

立法會
Legislative Council

LC Paper No. CB(3) 740/09-10

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From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 2 June 2010

**Proposed amendments to motion on
“Increasing the powers and responsibilities of
District Councils in district planning”**

Further to LC Paper No. CB(3) 713/09-10 issued on 20 May 2010, seven Members (Hon Frederick FUNG Kin-kee, Hon WONG Kwok-hing, Hon Miriam LAU Kin-ye, Hon IP Kwok-him, Hon Ronny TONG Ka-wah, Hon James TO Kun-sun and Hon Paul TSE Wai-chun) have respectively given notice of their intention to move separate amendments to Prof Hon Patrick LAU Sau-shing’s motion on “Increasing the powers and responsibilities of District Councils in district planning” scheduled for the Council meeting of 2 June 2010. As directed by the President, the respective proposed amendments will be printed in the terms in which they were handed in on the Agenda of the Council.

2. The President will order a joint debate on the above motion and amendments. To assist Members in debating the motion and amendments, I set out below the procedure to be followed during the debate:

- (a) the President calls upon Hon Patrick LAU to speak and move his motion;
- (b) the President proposes the question on Hon Patrick LAU’s motion;
- (c) the President calls upon the seven Members, who intend to move amendments, to speak in the following order, but no amendment is to be moved at this stage:
 - (i) Hon Frederick FUNG;
 - (ii) Hon WONG Kwok-hing;

- (iii) Hon Miriam LAU;
 - (iv) Hon IP Kwok-him;
 - (v) Hon Ronny TONG;
 - (vi) Hon James TO; and
 - (vii) Hon Paul TSE;
- (d) the President calls upon the designated public officer(s) to speak;
 - (e) the President invites other Members to speak;
 - (f) the President gives leave to Hon Patrick LAU to speak for the second time on the amendments;
 - (g) the President calls upon the designated public officer(s) again to speak;
 - (h) in accordance with Rule 34(5) of the Rules of Procedure, the President has decided that he will call upon the seven Members to move their respective amendments in the order set out in paragraph (c) above. The President invites Hon Frederick FUNG to move his amendment to the motion, and forthwith proposes and puts to vote the question on Hon Frederick FUNG's amendment;
 - (i) after Hon Frederick FUNG's amendment has been voted upon, the President deals with the other six amendments; and
 - (j) after all amendments have been dealt with, the President calls upon Hon Patrick LAU to reply. Thereafter, the President puts to vote the question on Hon Patrick LAU's motion, or his motion as amended, as the case may be.

3. For Members' ease of reference, the terms of the original motion and of the motion, if amended, are set out in the **Appendix**.

(Mrs Justina LAM)
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion debate on
“Increasing the powers and responsibilities of
District Councils in district planning”
to be held at the Legislative Council meeting
of Wednesday, 2 June 2010**

1. Prof Hon Patrick LAU Sau-shing’s original motion

That, as the current role of District Councils is mainly advisory in nature, and their substantive powers and responsibilities regarding district planning have yet to be clearly defined, the actual circumstances and wishes of residents of the respective districts cannot be relayed promptly to the Administration in a ‘bottom-up’ manner during the planning process, and due to the segregation of policy departments and disparity between their priorities, resources cannot be put to the best use, and hence the district planning undertaken by the Government often does not have support from the local community; in this connection, this Council urges the Government to increase the powers and responsibilities of District Councils in district planning, including:

- (a) to enhance the participation of District Councils in landscaping, greening and environmental improvement projects and their management, and organize community building forums and open design competitions to forge consensus on district planning;
- (b) to divide Hong Kong into several major communities, in respect of which District Councils and the Planning Department should collaborate and co-ordinate with the relevant policy departments to jointly formulate and review regularly ‘community-based’ district planning programmes and practicable improvement plans, according to the actual needs and wishes of individual districts, as well as for the benefit of the community as a whole;
- (c) to allocate more resources for District Councils to engage professionals to conduct various thematic planning studies and urban design in respect of the respective districts, and submit the reports to the Planning Department for consideration; and
- (d) to confer powers and responsibilities on District Councils to participate in the planning of the major community works and ancillary facilities required by the respective districts, including public housing, community halls, cultural and recreational facilities, open spaces, refuse recovery yards, incinerators, columbarium niches, etc., so as to develop an integrated and comprehensive community,

thereby combining the strengths of the Government, representative councils and the public to implement district planning and development, and to jointly enhance the living environment of various districts, so as to develop Hong Kong into a quality city.

