

立法會
Legislative Council

LC Paper No. CB(2)1861/99-00
(These minutes have been
seen by the Administration)

Ref : CB2/PL/HA

LegCo Panel on Home Affairs

Minutes of meeting
held on Monday, 10 April 2000 at 4:30 pm
in the Chamber of the Legislative Council Building

Members Present : Hon CHOY So-yuk (Chairman)
Hon Cyd HO Sau-lan
Hon Edward HO Sing-tin, JP
Hon LEE Wing-tat
Hon LEE Kai-ming, SBS, JP
Hon Fred LI Wah-ming, JP
Hon MA Fung-kwok
Hon Gary CHENG Kai-nam
Hon Andrew CHENG Kar-foo
Hon Timothy FOK Tsun-ting, JP
Dr Hon TANG Siu-tong, JP

Members Attending : Hon CHAN Yuen-han
Hon LAW Chi-kwong, JP

Members Absent : Hon Albert HO Chun-yan (Deputy Chairman)
Hon James TO Kun-sun
Hon Christine LOH
Hon Emily LAU Wai-hing, JP
Hon Andrew WONG Wang-fat, JP
Hon LAU Wong-fat, GBS, JP
Hon FUNG Chi-kin

Public Officers Attending : Items IV

Mr Y T LAM
Principal Assistant Secretary for Home Affairs(Culture)2

Mr Paul LEUNG
Director of Leisure and Cultural Services

Ms Lolly CHIU
Deputy Director of Leisure and Cultural Services
(Administration)

Mr Isaac CHOW Yiu-nam
Deputy Director of Leisure and Cultural Services
(Leisure Services)

Mr Johnny WOO
Assistant Director of Leisure and Cultural Services
(Leisure Services)

Mr TONY MA
Assistant Director of Leisure and Cultural Services
(Heritage and Museums)

Item V

Mr Leo KWAN
Deputy Secretary for Home Affairs (1)

Mr John WAN
Principal Assistant Secretary for Home Affairs (1)

Miss Ann HON
Assistant Director of Social Welfare
(Youth/Human Resources Management)

Item VI

Mr Jonathan MCKINLEY
Principal Assistant Secretary for Home Affairs
(Recreation & Sport)

Mr P Y TAM
Assistant Director of Planning/New Territories

Mr Johnny WOO
Assistant Director of Leisure and Cultural Services
(Leisure Services)

Mr C M LAU
Chief Estate Surveyor/Estate Management
Lands Department

Mrs Helen WONG
Chief Recreation and Sport Officer
Home Affairs Bureau

Mr Edmond S K LI
Chief Building Surveyor/C1
Buildings Department

Mr H W LAU
Senior Building Surveyor/A2
Buildings Department

Clerk in Attendance : Miss Flora TAI
Chief Assistant Secretary (2)6

Staff in Attendance : Mrs Shirley NG
Senior Assistant Secretary (2)9

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I. Confirmation of minutes

[LC Paper No. CB(2)1456/99-00 and LC Paper No. CB(2)1595/99-00]

The minutes of meetings held on 13 December 1999 and 13 March 2000 were confirmed.

II. Information paper(s) issued since the last meeting

2. There was no paper issued since the last meeting.

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III. Items for discussion at the next meeting

[Appendix I to LC Paper No. CB(2)1597/99-00 - list of discussion items]

[Appendix II to LC Paper No. CB(2)1597/99-00 - list of follow-up actions]

3. Members agreed to discuss the following items at the next regular Panel meeting scheduled for 4:30 pm on Monday 8 May 2000 -

- a) Report on the 2006 Asian Games;
- b) Monitoring mechanism over the expenditure of District Councils on minor environmental improvement works; and
- c) Monogamous marriage system.

4. Members further agreed that if item (a) needed more time to discuss, a special meeting would be convened for other items.

(Post-meeting note : With the concurrence of the Chairman, the date of the regular meeting in May 2000 has been advanced to Friday, 5 May 2000 at 4:00 pm (immediately after the House Committee meeting) to discuss items (a) and (b).)

