical follow-up work and setting specific schedule.

(v) Rationalisation of Bus Trips and Routes

The Government appreciated that rationalisation of bus trips and routes would affect the daily traffic arrangement of the public in the district. Before the Government finalised the plan, they would firstly consult the District Council (DC) of the district. EPD and the Transport Department (TD) had also submitted paper to the Joint Meeting of the Panel on Environmental Affairs and Panel on Transport to elaborate the objective factors involved in rationalisation of bus trips and routes. Afterwards, they would go to DC for discussion before carrying out rationalisation to reduce the impact on the public.

(vi) The incinerating facilities proposed by EPD complied with the highest emission level in the world, and EPD had also made reference to the experience of other regions like Europe and Japan. It was proved that the

related facilities could solve the emission of dioxin effectively and its emission could be kept at a safe level.

(vii) **Walled Buildings**

The policies of the Town Planning Board (TPB) aimed at reducing the development density of Hong Kong buildings, and the Council for Sustainable Development was carrying out public consultation to discuss the sustainability of the development of Hong Kong buildings for achieving sustainable development. It was believed that the direction of building development could help solve the problem of walled buildings.

25. Mr. PANG of EPD supplemented for the enhanced control of volatile organic compound implemented by the Government. In 2007, the Government had exercised statutory control on the volatile organic compound amount of a number of products and carried out publicity for the said measures. Since 2008, EPD had asked the manufacturers to reduce the amount of volatile organic compound in the products on a gradual basis. EPD mainly banned the import to force the manufacturers to use other material as an alternative for volatile organic compound, and reduce the source production and the impact on consumers. While restricting the amount of volatile organic compound in products, EPD would also strengthen the publicity to the trade and illustrate the requirements and purposes of the measures.

26. Mr. SHI Lop-tak enquired if Hong Kong would follow the example of USA by using hydrogen as vehicle fuel, as the vehicles using hydrogen as fuel could be comparable to ordinary vehicles in speed and could solve air pollution. It was even more environmental friendly.

27. Mr. CHAN replied that the Government had always been paying attention to the development of energy use overseas. Earlier on, a German car company had launched an exhibition in Hong Kong to promote hydrogen-impelled vehicles, but this kind of vehicle was still at trial stage. It was believed that if this kind of vehicle could be manufactured in a large commercial scale, Hong Kong would introduce it for use.

28. The Chairman thanked Mr. CHAN and Mr. PANG for attending the meeting, and urged EPD to note and follow up the views of Members. The Chairman reminded Members that the consultation period would end by the end of November. If they had further views towards the topic, they could send their views to EPD in writing, by post or by e-mail.

(Mr. CHAN Ka-shun, Carlson and Mr. PANG Sik-wing left the meeting at this juncture.)

(Mr. WU Chi-wai arrived at the meeting at 3:44pm.)

III (ii) Review and Development of Marine Water Quality Objectives-First Stage Public Engagement Exercise
(WTSDC Paper 63/2009)

29. The Chairman welcomed Mr. AU Wai-kwong, Elvis, JP, Assistant Director (Water Policy) and Mr. CHUNG Chi-hoi, Senior Environmental Protection Officer (Water Policy and Science) of the Environmental Protection Department (EPD), and Dr. K.L. PUN and Dr. C.C.YEUNG of Hyder-CPS for attending the meeting.

30. Mr. AU remarked that the visit to WTSDC this time was to introduce to Members the consultation for the review and development of marine water quality objectives, and listen to the views of Members towards the topic. He introduced the paper with powerpoint, the highlights were as follows:

(i) Background:

EPD conducted the first stage of public engagement exercise mainly for collecting public views towards the key issues relating to the review of objectives and the proposed principles and methods. After consolidation and review, EPD would put forward specific options for water quality objectives (WQOs) in the end of 2010 and conduct the second stage of public engagement exercise relating to WQOs.

(ii) Reviewing WQOs:

(a) WQOs was the benchmark for measuring the “environmental health” of water body and provided objective and scientific data to assist the Government and related organisations in developing pollution control strategy and sewage infrastructural facilities. There were totally ten Water Control Zones (WCZs) in Hong Kong, including Victoria Harbour. These WCZs were set up one by one from 1987 to 1999. The current benchmark for WQOs had been in use for

over 20 years. The water quality of four water bodies was up to standard, while the compliance of other water bodies varied. The compliance rate of Deep Bay, the worst among others, only achieved a 40% rate of success. Generally speaking, the water quality of marine waters in Hong Kong had been improving continuously over the past 20 years, the level of most of the pollutants showed a declining trend, with the rising level of dissolved oxygen, but the level of nutrients was consistently at a high level mainly because of the geographical environment of Hong Kong as it was under the influence of the increasing amount of marine nutrients of Pearl River estuary.

- (b) WQOs were established on the basis of beneficial uses, the Government would stipulate the protection objectives according to the uses of water bodies. Marine water was closely related to the lives of the public. Beneficial uses included Marine Parks, the sea world, the reserves for Chinese white dolphins and migratory birds, mariculture zones of fishermen, flushing water for over 80% of the public, 41 gazetted beaches for the use of 10 million persons each year.
- (c) The review of WQOs served two purposes, one was to keep WQOs abreast of times to align with the rapid development of water science knowledge and technology and changes in water bodies; and the second one was to respond to the appeal of the public by improving the environment and protecting the water body on a continuous basis and safeguarding the beneficial uses.

(iii) Reviewing Work and Progress:

EPD commissioned consultants to review WQOs. The study was divided into five categories, including analysing the actual situation in Hong Kong and overseas experience; finding out the areas of improvements; reviewing each part in details; formulating objectives according to the beneficial uses of different bodies; and assessing technical feasibility

and the economic effectiveness for the society. At present, the consultants had completed three main tasks, including reviewing the current condition and characteristics of the water bodies in Hong Kong; analysing the general condition of the current WQOs; and analysing the water management experience of foreign countries.

(iv) The General Condition of WQOs:

Some WQOs were no longer be appropriate for today's environmental protection requirement, for example, there was a single word-based or "narrative" WQOs for toxic substance without numerical parameters, which rendered it difficult to ascertain whether the water body complied with the standard, while overseas countries had now adopted numerical WQOs to express the overall trend of water quality; the concentration of some pollutants was affected by external factors, for example, the amount of nutrients in Hong Kong waters was affected by South China Sea; and some water bodies had more than one beneficial uses and required objectives that suited different purposes; overseas countries had amended the standard for mariculture, and the current standard might not provide adequate protection; the new beneficial uses, for example Marine Park, emerged in 90's and Hong Kong had not set down standard for Marine Park.

(v) Comparison between WQOs of Hong Kong and Overseas:

The current WQOs adopted in Hong Kong and overseas were different, Hong Kong had not adopted quantifying standard for the concentration of chemical substance in the water, nor had it established biological parameter for it; WHO adopted numerical level using Enterococci in beaches. Although Hong Kong had not followed suit, EPD would explore whether it was suitable for uses; overseas countries attached importance to the water quality of mariculture, and most of the objectives had been quantified, while Hong Kong only had *E.coli*, dissolved oxygen and pH value as the objectives.

(vi) Developing the New Direction for WQOs:

Taking into account overseas objectives, four directions had been set down, including taking into consideration the ecology of water body, development of biological objectives, paying attention to the health of water body; making reference to the background condition of water body when establishing the WQOs for nutrients; using numerical WQOs; exploring the use of Enterococci objective for beaches.

(vii) Overseas Approaches for Water Quality Management:

There were mainly three models, including the “Technology-Based Approach” which applied the best available technology to handle sewage. Hong Kong was using “Use-Protection Approach” which served to protect the function of water body and the latest “Non-Degradation Approach” which offered higher level of protection for the more sensitive water bodies, and the requirement was more stringent. EPD was studying the mix of three approaches adopted by overseas, for example, adopting risk assessment for mariculture; the use of “Non-Degradation Approach” for more sensitive water bodies to protect the water body and public’s health in a long term.

(viii) Public Consultation:

- (a) There were four areas for soliciting views, including the consideration of beneficial uses as the future WQOs, the extent of protection for the sensitive water bodies and all kinds of beneficial uses and their priorities; whether the current reviewing method was appropriate and the principles of the water quality management which required prior attention.
- (b) Public forum would be held in the consultation period, and focus group meetings targeting at different trades would be held to analyse the views collected. The consultation period would end in the end of this year. Members or WTSDC were

welcome to put forward views.