2. Motion as amended by Hon Frederick FUNG Kin-kee

That, *with the continuously rising aspirations of the public for quality city life, and* as the current role of District Councils is mainly advisory in nature, and their substantive powers and responsibilities regarding district planning have yet to be clearly defined, *coupled with the fact that the existing appointed members of District Councils fundamentally lack recognition*, the actual circumstances and wishes of residents of the respective districts cannot be relayed promptly to the Administration in a ‘bottom-up’ manner during the planning process, and due to *the tilted planning and land policies, as well as* the segregation of policy departments and disparity between their priorities, resources cannot be put to the best use, and hence the district planning undertaken by the Government often does not have support from the local community; in this connection, this Council urges the Government to *reform the existing planning and land policies based on the concept of sustainable development and the primary principle of public engagement and, at the same time*, increase the powers and responsibilities of District Councils in district planning, including:

- (a) *to completely abolish District Council appointment system, so that District Councils can comprehensively and truly represent the wishes of the residents of the respective districts;*
- ~~(a)~~(b) to enhance the participation of District Councils in landscaping, greening and environmental improvement projects and their management, and organize community building forums and open design competitions to forge consensus on district planning;
- ~~(b)~~(c) to divide Hong Kong into several major communities, in respect of which District Councils and the Planning Department should collaborate and co-ordinate with the relevant policy departments, *as well as through the process of public engagement*, to jointly formulate and review regularly ‘community-based’ district planning programmes and practicable improvement plans, according to the actual needs and wishes of individual districts, as well as for the *balanced* benefit of *individual districts and* the community as a whole;
- ~~(c)~~(d) to allocate more resources for District Councils to engage professionals *and civic society organizations* to conduct various thematic planning studies and urban design in respect of the respective districts, and submit the reports to the Planning Department for consideration; and
- ~~(d)~~(e) to confer powers and responsibilities on District Councils to participate in the planning of the major community works and ancillary facilities required by

the respective districts, including public housing, community halls, cultural and recreational facilities, open spaces, refuse recovery yards, incinerators, columbarium niches, etc., so as to develop an integrated and comprehensive community,

thereby combining the strengths of the Government, representative councils and the public to implement district planning and development, and to jointly enhance the living environment of various districts, so as to develop Hong Kong into a quality city.

Note: Hon Frederick FUNG Kin-kee's amendment is marked in ***bold and italic type*** or with deletion line.

3. Motion as amended by Hon WONG Kwok-hing

That, ~~as the current~~ ***after the abolition of the two former Municipal Councils in 1999, the Government undertook to devolve part of their powers and responsibilities, yet the expansion of the powers and responsibilities of District Councils has not been fully accomplished to date, and the*** role of District Councils is ***still*** mainly advisory in nature, and their substantive powers and responsibilities regarding district planning have yet to be clearly defined, the actual circumstances and wishes of residents of the respective districts cannot be relayed promptly to the Administration in a 'bottom-up' manner during the planning process, and due to the segregation of policy departments and disparity between their priorities, resources cannot be put to the best use, and hence the district planning undertaken by the Government often does not have support from the local community; in this connection, this Council urges the Government to increase the powers and responsibilities of District Councils in district planning, including:

- (a) ***to start from the foundation of society and adopt a community-based approach*** to enhance the participation of District Councils in landscaping, greening, ***public health***, and environmental improvement projects and their management, and organize community building forums and open design competitions to ***enable extensive public engagement and*** forge consensus on district planning;
- (b) to divide Hong Kong into several major communities, in respect of which ***the Legislative Council***, District Councils and the Planning Department should collaborate and co-ordinate with the relevant policy departments to jointly formulate and review regularly 'community-based' district planning programmes and practicable improvement plans, according to the actual needs and wishes of individual districts, as well as for the benefit of the community as a whole;
- (c) to allocate more resources for District Councils to engage professionals to conduct various thematic planning studies and urban design in respect of the

respective districts, and submit the reports to the Planning Department for consideration; ~~and~~, *so as to improve the design work of government departments during the initial planning stage;*