IV. Work of the new Leisure and Cultural Services Department (LCSD)

[Paper No. CB(2)1597/99-00(01)]

5. Members noted the paper on "Work of the new Leisure and Cultural Services Department". At the invitation of the Chairman, Director of Leisure and Cultural Services (D/LCS) highlighted that the setting up of the new LCSD represented a milestone in the provision of leisure and cultural services by Government. He stressed that the new department strived to achieve excellence and cost-effectiveness of services and placed great emphasis on nurturing a new culture of customer service. He advised members that two major improvements had been made by LCSD recently. Firstly, the improvement on the reading environment of libraries and the extension of opening hours of museums on public holidays. Secondly, the setting up of Customer Liaison Groups (CLGs) for strengthening communication with customers and seeking views on improvements. The first CLG meeting on 8 April 2000 was well-received by the public and more CLGs would be organised in the future. In order to acquire a better understanding of the needs of the local community, LCSD would strengthen its links with the District Councils as well.

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Demarcation of responsibilities between LCSD and other sports and cultural organisations

6. Mr CHENG Kai-nam said that there was a distinction between the provision of recreational facilities and the development of culture and sports. While the former only required provision of venues and facilities for the participation of the community, strategic and systematic planning would be necessary to nurture elite athletes and professional artists for the development of culture and sports. He enquired whether there was any clear demarcation of work in the provision of these services between LCSD and other sports and cultural organizations.

7. D/LCS explained that on the sports front, while the Hong Kong Sports Development Board (HKSDB) and the Sports Federation and Olympic Committee of Hong Kong, China (SF&OC) were responsible for the training of athletes for international competitions, LCSD was responsible for the provision of sports facilities and programmes for the community in order to cultivate a culture and an interest in sports. On the culture front, the newly established Culture and Heritage Commission (CHC) was responsible for advising Government in the development of policies and deployment of resources on arts and culture. LCSD was responsible for the provision of cultural facilities and programmes for the community in order to nurture an interest in arts and culture.

8. Mr CHENG Kai-nam remarked that the training of elite athletes and the provision of leisure activities for the community were two different levels of work. Potential elite athletes had to be identified from systematic activities organised for the purpose of sports development. He asked which organisation was responsible for the selection of elite athletes and how resources were deployed in this respect. D/LCS responded that LCSD and 71 National Sports Associations (NSAs) would work closely in the selection of potential athletes. Potential athletes would be identified in the training and competition activities jointly organised by LCSD and NSAs. He cited the recent plan of LCSD to set up district football and basketball teams in conjunction with NSAs as an example.

9. Given D/LCS's explanation, Mr CHENG Kai-nam raised queries about the role of HKSDB vis-à-vis that of NSAs on sports development and elitist training. D/LCS responded that HKSDB was widely represented. Its membership included two members from the SF&OC, the Secretary for Home Affairs (SHA) and D/LCS. Indeed, HKSDB acted as a bridge among Government, NSAs and SF&OC, and a channel for the parties concerned to put forth their opinions.

10. Mr Andrew CHENG said that while LCSD had put in a lot of efforts to develop general recreation and sports-for-all, he was concerned that the

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development failed to connect with that of elitist training. He pointed out that despite the fact that LCSD would organise district football teams and inter-district football competitions, football was not one of the focus sports for the development of elitist training. Mr CHENG was of the view that a sports culture should be cultivated among young people at an early age, and schools were good media for the development of a sports culture among young people.

11. D/LCS said that he did not agree that there was a policy conflict between recreational sports and elitist training. He explained that athletes were very expensive to nurture and it was not in the interest of the community to channel all resources to the development of a few focus sports. On the other hand, LCSD had the responsibility to satisfy the needs of the community by providing services for general recreation and sports-for-all. D/LCS stressed that LCSD understood the need to cultivate a sports culture at an early stage and therefore had already started liaison work with the Education Department (ED) and the schools.

12. Mr Andrew CHENG said that while he supported that LCSD should organise sports programmes at district level, there was a need to identify potential athletes at an early stage for elitist training. D/LCS responded that LCSD would work closely with ED and NSAs in organising training classes through which potential athletes could be identified. It was estimated that over \$40 million would be spent on these classes in the year 2000-01.