31. Dr. LAU said that the sewage would be treated before being discharged to the sea, however although the sewage passing Kai Tak River had been treated by Shatin Sewage Treatment Works, the amount of microscopic substance still ran high, the Drainage Services Department (DSD) had remarked in the meeting of WTSDC that residents should avoid contacting Kai Tak River. Residents of Wong Tai Sin district were generally dissatisfied with the fact that microscopic substance of Kai Tak River was non-compliant, he considered that sewage should be disinfected in future to ensure that the microscopic substance was complaint before it passed Kai Tak River.

32. Mr. LAM Man-fai,JP opined that the water quality of sea water of Hong Kong had been improved recently, which was related to the relocation of Hong Kong factories. He was concerned with the discharge of treated domestic sewage to the sea, which would affect marine environment, especially the ecosystem of Victoria Harbour. The public was generally concerned with the impact of sewage on ecosystem, and they hoped that they could fish in Victoria Harbour, and improve the water quality of Victoria Harbour to the extent where people could swim there.

33. Mr. CHUI Pak-tai considered that air and water qualities were equally important, and it was worthwhile for the Government to use all kinds of means and inputs to handle them. The Government was required to do their best to assist the public in understanding and minimising pollution in daily lives, and continue to improve the technology of sewage discharge and rationalise the policies.

34. Mr. WONG Kam-chi, MH, JP pointed out that there were too many jargons in the consultation paper. The purpose of public consultation was to ask the public to put forward their views towards pollution or ways of improvements, however the general public could not comprehend the consultation paper and thus put forward their views, he asked EPD to use terms which were comprehensible to the general public during public consultation.

35. Mr. WONG Kwok-tung said that although the consultation paper was difficult to understand, he commended the Government for the obvious improvement in water quality with the introduction of sewage charges. Many Hong Kong people loved the ocean, although not many of them went diving, a lot of them spent their leisure time at fishing rows during holidays. Many fishing rows provided barbecue, mah-jong and cooking services, some operators threw residual food and inorganic rubbish into the

sea, thus affecting the nearby environment. The Government departments were required to exercise control.

36. Mr. SHI Lop-tak said that while the living quality of Hong Kong people was improving, the pollution to marine water was getting more serious. The Government only had limited means to improve water quality. Only the water quality of marine waters in Sai Kung was better, the water quality in Victoria Harbour was worrying. He was worried that consuming fishes from Victoria Harbour would affect one's health, and he hoped that the Government would improve the water quality of Victoria Harbour with great strength.

37. Mr. HUI Kam-shing said that Hong Kong had a beautiful shoreline, and the water quality had all along been improved. It was the precious natural resources and could be developed for ecotourism. The Government could consider promote diving tourism. By then, it could attract overseas visitors to come to Hong Kong.

38. Mr. SO Sik-kin supported the improvement of water quality. He said that he went fishing sometimes and found that fishing boats sailed side by side, and used trawlers reaching the sea bottom for fishing, which seriously affected marine ecosystem. The Government must exercise appropriate monitoring of fishermen to protect marine ecosystem.

39. Mr. WU Chi-wai, MH commented that the public had to pay sewage charges for drinking water and the Government claimed that the introduction of sewage charges could improve water quality effectively. He enquired the objectives of water quality set under the existing system and how much extra cost was required to pay for meeting higher objectives. Indeed, the pollutants produced locally had been minimised as a large sum of money had been spent in the reduction, however, as regards the improvement of water pollution in Deep Bay and PRD estuaries, some could be improved locally, but most of it required the cooperation with the Mainland. The Government could treat it as a business opportunity and take over all the sewage treatment plants in the estuaries to collect sewage charges. The Government could consider inputting additional resources on the cooperation with the Mainland in pollution reduction, and the result might be better.

40. Mr. CHAN Lee-shing was also concerned with the sewage disposal in Deep Bay and South China Sea. He learnt from the news that the Government had difficulty in handling the sewage disposal in the Mainland, and the sewage would finally be discharged to the waters in Hong Kong. He enquired if Hong Kong had set up monitoring system

and how they communicated and cooperated with the Mainland if problem occurred. And if the problem was serious, what cost they had to pay.

41. Mr. HO Hon-man shared the views of Mr. WONG Kwok-tung that the water quality of Hong Kong had been improved, but it was only limited to the waters in the East, and the water quality of PRD estuaries was not up to standard. Hong Kong needed to cooperate with Guangdong Province to improve the water quality of Hong Kong at a full scale. On the other hand, quite a lot of pollution was caused by leisure activities. For example a fishing row in Sai Kung provided catering services recently and the operators threw the residual food and discharged sewage to the sea, and the excretion was also discharged to the sea. He doubted that the Agriculture, Fisheries and Conservation Department (AFCD) had not exercised any monitoring after the issue of licenses.

42. Mr. MOK Ying-fan said that the water quality in the East was better, while it was worse in the West. The source of pollution was mainly the pollutants from PRD estuaries. Pollution of Tolo Harbour, reclamation and the sediments from industrial discharge were also the pollution sources. Water pollution of Tolo Harbour and Deep Bay could not be solved, and Hong Kong could only improve water quality through handling reclamation and sediments. On the other hand, he had also noticed that more and more fishing rows had been open for the leisure and fishing of people during holidays, plus the increase of food premises in islands, the problem of discharge was getting more serious, as a result, the water of the eastern waters, which had been improved for a while, deteriorated again owing to the said activities. The Government departments needed great cooperation to solve the problem.

43. Mr. WONG Kam-chiu reflected that the odour at Kowloon Bay, Tai Kok Tsui and Jordan Road had not been improved over the past ten years. He hoped that EPD could account for it.

44. Mr. AU said that EPD would consider the matter in great details and follow up the matter in the second stage of public engagement. He made a consolidated response as follows:

- (i) Harbour Area Treatment Scheme (HATS):
To improve the water quality of Victoria Harbour, the Government had done a lot of work, including “Harbour Area Treatment Scheme (HATS) “, stage 1 which was

completed in 2001. The sewage of Kowloon was diverted to Sewage Treatment Works at Stonecutters Island for treatment before being discharged to Victoria Harbour. At present, the plant treated more than 1.4million m³ of sewage, and approximately 0.45 million m³ of untreated sewage from Hong Kong Island was discharged to Victoria Harbour each day. LegCo had granted the funding to EPD to carry out stage 2 (A) works which would commence in July, and it would be completed before 2014 as anticipated. The purposes of the works were to collect 0.45 million m³ of untreated sewage from Hong Kong Island and divert it to the Sewage Treatment Works at Stonecutters Island. Indeed, upon the completion of stage 1 works in 2001, the water quality of Victoria Harbour had shown obvious improvement, and the amount of *E.coli* had dropped by 50%. It was expected that upon the completion of stage 2(A) works, the amount of *E.coli* would drop by 90%, and the amount of other toxic substance would drop by 10%. EPD had made a funding application to LegCo for an amount of over HK \$9.3 billion in June to carry out the works, and another funding application would be made in the end to ensure that the whole project could be completed in 2014 as scheduled to improve the water quality to the extent that cross-harbour swimming could be launched again.

(ii) Cooperating with the Mainland to Treat Pollutants:

There were two types of pollution sources, one was the domestic sewage produced in Hong Kong, another type was the nutrients, mainly affected by PRD. Based on the analysis, the pollutants from the Pearl River constituted about 70% of the pollutants in Hong Kong. As such, while handling the pollution source in Hong Kong, the Government was also required to strengthen the cooperation with Guangdong Province to minimise the overall pollution of PRD. The Government formulated a joint scheme with Shenzhen in response to the pollution in Deep Bay in 2000. Over the past ten years, the pollution load of Deep Bay had dropped by 38%. To further improve water quality, the Government amended the action plan with Shenzhen in 2007 to further minimise the pollution load by 40% for the coming ten

years. Apart from handling the water quality in Deep Bay, the overall pollution load in PRD was also on the rise, the quantity of sewage discharge had increased by 50%. The Government would cooperate strenuously with Guangdong Province to complete a mathematical model for the estuaries of Pearl River for analysing the pollution of PRD. The Governments of two places had reached a consensus by conducting a study on water pollution for the whole PRD in early 2011, including nine cities and two special administrative regions to handle the overall pollutants. The Government would continue to strengthen the cooperation with Guangdong Province to improve the water quality.