- (d) to confer powers and responsibilities on District Councils to participate in the planning of the major community works and ancillary facilities required by the respective districts, including public housing, community halls *and community centres, public markets, libraries*, cultural and recreational facilities, open spaces, ~~refuse-recovery yards~~ *conservation and revitalization of relics and monuments, public health facilities, public toilets and bathhouses, refuse collection points, waste separation and recycling facilities, sewage treatment works*, incinerators, columbarium niches, etc., so as to develop an integrated and comprehensive community;
- (e) *to give play to the participatory and supervisory functions of District Councils, and prompt the relevant government departments to submit timetables for early completion of various outstanding public projects of the two former Municipal Councils; and*
- (f) *to further enhance the communication and co-operation among the Legislative Council, government departments and various District Councils so that they can collaborate comprehensively to achieve synergy, thereby optimizing the effective use of public resources, minimizing duplication and internal discord to the fullest extent possible, and improving the standard of services delivered to the people of Hong Kong,*

thereby combining the strengths of the Government, representative councils and the public to implement district planning and development, and to jointly enhance the living environment of various districts, so as to develop Hong Kong into a quality city.

Note: Hon WONG Kwok-hing's amendment is marked in *bold and italic type* or with deletion line.

4. Motion as amended by Hon Miriam LAU Kin-ye

That, ~~as the current~~ *since the implementation of the system of representative government, the* role of District Councils ~~is mainly~~ *has mainly been* advisory in nature, and their substantive powers and responsibilities regarding district planning have yet to be clearly defined, *as a result, the views of District Councils on the planning of the respective districts have often been overlooked, and* the actual circumstances and wishes of residents of the respective districts cannot be relayed promptly to the Administration in a 'bottom-up' manner ~~during the planning process~~ *in most cases*, and due to the segregation of policy departments and disparity between their priorities, resources cannot be put to the best use, and hence the district planning undertaken by the Government often does not have support from the local community;

in this connection, this Council urges the Government to increase the powers and responsibilities of District Councils in district planning, including:

- (a) to enhance the participation of District Councils in landscaping, greening and environmental improvement projects and their management, and organize community building forums and open design competitions to forge consensus on district planning;
- (b) to divide Hong Kong into several major communities, in respect of which District Councils and the Planning Department should collaborate and co-ordinate with the relevant policy departments to jointly formulate and review regularly 'community-based' district planning programmes and practicable improvement plans, according to the actual needs and wishes of individual districts, as well as for the benefit of the community as a whole;
- (c) to allocate more resources for District Councils to engage professionals to conduct various thematic planning studies and urban design in respect of the respective districts, and submit the reports to the Planning Department for consideration; ~~and~~
- (d) to confer powers and responsibilities on District Councils to participate in the planning of the major community works and ancillary facilities required by the respective districts, including public housing, community halls, cultural and recreational facilities, open spaces, refuse recovery yards, incinerators, columbarium niches, etc., *and fully consult District Councils on the planning of other facilities that affect the residents of the respective districts, such as landfills*, so as to develop an integrated and comprehensive community; *and*
- (e) *to actively support various districts in developing community economy according to their respective local characteristics, such as undertaking appropriate planning for the districts' tourism resources to develop community tourism, and studying the establishment of unique and attractive culinary zones or open-air bazaars, so as to boost employment in the local communities,*

thereby combining the strengths of the Government, representative councils and the public to implement district planning and development, and to jointly enhance the living environment of various districts, so as to develop Hong Kong into a quality city.

Note: Hon Miriam LAU Kin-ye's amendment is marked in *bold and italic type* or with deletion line.