13. Echoing Mr Andrew CHENG's view, Mr CHENG Kai-nam reiterated his concern about the co-ordination between recreational sports and elitist training, and the role of HKSDB in this respect. The Chairman reminded the Administration that the working relationship between LCSD, HKSDB and NSAs for the overall development of sports was a cause of concern to members. In light of members' concerns, D/LCS undertook to prepare a paper explaining the co-ordination between LCSD, NSAs and HKSDB on the provision of recreation and sports services, and the categorisation of recreational sports training and elitist training for members' reference.

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Formulation of cultural policies

14. Miss Cyd HO said that the Chairman of the newly established CHC had recently remarked that it would be an accomplishment if CHC was able to formulate a broad policy direction on cultural development for Hong Kong in two years' time. Miss HO expressed concern that Government would dominate the direction of cultural development in Hong Kong before CHC could formulate a broad direction for cultural policies. She therefore queried who was responsible for the making of cultural policies in the meantime; and if it was the Home Affairs Bureau (HAB), whether there were any policy objectives and performance indicators.

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15. Principal Assistant Secretary for Home Affairs (Culture) 2 responded that HAB and LCSD were responsible for policy formulation and the execution of cultural policies respectively, while CHC would assume an advisory role. Similar division of responsibilities could be found in other policy areas. He explained that CHC would advise Government on overall cultural policy as well as policy issues on arts and culture. Miss Cyd HO said that it was not the expectation of the arts and culture community that CHC would only have an advisory role while the policy-making power would be centralised in HAB. She wondered whether CHC members realised that they were merely assuming an advisory role because Government had all along emphasised the high status of CHC. Mr MA Fung-kwok, who was a CHC member, said that he understood very well that CHC was a high-level advisory body and he participated in the CHC's work on the basis of this understanding.

16. In response to Miss Cyd HO's further question on policy objectives on arts and culture. D/LCS highlighted the policies for the provision of arts and cultural services and the relevant policy objectives as detailed in the HAB's Policy Objectives booklet on arts culture, sport and recreation.

Enhanced Productivity Programme (EPP)

17. Mr MA Fung-kwok expressed concern that the 5% savings to be achieved by LCSD by 2002-03 under EPP (paragraph 44 of Paper No. CB(2)1597/99-00(01) referred) would affect the provision of services by LCSD. Mr MA asked and D/LCS replied that LCSD hoped to achieve the savings by streamlining procedures, increasing productivity, reducing operating costs and contracting out services. Mr MA said that while he recognised the need for savings, he hoped that LCSD could enhance the productivity by way of providing more quality services on the basis of existing resources. D/LCS responded that while LCSD would strive to achieve the savings, it also aimed to provide more quality services through redeployment of resources.

18. Given the immense size of the two former municipal services departments, Mr LEE Wing-tat expressed dissatisfaction with the target savings of 5% by 2002-03. He was of the opinion that LCSD could achieve much more savings by economy of scale. Nevertheless, he agreed with Mr MA Fung-kwok that providing more quality services was another way of enhancing productivity.

Usage of sports and cultural facilities

19. Mr LEE Wing-tat commented that the management style of cultural and sports facilities had been very conservative and rigid, resulting in a low usage rate. He was of the view that the new LCSD should adopt a more proactive and flexible management style and marketing strategy. Mr LEE suggested that differential rates and variation of use be introduced to improve the

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marketability of less popular facilities. D/LCS responded that according to record, the lowest usage figure for LCSD facilities was above 50%. As regards the improvement of usage, LCSD was working closely with ED to encourage schools and students to make more use of the cultural and sports facilities outside peak hours, and LCSD would provide trainers and equipment where necessary. The response from schools was very positive.

20. Mr LEE Wing-tat said that in major overseas cities, 30% to 40% of the population was affiliated to sports clubs, but the figure was very low in Hong Kong. Mr LEE further said that designating venues for sports clubs as bases would foster a sense of belonging and encourage community participation in sports. He asked whether LCSD would promote the use of facilities by encouraging affiliation to sports clubs. D/LCS replied that consideration had been given to this matter but a balance had to be struck between allocating time to members of sports clubs and the general public. Moreover, time slots for the use of venues would need to be designated to NSAs for training purposes.