(iii) Improving the Water Quality of Kai Tak Nullah:

The value of *E.coli* was higher in Kai Tak Nullah. The Government started to build disinfection facilities at the Sewage Treatment Works in Shatin and Tai Po in 2008, which would be completed before the end of 2010. It was expected that the amount of *E. coli* would drop substantially.

(iv) Pollution caused by Leisure Activities at Fishing Row :

Members' views would be passed to AFCD for following up.

He further thanked Members and accepted their suggestions to simplify the consultation paper at the second stage of public engagement. EPD would put forward concrete views next year and continue to improve marine environment in Hong Kong.

45. The Chairman thanked Mr. AU Wai-kwong, Elvis, Mr. CHUNG Chi-hoi, Dr. K.L. PUN and Dr. C.C. YEUNG for attending the meeting and urged EPD to note and follow up Members' views.

(Mr. AU, Mr. CHUNG, Dr. PUN and Dr. YEUNG left the meeting at this juncture.)

III (iii) Optimising the Use of Industrial Buildings to Meet Hong Kong's Changing Economic and Social Needs
(WTSDC Paper 64/2009)

46. The Chairman welcomed Mr. Raymond CHEUNG, Political Assistant to Secretary for Development of the Development Bureau (DEVB) who attended the meeting for this agenda item.

47. Mr. CHEUNG was pleased to visit WTSDC and explained to Members about the new policies and measures that the Chief Executive announced in his Policy Address to promote revitalisation of old industrial buildings. Since the Chief Executive announced his Policy Address, the Development Bureau (DEVB) had held a number of briefings to explain to the public the policy of optimising the use of industrial buildings and answer the enquiries of the public towards the policy. He presented the policy of optimising the use of industrial buildings through powerpoint, the highlights were as follows:

(i) Background:

Industrial buildings had not been optimised for the past ten years. A lot of political parties (such as DAB) and Members also pinpointed this problem and submitted proposals to the Government. In the motion debate for “Transformation of Old Industrial Areas” in LegCo on 20 February 2008, Mrs. Carrie LAM, JP, the Secretary for Development, had undertaken to formulate options in her tenure to solve the problem where industrial buildings were not optimised. As the issue was complicated, DEVB and different Government departments and stakeholders had discussed the issue for a long time. It was hoped that through the opportunity brought by financial tsunami, and in alignment with the six priority economic areas, the problem where industrial buildings were not optimised could be solved with greater strength, and a basket of measures to optimise industrial buildings would be launched.

(ii) The Utilisation of Existing Industrial Buildings:

(a) The Percentage of Manufacturing Industries in Gross Domestic Product and the Total Stock of Industrial Buildings: With the economic changes in Hong Kong and the relocation of the industries to the North, the percentage of manufacturing industries in Gross

Domestic Product (GDP) over the past 28 years had markedly dropped. The total stock of flatted factories had been continuously on the rise since 80's. Only a small number of industrial buildings had been altered or demolished, which showed that the percentage of manufacturing industries in GDP and the stock of flatted factories were not in proportion to one another.

(b) Age of the Private Industrial Buildings in Urban Area and New Towns: Among the 1467 private industrial buildings in urban area and new town, 139 of them aged 0-14 years, 602 aged 15-29 years, 674 aged 30-49 years, 45 aged 50 years or above. It could be seen that the old industrial buildings were relatively young.

(c) The Distribution of Existing Industrial Buildings and Planning Land Use: 70% of industrial buildings were situated at non-industrial zone. The Planning Department (PlanD) had been assisting in altering the use of industrial zone. Over the past 20 years, about 500 hectares of industrial land had been changed to non-industrial use. The old industrial zone of Kowloon had been altered into non-industrial use, but 660 industrial buildings were still situated at these zones. Although with the changes in the land use, developers could still apply for the changes of the use of the industrial buildings there, however the result was not obvious.

(iii) Planning Intent of Planning Zone and Building Use: "Industrial" zone could be used for general industrial use, and they were the always permitted use, however the "flatted residential building", "building" or "residential organisation", were non-permitted use and "OU(B)" zone specified in "Other Specified Uses" could be used for business.

Buildings in "OU(B)" zone were categorised as always permitted use, and industrial buildings or mixed industrial and office buildings could be for office use, commercial use, shop and services use and industrial use; other buildings could be for office use, commercial use,

recreation and leisure use, educational and religious use and industrial use. It could be seen that industrial buildings or the mixed industrial and office buildings were fewer than other buildings. In line with the optimisation of the use of industrial buildings, if the whole industrial building or the mixed industrial and office building could be altered as “other buildings”, the use of the building could be increased.

(iv) The Existing Difficulty in Changing the Use of Buildings:

Although the Government had endeavoured to change the former industrial use into non-industrial use, not many industrial buildings changed their original use as owners only applied for converting individual flats, not wholesale conversion. According to the regulation of Fire Services Department (FSD), if some floors of industrial buildings or buildings with the mixed use of factories and offices were changed into non-industrial use, or if these floors were situated at the specially-designed non-industrial part of lower floor of industrial buildings, a buffer floor had to be provided to separate the floors for industrial use on the upper level, to prevent the occurrence of accidents at a floor with industrial units and non-industrial units. As it would be difficult to install buffer floors at the built-in industrial buildings, as such, TPB would not accept the application for alteration of uses on the grounds of fire safety. Owing to the constraint of fire safety, DEVB considered that it would be more practical to convert the whole industrial building to increase the permitted use of the existing industrial buildings.

On the other hand, the former industrial zone at the promenade of Kwun Tong had been changed into “OU (B)” zone, with its proximity to MTR station, the traffic was convenient. The industrial buildings at that zone had potential for changing into non-industrial use. For the past 20 years, only a small number of industrial buildings had been reconstructed or changed successfully into other uses. Planning of some of the “OU(B)” zone included setting back the boundary to broaden the roads, however it would not be put into practice until the reconstruction of the industrial buildings at the existing

address was carried out.

(v) Statistics:

Although the existing industrial buildings had been changed into non-industrial uses, it was not common to have the whole block of industrial buildings reconstructed or converted. From 2005 to 2008, only 32 lease modifications had been made for the changes in the use of industrial buildings, mainly for reconstruction. Based on the investigation of PlanD in 2005, about 65% of industrial floor area in “OU(B)” zone had been used for industrial and other related uses, and the remaining 35% was vacant, for non-industrial use or non-compliant use. It was estimated that the percentage of existing non-industrial use might be higher.

In March 2009, Lands Department (LandsD) was administering 441 short term waivers issued for the changes in the use of industrial buildings. The floor area covered was 1 % more than that of the existing industrial buildings. But information showed that about 30% of industrial buildings was for non-industrial use. It could be seen that the non-compliant use of the existing industrial buildings was common.

(vi) Non-compliant Use of Industrial Buildings:

The Government had sent staff to investigate the non-compliant use of the existing industrial buildings and found that some of the industrial buildings had mixed uses in the same floor, which caused fire hazard to visitors.

There were two main types of non-compliant uses, one was that the uses of buildings were not the permitted uses of the existing planning zone, another one was that the building uses contravened the lease provision of the relevant land lot. The reason behind the failure of the industrial buildings to secure the required permission was that there were the mixed industrial and commercial uses in the same building, which posed fire hazard.

DEVB and FSD had communicated with each other

relating to the optimisation of industrial buildings. It was known that the casualties arising from the fire in industrial buildings were not high, but somebody also died in the accident, and so the risk could not be ignored.

(vii) Criteria for the Changes in the Use of Buildings Considered by FSD:

FSD usually allowed the changes of some industrial buildings for commercial uses, including partial changes in the use of floor, the total changes in the use of floor below buffer floor, partial changes to office use in any floor not involving the direct provision of customer services or goods or the wholesale conversion of the block.

(viii) Challenges in Revitalising the Existing Industrial Building:

When reviewing the policy of changes in the use of industrial buildings, DEVB found that owners were facing four challenges when they revitalised industrial buildings, as a result, the Government found it unable to implement effectively the policies for converting the use of industrial buildings. The difficulties included:

- (a) As factories in the past were of small and medium sizes, the fragmented ownership in flatted factory buildings made it difficult to arrive at consensus among owners for wholesale conversion or redevelopment.
- (b) LandsD would assess premium based on the optimal use of land. If owners redeveloped industrial buildings, they were required to pay 100% premium; if they changed the buildings into other uses, they were still required to pay 100% of waiver fee to reflect the increase in the land value.
- (c) As the “pioneer” who initiated the redevelopment or conversion of industrial buildings into commercial use were required to pay additional cost, and so investors always adopted a wait and see attitude.