5. Motion as amended by Hon IP Kwok-him

That, as *although* the current role of District Councils is mainly advisory in nature, ~~and~~ their substantive powers and responsibilities regarding district planning have yet to be clearly defined, the actual circumstances and wishes of residents of the respective districts cannot be relayed promptly to the Administration in a ‘bottom-up’ manner during the planning process, and due to the segregation of policy departments and disparity between their priorities, resources cannot be put to the best use, and hence the district planning undertaken by the Government often does not have support from the local community; in this connection, this Council urges the Government to increase the powers and responsibilities of District Councils in district planning, *and correspondingly enhance the support for District Councils and their members*, including:

- (a) to enhance the participation of District Councils in landscaping, greening and environmental improvement projects and their management, and organize community building forums and open design competitions to forge consensus on district planning;
- (b) to divide Hong Kong into several major communities, in respect of which District Councils and the Planning Department should collaborate and co-ordinate with the relevant policy departments to jointly formulate and review regularly ‘community-based’ district planning programmes and practicable improvement plans, according to the actual needs and wishes of individual districts, as well as for the benefit of the community as a whole;
- (c) to allocate more resources for District Councils to engage professionals to conduct various thematic planning studies and urban design in respect of the respective districts, and submit the reports to the Planning Department for consideration; ~~and~~
- (d) to confer powers and responsibilities on District Councils to participate in the planning of the major community works and ancillary facilities required by the respective districts, including public housing, community halls, cultural and recreational facilities, open spaces, refuse recovery yards, incinerators, columbarium niches, etc., so as to develop an integrated and comprehensive community;
- (e) *to enhance the manpower support and resources for the secretariats of District Councils; and*
- (f) *to provide District Council members with end-of-service gratuity and medical benefits, and abolish the arrangement whereby District Council members’ Miscellaneous Expenses Allowance is taxable,*

thereby *enhancing the standard of performance of District Councils in discharging their powers and responsibilities*, and combining the strengths of the Government,

representative councils and the public to implement district planning and development, and to jointly enhance the living environment of various districts, so as to develop Hong Kong into a quality city.

Note: Hon IP Kwok-him's amendment is marked in *bold and italic type* or with deletion line.

6. Motion as amended by Hon Ronny TONG Ka-wah

That, as the current ~~role of District Councils~~ is *constituencies of District Councils are too small, District Council members have often overlooked the overall development needs of the society when striving for the benefits of the local communities; besides, the role of District Council members is also* mainly advisory in nature, and their substantive powers and responsibilities regarding district planning have yet to be clearly defined, the actual circumstances and wishes of residents of the respective districts cannot be relayed promptly to the Administration in a 'bottom-up' manner during the planning process, and due to the segregation of policy departments and disparity between their priorities, resources cannot be put to the best use, and hence the district planning undertaken by the Government often does not have support from the local community; in this connection, this Council urges the Government to *thoroughly consider expanding the constituencies of District Councils, allocate more resources and* increase the powers and responsibilities of District Councils in district planning, including:

- (a) to enhance the participation of District Councils in landscaping, greening and environmental improvement projects and their management, and organize community building forums and open design competitions to forge consensus on district planning;
- (b) to divide Hong Kong into several major communities, in respect of which District Councils and the Planning Department should collaborate and co-ordinate with the relevant policy departments to jointly formulate and review regularly 'community-based' district planning programmes and practicable improvement plans, according to the actual needs and wishes of individual districts, as well as for the benefit of the community as a whole;
- (c) to allocate more resources for District Councils to engage professionals to conduct various thematic planning studies and urban design in respect of the respective districts, and submit the reports to the Planning Department for consideration; and
- (d) to confer powers and responsibilities on District Councils to participate in the planning of the major community works and ancillary facilities required by the respective districts, including public housing, community halls, cultural and recreational facilities, open spaces, refuse recovery yards, incinerators,

columbarium niches, etc., so as to develop an integrated and comprehensive community,

thereby combining the strengths of the Government, representative councils and the public to implement district planning and development, and to jointly enhance the living environment of various districts, so as to develop Hong Kong into a quality city.

Note: Hon Ronny TONG Ka-wah's amendment is marked in *bold and italic type* or with deletion line.