21. Mr LEE Wing-tat further suggested that LCSD should explore the feasibility of making advance booking through the internet. D/LCS replied that LCSD was already considering the feasibility and advance bookings would be extended from 10 to 30 days in order to facilitate bookings of sports facilities.

Capital works

22. Referring to Attachment 2 to Annex B of the paper, Mr LEE Kai-ming expressed concern that the proposed construction of the Tai Po Civic Centre had been replaced by a Tai Po Complex. He pointed out that the local community had very strong aspirations for a civic centre which was agreed to be provided by the then Provisional Regional Council (ProRC). D/LCS responded that as far as he understood, the proposed Tai To Civic Centre was not yet included as a capital work project of the ProRC. While LCSD was aware of the aspirations of the community for a civic centre in Tai Po, it had to ensure that the future usage of the venue would not be too low. However, he undertook to look into the proposal in detail.

23. Mr Timothy FOK said that LCSD had co-operated well with SF&OC which represented 71 NSAs but there were many problems to be dealt with in the provision of sports services. Noting that about \$2 billion would be spent each year on cultural and sports services, Mr FOK expressed concern about the cost effectiveness of the spending. He suggested that LCSD should plan sports and cultural facilities and venues on the basis of three principles in the future i.e. effective functions, aesthetic design and commercial principles. D/LCS said that he would consider Mr FOK's suggestion.

Libraries and museums services

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24. Mr Andrew CHENG expressed dissatisfaction that libraries were not open on public holidays and museums would sometimes close on a public holiday if their weekly closing day fell on that day. He was of the view that libraries and museums should be open on public holidays so that parents could accompany their children to visit. D/LCS responded that the opening hours of libraries and museums would be reviewed on a regular basis.

25. Miss Cyd HO expressed concern about the postponement in the opening of the new Hong Kong Central Library (HKCL) (paragraph 33 of Paper No. CB(2)1597/99-00(01) referred). Miss HO asked and Assistant Director of Leisure and Cultural Services (Heritage and Museums) (AD(HM)) replied that the delay in the opening of the new HKCL was due to a failure to select a suitable computer work contractor in the first tender exercise such that a second tender exercise had to be called. As a result, the opening of HKCL was postponed.

26. Miss Cyd HO asked whether all librarians possessed a degree in library management and how LCSD would deal with the problem of inadequate supply of professionally qualified librarians. AD(HM) informed members that in view of the large number of libraries in Hong Kong, there was an inadequate supply of professionally qualified librarians. At present, all Assistant Librarians I and above were professionally qualified and in-service training was provided to those Assistant Librarians II who had not yet gained the professional qualifications.

Transfer of the Music Office

27. In response to the Chairman's enquiry about the proposed transfer of the Music Office to the Academy of Performing Arts (APA), D/LCS informed members that the Administration intended to implement the proposed transfer and was still pursuing the matter with APA. In this connection, the Chairman reminded the Administration that deputations had made representations to the Panel, expressing their strong reservation on the proposed transfer as recommended in the Consultancy Study on Culture, the Arts, Recreation and Sports Services.

Review of fees and charges

28. The Chairman asked whether LCSD would on a regular basis report to the Panel on the review of fees and charges for various leisure and cultural services. D/LCS replied that LCSD needed to align the fee level adopted in the urban area and NT, and any increase in many fees and charges by LCSD would be subject to the negative vetting procedure of the Legislative Council.

29. The Chairman thanked representatives of the Administration for

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attending the meeting.

V. Fundamental Expenditure Review on Youth

[Paper Nos. CB(2)1597/99-00(02) and CB(2)1675/99-00]

30. At the invitation of the Chairman, Principal Assistant Secretary (Home Affairs (1)) (PAS(HA)1) briefed members on the proposed redeployment of resources to HAB for youth development programmes and the transfer of management of subventions to uniformed groups and related services from the Social Welfare Department (SWD) to HAB as detailed in paragraphs 6 to 13 of the paper on "Fundamental Expenditure Review on Youth". Assistant Director of Social Welfare (Youth/Human Resources Management) (AD(Y/HRM)) also briefed members on the proposed redeployment of resources from children and youth centres to the school social work service as detailed in paragraphs 3 to 5 of the paper. She stressed that the resources spent on youth welfare services had not been reduced as a result of the redeployment exercise.