- (d) As the cost of redevelopment or conversion of industrial buildings ran high, investors had difficulty in raising fund.

- (ix) There were three advantages for redevelopment, including:
 - (a) Redevelopment brought planning benefits, for example setting back boundary and increasing sitting-out area;
 - (b) Redevelopment could improve the overall environment of former industrial zone and remove the source that affected the environment like chimney;
 - (c) The newly built buildings complied with the existing safety requirements and special needs for new uses of land.

- (x) Measures to encourage redevelopment: To encourage the redevelopment of old industrial buildings, DEVB put forward the following few measures, including:
 - (a) Under the “Land Ordinance”, the condition for applying for compulsory sale orders was that stakeholders owning the largest share of title were required to possess no less than 90% of the title of the land lot. DEVB suggested that the threshold for the application made to the Lands Tribunal for auctioning the buildings under the “Land Ordinance” would be lowered from 90% to 80%. This requirement was applicable to industrial buildings aged 30 years or more and situated at zones converted to non-industrial uses. DEVB would make an application to LegCo for amending the subsidiary legislation of “Land Ordinance” to prevent a small number of industrial buildings from having difficulty in redevelopment owing to the confusion of titles.
 - (b) In industrial zone, the plot ratio of general industrial land was 15 times or 12 times. When redeveloping industrial buildings, the Government

hoped to set back land boundary, and improve planning, and so it was suggested that the principle of “pay for what you build” was adopted, the premium in the modified lease would be assessed based on the proposed Gross Floor Area (GFA). LandsD would levy premium based on the GPA aspired by the owners.

- (c) Owners were required to pay premium for application for lease modification. If premium cost more than HK\$20 million, the Government allowed owners to settle the sum in five years. To encourage factory owners to develop industries, similar measures had been adopted in 50’s. With the changes in times, the Government now adopted this policy to encourage owners to redevelop industrial buildings.

(xi) Conditions for Wholesale Conversion:

Apart from redeveloping industrial buildings, owners could convert the uses through wholesale conversion of the industrial buildings, subject to the following requirements:

- (a) Upon the conversion of industrial buildings, the existing architectural framework would be retained, the building height, bulk, number of floors and GPA could not increase.
- (b) As the converted industrial buildings had been built for a long time, their building facilities might not comply with the safety requirements and special need of existing buildings, and so owners must improve building facilities and alter the inner compartments when carrying out wholesale conversion.
- (c) The planning, design and alteration of converted buildings must comply with the existing building requirements.

(xii) Examples for the Wholesale Conversion of Overseas Industrial Buildings:

- (a) OXO Tower at the South Bank of River Thames in London;
- (b) “Big Peg” at Bermingham of Britain.

The optimisation of industrial buildings involved only the private flatted factories, not the factory facilities at Tai Po Industrial Estate and the resettlement industrial buildings under the Housing Authority

- (xiii) Examples of Converted Industrial Buildings in Hong Kong:
 - (a) Horizon Plaza:

It was situated at Aberdeen, and was the pioneer of wholesale conversion of industrial buildings. After conversion, it could be used for operating “shops and services industries”.

- (b) Jockey Club Creative Arts Centre at Shek Kip Mei
This was converted from abandoned flatted factories and was open on 26 September 2008.
 - (c) The FACTORY:
As offices were the always permitted use in “OU(B)” zone, the FACTORY would be converted as office building after the lease had been modified.

- (xiv) Three Advantages for Wholesale Conversion:

- (a) The ceiling of industrial buildings was comparatively higher, the floor loadings were stronger, with the flexible floor partition, there was a potential for changing to other uses.
 - (b) As compared with redevelopment, the construction waste produced from wholesale conversion was comparatively little and more environmentally-friendly. On the other hand, the works could commence and be completed in a relatively short time, the cost was lower.
 - (c) A number of industrial buildings were situated at locations with good public transport facilities, they

had good potential for transforming to non-industrial uses to meet the changing economic and social needs.

- (xv) **Measures to Encourage Wholesale Conversion:**
DEVB put forward three measures to encourage the owners to convert the whole block of industrial building, including:
- (a) If owners chose to convert the whole block, they could apply for special waiver for the conversion if their industrial buildings were situated at industrial section, business section or “OU(B)” section, with the age of 15 years or above and having obtained the planning permission.
 - (b) After having fulfilled the requirement for the age of building and complied with the provisions of the lease, owners could carry out conversion with nil waiver fees. Waive period was the service life of the whole block, or before the expiry of the lease, whichever was earlier.
 - (c) The new uses after the conversion of buildings must comply with the permitted use of the zone, otherwise, permission from TPB must be obtained for other uses.
- (xvi) **Possible Uses Aligning with Six Economic Areas and Four Economic Pillars:** DEVB considered that the redevelopment or conversion of industrial buildings could align with the development of six economic areas and four economic pillars, which was conducive to the economic development of Hong Kong.

The land use of six economic areas fell into the category of always permitted use of converted industrial buildings in “OU(B)” and “Business” zones.

Four economic pillars also benefited from the measures of wholesale conversion.

- (xvii) **Implementation Schedule:**

The Government planned to lower the application threshold for compulsory sale orders under the “Land (Compulsory Sale for Redevelopment) Ordinance” in the form of subsidiary legislation in the first quarter of 2010; within three years starting from 1 April 2010, lease modifications at “pay for what you build” premium would be implemented and the arrangement for “annual instalments of premium” would be made; owners of industrial buildings could also apply at a nil waiver fee for the wholesale conversion of the existing industrial building for a lifetime of the building or the current lease period, whichever was earlier. For those owners who paid waiver fee annually or on a fixed term and whose industrial buildings also complied with the criteria of wholesale conversion could also shift to apply for new waivers. Owners who had applied for redevelopment must complete the works within five years after their application had been granted; owners who applied for wholesale conversion must complete the conversion three years after the waiver had been issued. If owners were applying for redevelopment or wholesale conversion and had met the abovementioned requirement could first withdraw the existing application and reapply on 1 April 2010.

(xviii) Administrative Arrangement:

LandsD would set up a special team to focus on processing the applications for redevelopment and wholesale conversion of the industrial buildings during the period, so that applicants had no need to submit applications to the District Lands Offices in their respective districts, but they still needed to pay standard administration charges. Projects which fulfilled the criteria for one-stop service to be rendered by the Development Opportunities Office may also approach the Office for assistance in conversion of their industrial buildings.

(xix) Challenges of Wholesale Conversion:

Owners faced the following difficulties in wholesale conversion of the buildings:

- (a) Fragmented ownership in flatted factory buildings made it difficult to arrive at a consensus among owners, which was time-consuming;
- (b) DEVB would not want to see that owners asked all tenants to move out for the wholesale conversion and so they hoped that owners could arrange for relocation or exchange of flats to solve the lack of conciliation and vacate the whole factory for wholesale conversion.

48. Mr. CHEUNG concluded that he hoped that owners of factory buildings could make use of the three-year grace period of the policy to optimise the use of industrial buildings.

49. The Chairman said that a paper submitted by 10 WTSDC Members of DAB (Wong Tai Sin Branch) (Annex II) with the title “Views on Optimising the Use of Industrial Buildings to Meet Hong Kong’s Changing Economic and Social Needs” was put on table. Before other Members gave their speeches, Mr. LAI Wing-ho, Joe would present the paper on behalf of other Members.

50. Mr. LAI Wing-ho, Joe introduced the paper (Annex II). All along, DAB had put forward a series of policy measures to the Government through various channel regarding optimizing the use of industrial buildings to meet Hong Kong’s changing economic and social needs, so that the precious land could be put to good use and a new horizon could be created for the economic and cultural industries of Hong Kong. As such, they welcomed the announcement of the Chief Executive in his Policy Address of 2009-2010 that old industrial buildings would be revitalised to meet economic and social needs of Hong Kong. They considered that the Government could further refine and rationalise the related policies to provide adequate incentives to attract enterprises to station in old industrial buildings, keep close communication with all sectors, and study the way to promote the related measures to other industries. To optimise and revitalise the existing old industrial buildings, and meet the changing economic and social needs, DAB had seven suggestions:

- (i) Preferential methods of calculation and payment could be further provided relating to the determination of premium and payment.
- (ii) Only those fully converted buildings could be exempted

the charges, as regards those buildings with fragmented ownership, the objection of a small number of owners and the refusal of the original factory owners to move out the buildings would render the conversion difficult. The authority concerned should review the effectiveness of the new policy and study the way to assist the owners of those industrial buildings having the difficulty in transforming.