7. Motion as amended by Hon James TO Kun-sun

That, as ~~the current~~ *currently not all seats of District Councils are returned by general elections, and the* role of District Councils is mainly advisory in nature, and their substantive powers and responsibilities regarding district planning have yet to be clearly defined, the actual circumstances and wishes of residents of the respective districts cannot be relayed promptly to the Administration in a 'bottom-up' manner during the planning process, and due to the segregation of policy departments and disparity between their priorities, resources cannot be put to the best use, and hence the district planning undertaken by the Government often does not have support from the local community; in this connection, this Council urges the Government to *implement full democratization of District Councils, and* increase the powers and responsibilities of District Councils in district planning, including:

- (a) *to completely abolish the appointed and ex-officio seats in District Councils, so that all seats of District Councils will be returned by direct elections, and District Councils can comprehensively and truly represent the wishes of residents of the respective districts;*
- ~~(a)~~(b) to enhance the participation of District Councils in landscaping, greening and environmental improvement projects and their management, and organize community building forums and open design competitions to forge consensus on district planning;
- ~~(b)~~(c) to divide Hong Kong into several major communities, in respect of which District Councils and the Planning Department should collaborate and co-ordinate with the relevant policy departments to jointly formulate and review regularly 'community-based' district planning programmes and practicable improvement plans, according to the actual needs and wishes of individual districts, as well as for the benefit of the community as a whole;
- ~~(c)~~(d) to allocate more resources for District Councils to engage professionals to conduct various thematic planning studies and urban design in respect of the respective districts, and submit the reports to the Planning Department for consideration; ~~and~~

- (~~d~~)(e) to confer powers and responsibilities on District Councils to participate in the planning of the ~~major~~ **regional** community works and ancillary facilities required by the respective districts, including ~~public housing,~~ community halls, cultural and recreational facilities, open spaces, ~~refuse recovery yards,~~ ~~incinerators,~~ ~~columbarium niches,~~ etc., so as to develop an integrated and comprehensive community; **and**
- (f) ***the Government must consult District Councils on the planning of territory-wide essential facilities, including public housing, refuse recovery yards, incinerators, columbarium niches, etc., so as to enable District Councils to give views to the Government on such areas, and the Government must provide District Councils with the necessary information and responses, so that the Government can take into account the views of District Councils when undertaking territory-wide planning,***

thereby combining the strengths of the Government, representative councils and the public to implement district planning and development, and to jointly enhance the living environment of various districts, so as to develop Hong Kong into a quality city.

Note: Hon James TO Kun-sun's amendment is marked in ***bold and italic type*** or with deletion line.

8. Motion as amended by Hon Paul TSE Wai-chun

That, as the current role of District Councils is mainly advisory in nature, and their substantive powers and responsibilities regarding district planning have yet to be clearly defined, the actual circumstances and wishes of residents of the respective districts cannot be relayed promptly to the Administration in a 'bottom-up' manner during the planning process, and due to the segregation of policy departments and disparity between their priorities, resources cannot be put to the best use, and hence the district planning undertaken by the Government often does not have support from the local community; in this connection, this Council urges the Government to increase the powers and responsibilities of District Councils in district planning, including:

- (a) to enhance the participation of District Councils in landscaping, greening and environmental improvement projects and their management, and organize community building forums and open design competitions to forge consensus on district planning;
- (b) to divide Hong Kong into several major communities, in respect of which District Councils and the Planning Department should collaborate and co-ordinate with the relevant policy departments to jointly formulate and review regularly 'community-based' district planning programmes and

practicable improvement plans, according to the actual needs and wishes of individual districts, as well as for the benefit of the community as a whole;

- (c) to allocate more resources for District Councils to engage professionals to conduct various thematic planning studies and urban design in respect of the respective districts, and submit the reports to the Planning Department for consideration; ~~and~~
- (d) to confer powers and responsibilities on District Councils to participate in the planning of the major community works and ancillary facilities required by the respective districts, including public housing, community halls, cultural and recreational facilities, open spaces, refuse recovery yards, incinerators, columbarium niches, etc., so as to develop an integrated and comprehensive community; *and*
- (e) *through exploring, conserving and enhancing tourism resources with historical, local or cultural characteristics and developing additional tourism infrastructure to enhance the role of District Councils in planning and promoting the development of community tourism,*

thereby combining the strengths of the Government, representative councils and the public to implement district planning and development, and to jointly enhance the living environment of various districts, so as to develop Hong Kong into a quality city.

Note: Hon Paul TSE Wai-chun's amendment is marked in *bold and italic type* or with deletion line.