Consultation

31. Deputy Secretary for Home Affairs (1) highlighted that the Commission on Youth and the Social Welfare Advisory Committee had been consulted on the three resources redeployment proposals following the completion of the Fundamental Expenditure Review on Youth, and that both of them had endorsed the proposals. AD(Y/HRM) also stressed that all parties concerned had been consulted on and were in support of the resources redeployment proposals.

32. Mr LAW Chi-kwong said that while the Administration had emphasised that all parties concerned had been consulted, he failed to see any record stating the endorsement of the Social Welfare Advisory Committee (SWAC) nor the LegCo Panel on Welfare Services.

(Post-meeting note : The Administration has advised that the proposal was endorsed by SWAC at its meeting on 30 March 2000)

33. Miss CHAN Yuen-han, Chairman of the LegCo Panel on Welfare Services, pointed out that as a matter of fact, while the LegCo Panel on Welfare Services was agreeable to the proposed school social worker scheme, it objected to the redeployment of resources from existing children and youth centres (CYCs) and study and reading rooms (SR rooms). She asked whether the Panel's views had been considered. AD(Y/HRM) explained that the redeployment of resources of some of the CYCs was necessitated by the fact that some districts had an ageing population, and the size of population was on a decline. The demand for CYCs and SR rooms had decreased in these

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districts. As resources were finite, it was always necessary to target them at areas of higher priority, and the redeployment exercise would involve the rationalisation of the current provision of CYCs.

Provision of school social workers for schools with a large number of students

34. Members noted a joint letter from the principals of Tack Ching Girls' Middle School and Pui Ying Secondary School which was tabled at the meeting, and also subsequently issued vide LC Paper No. CB(2)1675/99-00. The letter expressed strong dissatisfaction that the provision for schools with a larger number of students previously serviced by one and a half to two school social workers would be reduced under the "one social worker for each existing secondary school" scheme ("the proposed scheme").

35. Mr LAW Chi-kwong asked about the rationale for reducing the provision of school social workers to these schools. AD(Y/HRM) responded that under the proposed scheme, one social worker would be provided to one secondary school irrespective of the nature and size of the school. However, additional service needs of larger schools would be met by Integrated Teams (ITs)/CYCs and other community based services in the catchment area if the workload so warranted. Each IT was established with 18 staff, 11 of which were registered Social Workers. The proposed scheme aimed to deploy resources in a flexible manner. She stressed that the proposed scheme had been discussed at a meeting of the LegCo Panel on Welfare Services, and also explained to school principals including those of Tack Ching Girls' Middle School and Pui Ying Secondary School at a meeting held with them at the end of March 2000.

36. Mr LAW Chi-kwong said that the Administration's explanation had failed to address his question. He pointed out that larger schools were also serviced by CYCs and outreaching social workers in the past even though they were provided with one and a half to two school social workers. Mr LAW expressed dissatisfaction that SWD had implemented the proposed scheme so rigidly. He specifically asked whether the proposed scheme would lead to a reduction in the number of school social workers provided to large schools in term of full-time man count.

37. AD(Y/HRM) responded that it was Government's policy to provide one stationing school social worker for each existing secondary school. Apart from the standard provision, the proposed scheme would provide additional support to schools through ITs or CYCs if necessary. The Chairman asked whether larger schools could be provided with more than one full-time school social worker under the proposed scheme. AD(Y/HRM) reiterated that the proposed scheme aimed to provide social workers in a flexible manner. She said that each ITs was made up of school social workers, CYCs and outreaching social workers, the resources of which could be deployed to

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schools flexibly as and when required.