- (iii) The Government should set up a one-stop platform or dedicated departments to handle the conversion of old industrial buildings. As the alteration of the use of flats by owners required the approval of a number of departments or organisations which had different procedures and legislative requirements, and so the administrative cost would be aggravated. If a dedicated department could be established, administrative effectiveness could be enhanced, and the conversion of industrial buildings could be expedited.
- (iv) A certain degree of flexibility should be allowed for the conversion of industrial buildings taking into consideration the fire services, buildings and planning requirements.
- (v) The Government should further relax the land uses of industrial zone to increase the flexibility of schedule of uses;
- (vi) The Government could set up thematic industrial area in the vacant industrial buildings under its purview, revitalise the ancillary facilities to attract the similar kind of industries to station in the area and provide preferential rent to related tenants.
- (vii) The Government should realign the road design of old industrial area, increase the traffic ancillary facilities, the cultural and recreational facilities and green space in old industrial area to meet the commercial needs or other purposes.

51. Mr. WONG Kam-chiu shared the view of DAB. The Government put forward the policy of revitalising industrial buildings in the policy address, which could vacate land for the long term economic development of Hong Kong on one hand, and promote the development of creative and

cultural industries on the other. If the policy could be implemented appropriately, unemployment rate could be alleviated. As such, the policy was worth supporting. He hoped that the Government could quicken the step and finalise the plan earlier. There were many districts with a great number of industrial buildings, to attract more people, each district should have different characteristics, and each district should have specialisation in work to achieve balanced development and avoid overlapping of functions. There were many industrial buildings in Wong Tai Sin, and there were already 35 industrial buildings in San Po Kong. Many games and leisure venues had been set up in old industrial buildings in San Po Kong. San Po Kong had already become the leisure hot spot of youngsters. He suggested that the Government turned San Po Kong into a more dynamic community through the alignment of policies and all kinds of ancillary facilities. As some factory owners told him that owing to the fragmented ownership in factory buildings, it was difficult to achieve the consensus of all owners for wholesale conversion. Based on the policy of revitalising industrial buildings, if the industrial building was 15 years old, after obtaining the consent of all owners for wholesale conversion, land premium could be exempted for the changes in land use. However, owing to the fragmented ownership of a number of industrial buildings, it was difficult to achieve the consensus of all owners, and so he suggested that the condition “the unanimous consent of all owners must be sought” be changed to “the consent of 80% to 85% of owners must be sought” to benefit more people.

52. Mr. WONG Kwok-tung supported the policy of optimising the use of industrial buildings, as well as the various principles of all policies. However he was worried that the policy would become a property project, and real estate agents might reap the benefit from it, or mislead buyers through dishonest means to make a profit. To prevent the said problem from occurring, one must start with lease modifications. He was also worried that optimising the use of industrial buildings would be like heritage revitalisation, and become a property project like 1881 Heritage (former Hong Kong Marine Police Headquarter), which was criticised by the public. He hoped that the Government could study how to prevent the optimisation of industrial buildings from becoming a property project.

(Ms. KWOK Sau-ying left the meeting at 4:50pm.)

53. Mr. SO Sik-kin commended the policy of optimising the use of industrial buildings to meet Hong Kong’s changing economic and social needs. However the Government should strictly monitor the use of industrial buildings to prevent some owners from changing the use of industrial buildings ruthlessly; at the same time, the Government could also

process the applications leniently for the changes in the use of industrial buildings that met social needs.

54. Mr. MOK Kin-wing said that owing to the precious land resources, optimising the use of industrial buildings was worthy of support. In implementing the policy, the principle of “Small Government and Big Market” should not be rigidly adhered to. However, the Government’s effort in promoting the six economic areas by market was not seen. Nevertheless, as the market mechanism was operated for the greatest benefit, if the Government let the market lead the use of industrial buildings without exercising monitoring, developers and owners would choose options for reconstruction or wholesale conversion that reaped the greatest benefit. If the development of six economic areas was the trend, the Government could provide the land premium or tax concessions and encourage investors to develop six economic areas through changing the use of industrial buildings.

55. Mr. SHI Lop-tak, MH opined that revitalisation of industrial buildings could bring in business opportunity to the community and he commended the Government for adopting a positive attitude, and bringing new opportunity for industrial buildings that had been left unused for more than 20 years. The determination of the Government to revitalise industrial buildings helped encourage business start-ups or social enterprises to rent units for business purposes at a low rent. He had five suggestions towards the policy, which facilitated the long term development of revitalisation of industrial buildings:

- (i) The Government was required to consider if the concessionary measures would lead to a drop in property price when implementing a number of concessionary measures to revitalise industrial buildings.
- (ii) The Government should lead the development of residential area near the urban centre or industrial building in commercial centre.
- (iii) While revitalising industrial buildings, the Government should strike a balance with the original property projects to avoid obstructing the original property development projects.
- (iv) The Government should note whether there would be a rise in rent for the flats in the industrial buildings which social enterprises or arts group rented while changing the

use of industrial buildings, and implement effective measures to protect these groups.

- (v) As some industrial buildings would be changed to columbarium, the Government needed to process the applications with great care to avoid causing nuisance to the public and making them feel disgusted.

56. Ms. CHAN Man-ki, Maggie was concerned with the revitalisation of industrial buildings to promote creative industries. With the implementation of the policy of revitalising industrial buildings, the land premium and rent of industrial buildings might increase, and this would destroy the room of survival of creative industries and cultural industries. Creative industries were affected by the rise in rents on one hand, and they also faced the fire safety problem arising from the dangerous factories that surrounded them. She appreciated the importance of fire safety of industrial buildings in Other Specified Uses (“OU”B) zone, according to the existing requirement of the Government, commercial units of 460 m² or above were required to install sprinklers, while those flats with only 230 m² were not required to install them, this rendered it difficult for industrial buildings to revitalise. Therefore, the Government should also review the existing “Fire Services Ordinance” while revitalising the industrial buildings. Although the six economic areas fell into the category of always permitted use (column 1), the units of some creative industries had always been used for war games, small and medium-sized theatres and performance venue of orchestra with great pedestrian flow. The Government had to study and show definitely whether the uses were the always permitted use.

57. Mr. CHUI Pak-tai doubted the effectiveness of industrial building revitalisation. At present, most of the industrial buildings served non-industrial use, and a lot of owners and tenants used them illegally. If the Government had the intention to revitalise industrial buildings, they were required to enact and enforce relevant legislation, while the owners’ corporations of industrial buildings also needed to render assistance. Market was capable of automatic adjustment, businessmen would search for business opportunities, the intervention of the Government would destroy some business opportunities. At present, the supply and demand of business and industrial buildings were at a balanced state, if the Government implemented revitalisation of industrial buildings, the status quo might be altered and lead to imbalance, affecting the users and price of buildings.

58. Mr. CHAN Yim-kwong supported the revitalisation of industrial buildings. In 1997, when the property price soared to the highest point, the price of industrial buildings remained unchanged. As the price of industrial buildings was much lower than that of other buildings, and they thus attracted thousands of people to change the use of industrial buildings. The Government required a lot of manpower and money to prosecute law offenders, thus wasting the resources, as such, this policy should have been implemented more than ten years ago. Within three years from 1 April 2010, the Government would implement lease modifications at “pay for what you build” premium and the arrangement for “annual instalments of the land premium”; owners of industrial buildings might apply at a nil waiver fee within three years for wholesale conversion of existing industrial building to other uses for a lifetime of the building or the current lease period, it was believed that there would be great changes in the industrial area within three years, owners of industrial buildings over 15 years of age would persuade other owners to carry out wholesale conversion, while owners of industrial buildings over 30 years of age would wait for the developers to acquire their buildings. Since the issue of the Policy Address, as could be seen from the property news, the speculation of industrial buildings occurred. Many industrial buildings with redevelopment potential had become the target of acquisition, the price had soared up for several times. It could be seen that revitalisation of industrial buildings had become property projects.

