



中華人民共和國香港特別行政區政府總部食物及衛生局
Food and Health Bureau, Government Secretariat
The Government of the Hong Kong Special Administrative Region
The People's Republic of China

20 November 2014

The Honourable Tommy CHEUNG Yu-yan, SBS, JP
Chairman, Panel on Food Safety and Environmental Hygiene
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
[Fax : 2509 9055]

Dear Chairman

**LegCo Panel on Food Safety and Environmental Hygiene
Follow-up to Meeting on 11 November 2014**

Reprovisioning of Food and Environmental Hygiene Department
Refuse Collection Point (RCP) at
Fuk Wa Street/Fuk Wing Street/Camp Street site, Sham Shui Po, Kowloon

I write to provide the information sought by Members when the captioned subject was discussed at the meeting of the LegCo Panel on Food Safety and Environmental Hygiene (Panel) on 11 November 2014.

Development Intensity

2. The Honourable WONG Yuk-man asked about the change of this land sale site from a Class C site (abutting on three streets) to a Class B site (abutting on two streets), and whether it was possible to optimise the development potential and land revenue through slightly adjusting the RCP arrangements in the Conditions of Sale.

3. The permanent RCP is to be integrated into the future development within the land sale site. As shown in Enclosure 1 of the Panel paper, the permanent RCP (edged red) is erected within the footprint of the proposed development which is a Class C site abutting on three specified streets not less than 4.5m wide as defined under the Buildings (Planning) Regulations (Cap. 123F).

4. The Conditions of Sale for the subject site are being processed by the Lands Department. It is the Government's intention that the maximum development parameters (including the maximum gross floor area) permissible under the relevant approved Outline Zoning Plan (OZP) in force would be specified in the Conditions of Sale, irrespective of the classification of the site under the Buildings Ordinance (Cap. 123). According to OZP No. S/K5/35, the permissible Plot Ratio (PR) for the site shall not exceed 7.5 for a domestic building or 9.0 for a building that is partly domestic and partly non-domestic. According to the Notes of that OZP, the RCP, amongst others, shall be provided and included in calculating the non-domestic PR.

5. Section 16(1)(d) of the Buildings Ordinance (Cap. 123) provides that the Building Authority may refuse to give his approval of any plans of building works where the carrying out of the building works shown thereon would contravene any approved or draft plan prepared under the Town Planning Ordinance (Cap. 131). Hence, the maximum development potential of the subject site is limited by the OZP instead of the site classification under the Buildings Ordinance.

Actions Taken by the Administration for the Lai Bo Garden Case

6. The Honourable Ann CHIANG Lai-wan asked about how the Administration had addressed the problems that came to light in the Lai Bo Garden where, as in this case, a RCP was co-located with private residential development.

7. As has been explained at the Panel meeting, the Lai Bo Garden case is an isolated case with its unique historical background. It should not be generalised as a commonplace example. The Government's representatives have assured Members that our experience with the Lai Bo Garden case had been taken fully into account in the deliberations surrounding the design and operation of the new RCP at the captioned site, including measures to suitably segregate the RCP from the common areas of the future residential portion of the development.

8. To address the concerns of the Incorporated Owners of Lai Bo Garden

on the environmental issues caused by the RCP there, the Administration has implemented various improvement measures, including more frequent replacement of activated carbon filters for the ventilating system, sealing up the air-holes at the roller shutter of the vehicular entrance and installing an air curtain at the side entrance in order to minimise the spread of odour from the RCP; installing additional gratings to the floor drains to prevent chokage of manholes; installing baffles to prevent surface water from flowing onto the common area of the building; and refurbishing the internal ceiling, walls and floor surfaces of the RCP to enable them to be more effectively cleaned, etc. A water scrubber system will also be provided to further enhance the quality of exhaust air from the RCP. Apart from improving the hardware, FEHD has also enhanced its supervision of the operation of the RCP.

Measures to Avoid Nuisance to Residents

9. Members have suggested that we include information on the design features and mitigation measures adopted for the captioned RCP for securing the no in-principle objection from the Sham Shui Po District Council.

10. We will accordingly include such information by way of an annex in our paper for the Public Works Subcommittee (PWSC).

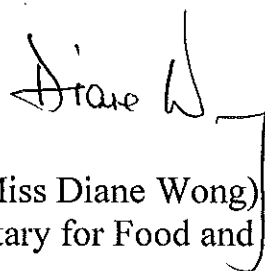
Submission to the PWSC

11. It remains our intention to put the paper before the PWSC at the first possible opportunity. As such, we do not envisage having to update the costing figures and make another submission to the Panel.

Summing Up

12. In the interest of meeting the development needs of our community, we are proceeding with putting the captioned item before the PWSC and the Finance Committee for funding approval as soon as possible.

Yours sincerely,



(Miss Diane Wong)
for Secretary for Food and Health

c.c.: All Members of Legislative Council
Clerk to Panel on Food Safety and Environmental Hygiene
(Attn: Ms Alice LEUNG)
Secretary for Financial Services and the Treasury
(Attn: Ms Jasmine CHOI)
Director of Food and Environmental Hygiene
(Attn: Mr LAM Wing-hong)