38. In response to Miss Cyd HO's query, AD(Y/HRM) clarified that previously school social workers were not deployed on stationing basis despite the fact that the number designated to each school might be more than one. A school social worker would not station at a school on a full-time basis and a larger school might have two school social workers who would station at the school two or three days a week. Under the proposed scheme, one social worker would be provided to each school on a full time basis i.e. the social worker would be required to station at the school during school days. Miss HO asked whether the resources of ITs under the new scheme could be controlled by schools. AD(Y/HRM) replied that the resources of ITs as well as school social workers were controlled by SWD. As regards the provision for new secondary schools starting from the school term of September 2000, one school social worker would be provided for each school as recurrent consequences of capital projects of new schools under the budget of SWD.

39. Noting that larger schools would need more support, the Chairman was of the view that ITs/CYCs should assign designated social workers to provide services to these schools as required. Miss Cyd HO shared the Chairman's view. AD(Y/HRM) responded that it was the understanding between SWD and non-governmental organisations running ITs and CYCs that additional support would be provided to those schools as and when required.

Problem of staff redundancy

40. Mr Fred LI expressed concern that implementation of the proposed scheme would lead to staff redundancy. He noted that although there would be no funding reduction, the redeployment of resources under the proposed scheme involved different ranks and types of staff. For example, school social workers were pitched at Assistant Social Work Officer level while most social workers of CYCs were ranked at Social Work Assistant. He asked the Administration whether there was any plan to deal with the problem of staff redundancy. AD(Y/HRM) responded that in the coming financial year, over \$380 million of new funds would be allocated for the provision of new service projects mainly on elderly and rehabilitation services. Most of the staff members required were ranked at Social Work Assistant, Welfare Worker and Clerical grades. She was confident that staff members who became redundant as a result of the implementation of the proposed scheme could be absorbed by the provision of new services.

41. Mr Fred LI remarked that some of the non-governmental organisations only provided youth services. He wondered how their staff members could be redeployed to the new services. AD(Y/HRM) responded that general discussions on the issue had been held with the Hong Kong Council of Social Services. Staff members of youth services could switch to other services

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including elderly and rehabilitation services where most new service projects would be launched. As usual, SWD would provide in-service training to staff concerned as required. Mr LI then asked whether SWD could give an assurance that no staff members would be laid off as a result of the redeployment of resources. AD(Y/HRM) said that the Administration would do its utmost to minimise the problem of staff redundancy. She appealed to staff concerned for considering to be transferred to other services.

VI. Regulation of golf driving ranges located near residential areas
[Paper No. CB(2)1597/99-00(03)]

42. Members noted the paper on "Measures to regulate safety standards at golf driving ranges". Members further noted that there were currently 11 privately-run golf driving ranges (GDRs) in Hong Kong. The Chairman asked whether any site inspection had been conducted to these GDRs to ascertain their compliance with the required safety standard. Principal Assistant Secretary for Home Affairs (Recreation & Sport) (PAS(R&S)) responded that no strict guidelines had been laid down to regulate the safety standard of GDRs. He explained that GDRs operating on government leased land under Short Term Tenancies (STT) were subject to the terms and limitations imposed by the Lands Department (LD) which governed the use of land. District Lands Officers would also circulate an application to relevant government departments, while LCSD would advise on the safe management practices based on its own experience in managing golf driving ranges.

43. Given the close proximity of some GDRs to residential areas, the Chairman said that she was surprised that regulatory safety measures were not available. Following reports that golf balls had flown beyond the boundaries of GDR, the Chairman asked whether the Administration had carried out any initial studies to ascertain the possible danger of these GDRs to nearby residents and passers-by. PAS(R&S) responded that HAB, LD and the Planning Department had looked into all the 11 GDRs. The majority of them had gone through the proper procedures of seeking the necessary land grant and planning permission when they were set up. The Administration was following up on two cases in which either the GDR was too close to residences or unauthorised structure was found. The Administration would seek to impose more stringent requirements in the lease conditions or enforce regulation under relevant legislation as appropriate.

44. Mr Andrew CHENG informed members that he had personally received a complaint about the GDR in Tai Po Tsai in which a resident was hurt by a golf ball flying from the GDR. He pointed out that the limitations imposed under STT and the requirement to erect safety nets were useless unless they were properly observed and maintained. Mr CHENG was of the view that the basic safety measure would be a minimum distance requirement between a

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GDR and the surrounding residential areas.