59. Mr. HUI Kam-shing commented that since 80's, the proportion of industry to GDP had dropped continuously, while the stock of factory buildings was on the rise, showing that the demand for industrial buildings had become less, and so the Government should have implemented the revitalisation of industrial buildings twenty years ago to optimise and revitalise the industrial buildings. Just like what Mr. SHI Lop-tak had said, the Government must consider prudently the use of the industrial building after the changes, and regulate the business that might cause nuisance to the public. Once the Government relaxed the scrutiny of the applications for the changes of the use of industrial buildings, businessmen would act for making profit, however the business that they operated might not be in public's interest, and the consequences would be borne by the public, and so the Government should not relax the control on the changes in the use of industrial buildings.

60. Mr. HO Yin-fai said that the revitalisation of the industrial buildings aimed at releasing the vacated industrial buildings for the needy users. Although the intention was good, this would lead to side-effect, such as the price of industrial buildings would rise and aggravate the burden of users. The Government must alleviate the side-effect when

releasing the vacated industrial buildings to prevent the property price of industrial buildings from being pushed up by speculators. The final purpose of the policy was to optimise the use of industrial buildings, and let the needy persons use them. The Government must exercise close monitoring and prudent checking.

(Mr. MOK Kin-wing left the meeting at 5:11pm. Mr. WONG Kwok-tung left the meeting at 5:13pm.)

61. Mr. WU Chi-wai said that the purpose of revitalisation of industrial buildings was to encourage owners to redevelop the buildings or convert the whole block through abandoning the proceeds from original land premium. On the basis of utilisation of public resources, the policy had two points worthy of consideration. Firstly, developers would consider prudently if the projects were worthy of development for the planned conversion or redevelopment of industrial buildings. However the Government abandoned the past model that was effective, developers had no need to prudently consider the return of their development projects as in the past. As there was a three-year limit for the grace period, he was worried that developers might implement development projects in a rush without considering carefully the cost of land premium, leading to a mismatch of resources. Secondly, in 2008, the vacancy rate of industrial buildings was only 6.5%, he queried if the percentage deserved the special attention of the Government and the drastic implementation of the policy. He enquired about the normal vacancy rate of industrial buildings. He had no comment towards the revitalisation of industrial buildings and three-year grace period. The Government implemented the policy without adequate grounds and data and changed the existing model, it would be inevitable for the people to think that the Government took action without understanding the actual situations. He asked DEVB to explain why with the vacancy rate of only 6.5%, the Government would give up levying land premium so easily.

62. Mr. LEE Tat-yan, MH said that 35 industrial buildings were located in San Po Kong. He noted that some owners adopted a wait and see attitude, to see if developers had the intention to acquire their buildings, as well as the acquisition price, the feasibility and stability of the policy. Also, some owners considered that this policy was nothing special as it would not be difficult for the “OU(B)” buildings in San Po Kong to change the use nowadays. As the vacancy rate of industrial buildings was not high, and that the application for the changes in the use of industrial buildings would not pose a lot of difficulties, he queried if the Government had the need to implement the policy. Some owners also opined that as a lot of factory owners must operate in the existing factory units, and it

would be difficult for them to convert the whole block, and some owners also waited for the developers to acquire with a high price, and so it would be difficult to obtain the support of 80% of owners. As there were a lot of industrial buildings, it was difficult to ensure if the industrial flats had been converted to residential uses, and so the Government must closely monitor the changes in the use of factory buildings.

(Mr. CHOW Ching-lam, Tony left the meeting at 5:16pm. Mr. CHAN Wai-kwan, Andie left the meeting at 5:18pm.)

63. Mr. Raymond CHEUNG undertook to convey the views of Members to departments concerned for following up and he made a consolidated response to the enquiries of Members and the highlights were as follows:

(i) Land Premium:

If owners planned to redevelop industrial buildings, they were still required to pay land premium, however they could adopt the principle of “pay for what you build”, and the land premium required would be assessed under the modified lease based on the proposed GFA. If land premium exceeded HK\$20 million, the Government would allow owners to settle the sum in five years. If owners planned to carry out wholesale conversion of the industrial buildings, they could apply at a nil waiver fee.

(ii) Vacancy Rate of Industrial Buildings:

In 2008, the vacancy rate of industrial buildings was 6.5%. According to the statistics made by PlanD in 2005, 35% of “OU(B)” would be used for non-industrial use, in March 2009, LandsD was administering 441 short-term waivers for the changes in the use of industrial buildings, and the floor area covered was just 1% more than that of the existing industrial buildings. It could be seen that more than 30% of the industrial buildings were vacant or used illegally, as such, although the vacancy rate of industrial buildings was lower than that of offices, the under-utilisation rate of industrial buildings was very serious.

(iii) Procedures of Changing the Use of Industrial Buildings:

If owners of individual flats of industrial buildings applied to TPB for changing the use, such as using them as war game venues, TPB would veto the application when processing the application made under s16 of “Town Planning Ordinance” on the grounds of fire safety.

(iv) Direction of Changing the Use of Industrial Buildings:

The Government had always adopted the principle of “Small Government and Big Market” to implement revitalisation of industrial buildings in the hope that a platform could be provided and control could be relaxed for industrial buildings to change their uses. The Government had considered the development of industrial buildings after their uses had been changed, and hoped that the policy could be implemented expeditiously. In zones where the always permitted land use would not be planned anew, permission would be given to industrial buildings to change their uses, so that there was no need to consult TPB, DCs and all stakeholders and amend the planned outline zoning plan before finalising the application for the change of each use. As there were controversies as to whether the trades fell into the category of six economic areas, if the Government had to first clarify if individual industries fell into the category of six economic areas and then provide concessions for these industries, the problem would become more complicated. Under the new policy, owners could revitalise the industrial buildings without having to make amendments in planning based on the permitted uses of the zones where the industrial buildings were situated. Most of the industrial buildings could directly be used by trades falling into the category of six economic areas, application would only be made by individual industry, like hospital.

(v) Speeding up the Conversion of Industrial Buildings:

PlanD and LandsD had been endeavouring to change the uses of industrial buildings, but the result was unsatisfactory. The Government hoped that owners could be attracted to change the uses of industrial buildings through the concessions like land premium and

nil waiver fee. But if owners needed to redevelop or convert the whole block, they were required to seek the permission from the Buildings Department (BD) and FSD in accordance with the provision of the existing ordinance before the building facilities could be changed. The said facilities must also comply with the existing standard. Based on safety reasons, the Government would not allow owners to change the uses of factory buildings before they obtained the permission from the relevant Government departments. The Government had provided the incentives to attract owners to change the use of factory buildings, however, other necessary administrative procedures could not be omitted.

(vi) Changes in the Permitted Use:

Under the existing planning, the construction of columbaria was not the permitted land use of business, industry or “OU (B)”, owners had to obtain the special permission and so the revitalisation of industrial buildings would exclude the conversion of industrial buildings to columbaria. Whereas residential flats were not the permitted use of industry or “OU (B)” zones. If residential flats were situated near factory area, they would be affected by pedestrian flow and air quality. Hotels could be built in business zone as they could provide round-the-clock air conditioning, without being affected by ventilation in the building.

(vii) Members were worried that the revitalisation of industrial buildings could bring in opportunity for property developers to make profit. Although developers owned the ownership of most of the factory buildings, a number of factory owners were small and medium-sized factory manufacturers. Owing to the relocation of factories to the Mainland or transformation, their vacant factories had been let at a low rent. Under the new policy, the Government would levy land premium according to “pay for what you build” policy, and owners could pay land premium according to the GFA for development. As for wholesale conversion, only 1% of owners applied for the changes in the use of factory buildings, and paid waiver fees to LandsD. The rest might operate illegally. The new policy would provide incentive to owners to convert

the whole block with a nil waiver fee to alleviate the pressure of owners in wholesale conversion of industrial buildings.

(viii) Transforming the Pattern of Business Operation:

In the course of conversion of industrial buildings, factory owners would made the cost-effective decision according to the market-led principle. Business decision was not direct and simple, owners would not act ruthlessly because of waiver fee. Some Members were mistaken in thinking that wholesale conversion would be exempted the land premium, correctly speaking, it was only waiver fee that was exempted, not the land premium. Different trades or users of six economic areas and owners of factory buildings should position themselves for the business development by taking into account the advantages of their own in the coming three years. Hong Kong businessmen were smart enough to develop their business according to the new rules of market and reap the greatest return. DEVB considered that this was the golden opportunity for redevelopment and hoped that owners could seize the opportunity to redevelop their factories.

64. Mr. CHEUNG appreciated that there would be difficulties when implementing the policies, for example consent of 100% of ownership should be sought for wholesale conversion. As such, DEVB would carry out mid-term review one and half a year after the implementation of policies to examine the situation. People from different sectors were welcome to continue to express their views.

65. The Chairman thanked Mr. CHEUNG for attending the meeting and asked DEVB to note and follow up the views of Members.

(Mr. Raymond CHEUNG left the meeting at this juncture.)

III (iv) Establishment of Wong Tai Sin Monitoring Group on Shatin to Central Link
(WTSDC Paper 65/2009)

66. The Chairman invited Mr. SO Sik-kin who submitted the paper to present.

67. Mr. SO Sik-kin said that he received the application to owners' incorporation of Tsui Chuk Garden of his constituency from Transport and Housing Bureau (THB), Railway Development Office of the Highways Department (HyD) and MTR Corporation Ltd (MTR) a few months ago for the investigation. After a few months of investigation, the Government departments concerned and MTR sent a few managers and engineers to explain the arrangement about SCL (Wong Tai Sin Section) and he thus knew that the works was targeted to complete in 2015. SCL would run from Tai Wai to MTR (Diamond Hill Station) via Chuk Yuen Estate and the area 20m below Tsui Chuk Garden. MTR needed to acquire Ma Chai Hang Playground as temporary works site and construct evacuation exit and vent at that spot. The second vent would be constructed at the carpark next to Wong Tai Sin Temple. He was worried that the works project would bring environmental, conservation, air, noise, traffic and social problems, causing serious impact on Wong Tai Sin. Although he agreed that SCL should be completed as early as possible to rationalise the railway network, a lot of residents showed worry about the works. The departments concerned should communicate more with Members relating to the works and let parties affected understand the works details more. He suggested that Wong Tai Sin Monitoring Group on Shatin to Central Link be established or incorporated in the "Working Group on Government and Public Utilities Works Project" to collect comprehensive views. As alignment of SCL (Wong Tai Sin Section) in Chuk Yuen was far away from Diamond Hill, an additional vent was required at Ma Chai Hang Playground. MTR could consider constructing MTR station directly there to facilitate residents on one hand, and increase the revenue of MTR on the other. He hoped that a working group for the works could be established, so that Members could express their views to departments concerned and MTR and know more about the difficulties, thus explaining and reflecting the views to residents of the district and ensuring the smooth implementation of works.

68. The Chairman said that MTR liaised with a number of WTSDC Members by phases, however they submitted different information at different times, and Members were bewildered. MTR had not formally submitted the paper to WTSDC for examining the works details and assessing the impact on Wong Tai Sin district. He suggested that MTR firstly furnished detailed information to WTSDC, then reconsidered whether the works be followed up by WTSDC, the Traffic and Transport Committee (T&TC) under WTSDC or the working group.

69. Mr. CHAN On-tai gave a brief description about the consultation conducted by MTR at his constituency. MTR sent representatives to Tin Ma Court on 14 October 2009 and briefed the works project of SCL (Wong

Tai Sin Section), illustrating that the whole Ma Chai Hang Playground would be used as temporary works site. He once enquired MTR the reason why Ma Chai Hang Playground with more than 3 hectares in area would be used as works site, however MTR had not given detailed explanation but promised to submit detailed information in the next meeting. Mr. CHAN opined that Ma Chai Hang Playground was the important recreational facilities of Tin Ma Court, Tin Wang Court and Chuk Yuen Estate, if it was acquired, it would cause serious impact on the livelihood of residents. He conducted a questionnaire survey on 24 October and retrieved 1269 questionnaires on 1 November. 99.6% of residents objected to the use of Ma Chai Hang Playground as temporary works site for the construction of temporary vent shaft. Residents asked him to express views on their behalf, requesting MTR to submit more detailed information to WTSDC and the public during the works assessment stage, so that WTSDC could have in-depth discussion, listen to residents' views and work out an option acceptable to all. He urged Members to sign the questionnaires (Annex 3) on table to support his proposal by requesting MTR to consult WTSDC views before making decision on the project.

70. Mr. KAN Chi-ho, BBS, MH said that the three papers submitted by Mr. SO Sik-kin, Mr. HUI Kam-shing and Mr. CHAN On-tai relating to SCL were related to livelihood. In the past, the smooth implementation of works in Wong Tai Sin and the support given by WTSDC were due to the full consultation by departments concerned, and so Members could understand the works details and thus monitor and reflect residents' views. However MTR had not consulted any committees under WTSDC for the works. The acquisition of Ma Chai Hang Playground should be discussed in the meeting of WTSDC or District Facilities Management Committee (DFMC). As MTR had not consulted WTSDC formally relating to SCL (Wong Tai Sin Section), he shared the views of the Chairman that before MTR consulted WTSDC, there was no need to set up Wong Tai Sin Monitoring Group on Shatin to Central Link. However, he appreciated that Members from the affected constituency were required to reflect residents' appeals for the issue.

(Mr. CHUI Pak-tai left the meeting at 5:45pm.)

71. Mr. HUI Kam-shing distributed before the meeting started the letter (Annex 4) issued by six Mutual Aid Committees of Chuk Yuen South Estate, Residents' Association of Chuk Yuen South Estate, and residents of Chuk Yuen South Estate to WTSDC Members and urged Members to object to the acquisition of Ma Chai Hang Playground for constructing MTR vent shaft and requesting MTR to consult the views of WTSDC first

before making decision to construct the works. He shared the views of Mr. SO Sik-kin stated in his paper and appreciated that monitoring the works progress of SCL (Wong Tai Sin Section) referred to the finalisation of follow-up work of WTSDC upon the formulation of works option. However in lack of works details, WTSDC could not exercise monitoring. He shared the views of the Chairman and Mr. KAN Chi-ho that MTR should submit consultation paper to WTSDC. WTSDC should also closely monitor the works and let Members express their views. He had met with MTR representative and noted that the works would commence in early 2010. He also heard that the Leisure and Cultural Services Department (LCSD) had notified the staff of Ma Chai Hang Playground that Ma Chai Hang Playground would cease their operation in the end of December 2009. He thanked Mr. KAN, DFMC Chairman, that enquiry would be made to LCSD in the next DFMC meeting as to whether Ma Chai Hang Playground would change its use or cease operation, however this did not mean that MTR had no need to consult WTSDC, nor would WTSDC accept the fact that MTR did not consult WTSDC formally.

72. Mr. LAI Wing-ho, Joe said that Members got different messages relating to the works, which reflected that the consultation of MTR was a failure. MTR had consulted WTSDC or T&TC about issues relating to SCL (Wong Tai Sin Section)(for example, the construction of depot in former Tai Hom Tsuen). It was not known if the strong objection from Members deterred MTR from consulting WTSDC or T&TC relating to the project. They just consulted individual Members instead. SCL (Wong Tai Sin Section) was an important project, however the works option had not been finalised yet. WTSDC had not reached a consensus for this matter. If MTR declined to conduct formal consultation, it would only infuriate people. He hoped that MTR could put consultation on the right track and consult WTSDC or T&TC properly, so that WTSDC could understand the details of the works.

73. Mr. WONG Kam-chi said that the paper submitted by the three Members fully reflected the worries of Members about the impact of SCL (Wong Tai Sin Section) on Wong Tai Sin. As MTR had not submitted any works information to WTSDC, and so it was suggested that a letter would be sent to MTR in the name of WTSDC, to request the early submission of all details of the works projects to be carried out in Wong Tai Sin, otherwise, WTSDC would not welcome the implementation of works in Wong Tai Sin by MTR. He did not believe that MTR could commence works without the consent of WTSDC. The acquisition of the whole Ma Chai Hang Playground as temporary works site was unreasonable.

74. Mr. LEE Tat-yan considered that as WTSDC had not been informed about the works details of SCL (Wong Tai Sin Section), it would be premature to set up a working group. He agreed to the views of Mr. WONG Kam-chi that a request could be made to MTR to submit a paper in the name of WTSDC. MTR could not commence works before the agreement from WTSDC was sought. WTSDC could discuss if there was a need to set up a working group upon the receipt of the paper from MTR.