45. Mr Edward HO held a different view, saying that provision of safety nets was adequate. He said that a strengthened safety net could effectively prevent flying of golf balls from GDRs, thereby causing harm to nearby residents and passers-by. Considering the very congested environment in Hong Kong, Mr HO pointed out that imposing a minimum distance requirement from residential areas would not be feasible, particularly because there were some in-door GDRs operating in high-rise buildings.

46. Miss Cyd HO said that it was unreasonable that a GDR operator could simply apply for business registration to run a GDR without the need to be subjected to any regulatory framework. The Chairman asked whether HAB would consider establishing a licensing system to regulate the operation and safety of GDRs. PAS(R&S) responded that the Administration would consider the merit of imposing a minimum distance requirement between a GDR and residential area, and would also plan to upgrade the safety standards at GDRs. Consideration would also be given to the need for a licensing system for GDRs so that all safety requirements would be complied with.

47. The Chairman asked whether the Administration could take immediate action to stop the GDR in question from operating. Chief Estate Surveyor/Estate Management, Lands Department (CES/EM) responded that at present, GDRs operating on government leased land under STT were subject to the terms and limitations imposed by LD. These limitations could pose some control on the operation of GDR. However, GDRs operated on agricultural land which did not contain similar terms and limitations under the leases and therefore LD could not control their operation.

48. Mr Edward HO noted that the current control on GDRs was merely from the angle of land use. He asked whether there was any control from the angle of operation. PAS(R&S) reiterated that at present the operation of GDR were only subjected to the use of the land occupied. CES/EM supplemented that the GDR in Tai Po Tsai was not subjected to any restriction of land use at the moment and it would be subjected to conditions governing the use of land under Short Term Waiver (STW) if they applied for it. The Chairman said that it was ironic that if the GDR did not apply for STW, no control could be imposed.

49. Mr Edward HO expressed grave concern that LD as land administrator could not exercise any control over the use of land. Mr LEE Wing-tat shared his concern. Mr LEE said that he was alarmed to be informed by the Administration that no control could be exercised on the operation of the GDR in question. Mr HO said that if the land grant conditions were not duly observed, the land could be re-entered by Government. CES/EM responded that in the land lease for the GDR in Tai Po Tsai, the land could, apart from

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farming, be used for "open air use". In other words, the land could be used as storage, carpark and GDR. Assistant Director of Planning/New Territories supplemented that there was in fact statutory planning control in many areas of rural NT through Development Permission Area Plans and Outline Zoning Plans. Land use zones were generally delineated taking into account the relative compatibility of the respective land uses and constraints, including existing settlements. On such plans, land zoned as "Green Belt" or "Recreation" were usually considered suitable for recreational uses, and golf driving ranges might be permitted subject to application to the Town Planning Board. In giving the planning permission, the TPB would take into account views of relevant departments and their requirements could be reflected in conditions attached to the planning permission. However, the implementation of such conditions might have to rely on the imposition of suitable clauses in the short term waivers or short term tenancies by Lands Department. Planning Department would prepare more OZPs to cover the remaining rural areas. However, in the case of Tai Po Tsai, the area was not yet covered by a statutory plan. Development control had to depend on the other authorities for the time being.

Adm 50. Members expressed strong dissatisfaction that no designated government department was responsible for the regulation of GDRs on safety matters and no operating licence for GDRs was required. They urged that a government department should be made responsible for the licensing and regulation of GDRs and a timetable for the introduction of the licensing system was required. Members also urged that the Administration should take immediate action to prevent GDRs posing danger to nearby residents and passers-by from operating.

Adm 51. In response to members' grave concern on the matter, PAS(R&S) assured members that HAB would accord priority to the subject. He undertook to provide in two weeks' time a written report on the measures to maintain the safety standards of GDRs for members' reference. However, he remarked that golf had become a popular sport in Hong Kong and most GDRs were well-managed including the three GDR operated by LCSD which had met with international standards. The operators were running legitimate businesses which provided convenience to the community to participate in the sport without having to leave Hong Kong.

52. There being no other business, the meeting ended at 6:50 pm.

Legislative Council Secretariat

9 May 2000