75. Mr. MOK Ying-fan suggested making an enquiry to Ms. YAU Lai-sze, Lizzy, District Leisure Manager of LCSD if MA Chai Hang Playground would cease operation this year. He felt surprised by the secret consultation of MTR, and commented that MTR should carry out open consultation, which would be beneficial to the public. He considered that before MTR submitted the works details, there was no need to set up a working group in a great haste. However, WTSDC should request MTR to submit the paper for Members to express their views.

76. Mr. HO Yin-fai said he heard that Ma Chai Hang Playground would be acquired by MTR and so had to be closed for five years, one third of it would be permanently acquired for building vent shaft, as such residents could not use it. He suggested Ms. YAU to clarify if the rumour was true. He also considered that it would be too early to set up the working group proposed by Mr. SO Sik-kin, WTSDC could decide if a working group be set up to follow up the work upon the submission of paper by MTR.

77. Ms. CHAN Man-ki, Maggie agreed that WTSDC should follow up SCL (Wong Tai Sin Section) actively. Even though the working group was not set up, a letter should also be sent to MTR to request them to clarify if Ma Chai Hang Playground be acquired as temporary works site. If this was true, WTSDC should set up the working group immediately to monitor the works progress.

78. Mr. HO Hon-man considered that MTR must obtain the agreement of WTSDC prior to the commencement of SCL (Wong Tai Sin Section). The responsibility of consulting WTSDC lied in MTR, and so WTSDC had no need to write to urge MTR to submit paper.

79. The Chairman opined that the paper submitted by Mr. SO Sik-kin had successfully stimulated the discussion of this matter by all Members, which reflected WTSDC's concern of SCL (Wong Tai Sin Section).

80. Mr. SO Sik-kin added that he thanked Members for showing concern towards SCL (Wong Tai Sin Section). Engineers and project

managers of MTR introduced the works project to him, he was shown the route map of SCL (Wong Tai Sin Section), and he was informed that the works would be completed in 2015. MTR had also carried out investigation for a few months in Tsui Chuk Garden, which worried him that MTR would not consult the public during the construction. If WTSDC had not monitored the works, it would not be easy for them to offer explanation to the public. Fortunately he noted from the meeting that MTR had not consulted the views of all WTSDC Members for the works. He would take into consideration the views of the Chairman and other Members and agreed that consideration would be given to whether a working group would be set up after MTR had submitted the paper to WTSDC.

(Mr. CHAN Yim-kwong, Joe left the meeting at 5:55pm.)

81. The Chairman said that unless Members had other views towards the issue, otherwise, the suggestion made by Mr. WONG Kam-chi should be handled directly, i.e., decision should be made as to whether letter would be written to MTR to request for the speedy submission of the paper for SCL (Wong Tai Sin Section).

82. Mr. WONG Kam-chi said that Mr. HUI Kam-shing just enquired Members if they supported ‘Objection to “Acquisition of Ma Chai Hang Playground for Construction of the Vent Shaft of MTR”’, however as MTR had not indicated if a vent shaft would be built there, so it was difficult to decide whether it should be supported.

83. Mr. KAN Chi-ho supported the views of Mr. HO Hon-man and considered that consulting WTSDC was the responsibility of MTR. MTR should consult WTSDC or appropriate committees under WTSDC relating to SCL (Wong Tai Sin Section), and so WTSDC had no need to write to MTR in haste and make an enquiry. At the same time he believed that the discussion today had clearly conveyed the concern of WTSDC towards SCL (Wong Tai Sin Section). Although being DFMC Chairman, he was not consulted by MTR about the acquisition of Ma Chai Hang Playground for temporary works site. He just heard from Ms. YAU that MTR had this plan.

84. Mr. CHOI Luk-sing, MH said that MTR had sent staff to enquire him about SCL (Wong Tai Sin Section). He had enquired MTR representatives why only individual Members, not WTSDC, were consulted directly. MTR representatives said that the meeting aimed at exchanging views with Members. MTR would consult WTSDC directly after collecting the views of Members of affected district, and so there was no

need for WTSDC to write to MTR.

85. Mr. CHAN On-tai considered that there was a need to write to MTR, and requested them to consult WTSDC relating to SCL (Wong Tai Sin Section) as early as possible. A firm stance must be adopted, otherwise if there was delay in works, WTSDC might have to bear some responsibilities. He added that the site of Ma Chai Hang Playground was originally acquired for constructing public housing, and playground was constructed afterwards with the proactive request of residents.

86. Mr. KAN Chi-ho said that the blame against WTSDC for obstructing the works of SCL (Wong Tai Sin Section) was unreasonable, nor was it substantiated. Prior to the commencement of works, a large organisation like MTR should know that they must consult DCs which represented the views of the public. Therefore WTSDC had no need to write to MTR. If MTR considered that there was no need to consult WTSDC prior to works commencement, they might lack the qualification for constructing railways.

87. The Chairman opined that as Mr. KAN, the Chairman of DFMC, had expressed his worry of not grasping the information about the acquisition of Ma Chai Hang Playground for temporary works site, he hoped that Ms. YAU could clarify if there was such a thing, and the latest development of the situation.

88. Ms. YAU thanked Members for showing their concern towards the use of Ma Chai Hang Playground. She replied that the existing Ma Chai Hang Playground was the jurisdiction of LCSD, and LCSD also noted that MTR planned to acquire that site for the construction of ancillary facilities of SCL (Wong Tai Sin Section). Although the plan of MTR was still in the drafting stage, LCSD had strongly requested MTR to consult WTSDC prior to the finalisation of the plan. MTR also agreed to the said arrangement. As regards the works details and the impact on Ma Chai Hang Playground, it would be known after MTR had provided further information and WTSDC had been consulted.

89. The Chairman thanked Ms. YAU for giving clarification, and believed that MTR must consult WTSDC relating to SCL (Wong Tai Sin Section). They could not implement works at will in Ma Chai Hang Playground managed by DFMC without consulting WTSDC. As such, he opined that WTSDC had no need to write to MTR.

90. Mr. WONG Kam-chi clarified that he just suggested to write to

MTR only because the three Members of the affected districts submitted papers to express concerns over MTR's plan to use Ma Chai Hang Playground as temporary works site for SCL. If WTSDC considered that there was no need to write to MTR to request them to submit paper to WTSDC earlier, he would not insist.

91. Mr.LAI Wing-ho,Joe commented that WTSDC should have the confidence that before consulting WTSDC, MTR would not dare to commence the works of SCL(Wong Tai Sin Section).

92. The Chairman thanked Members for giving a lot of views towards SCL(Wong Tai Sin Section), and had relayed the concern of residents. The Secretariat had noted the views of Members. It was believed that WTSDC would discuss the works in details when MTR formally consulted WTSDC. Nowadays, it would be impossible for MTR to use the leisure facilities without conducting thorough consultation. The Chairman thanked Mr. SO Sik-kin for submitting the paper and concluded that there was no need to set up a working group at this stage. Members showed no objection to the conclusion and proposed arrangement of the Chairman.

IV. Progress Reports

(i) Progress Reports of the 12th Meeting of the Community Building and Social Services Committee held on 29.9.2009
(WTSDC Paper 66/2009)

93. Members noted the paper.

(ii) Progress Report of the 12th Meeting of the District Facilities Management Committee held on 6.10.2009
(WTSDC Paper 67/2009)

94. Members noted the paper.

(iii) Progress Report of the 12th Meeting of the Traffic and Transport Committee held on 13.10.2009
(WTSDC Paper 68/2009)

95. Members noted the paper.

(iv) Progress Report of the 12th Meeting of the Finance, General and Economic Affairs Committee held on 20.10.2009
(WTSDC Paper 69/2009)

96. Members noted the paper.
- (v) Progress Report of the 11th Meeting of the Housing Committee held on 27.10.2009
(WTSDC Paper 70/2009)
97. Members noted the paper.
- (vi) Progress Report of the 12th Meeting of the Food and Environmental Hygiene Committee held on 3.11.2009
(WTSDC Paper 71/2009)
98. Members noted the paper.
- (vii) Progress Report of the Wong Tai Sin District Management Committee held on 29.10.2009
(WTSDC Paper 72/2009)
99. Members noted the paper.

V. Date of Next Meeting

100. The 14th meeting of WTSDC would be held on 5.1.2010 (Tuesday) at 2:30pm.
101. There being no other business, the meeting adjourned at 6:25pm.

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December 2009

Note: Should there be any discrepancies between the Chinese and English versions, the Chinese version shall prevail. This English summary translation is for reference only.

