

Sha Tin District Council
Minutes of the 5th Meeting of
the Development, Housing, Environment and Health Committee in 2022

Date : 15 November 2022 (Tuesday)
Time : 2:30 pm
Venue : Sha Tin District Office Conference Room 441
 4/F, Sha Tin Government Offices

<u>Present</u>	<u>Title</u>	<u>Time of joining the meeting</u>	<u>Time of leaving the meeting</u>
Mr CHOW Hiu-laam, Felix (Chairman)	DC Member	2:30 pm	3:25 pm
Mr MAK Yun-pui, Chris	DC Chairman	2:39 pm	3:01 pm
Mr SIN Cheuk-nam	DC Vice-Chairman	2:30 pm	3:25 pm
Mr CHENG Chung-hang	DC Member	2:35 pm	3:25 pm
Mr CHUNG Lai-him, Johnny	"	2:30 pm	3:25 pm
Mr HUI Lap-san	"	2:30 pm	3:25 pm
Dr LAM Kong-kwan	"	2:51 pm	3:09 pm
Mr WAI Hing-cheung	"	2:30 pm	3:25 pm
Ms CHOW Man-kwan, Mandy (Secretary)	Executive Officer (District Council)3, Sha Tin District Office		

<u>In Attendance</u>	<u>Title</u>
Mr HO Kin-nam, David	Executive Officer I (District Council)1, Sha Tin District Office
Ms CHAN Yuen-chi, Jess	Housing Manager/Tai Po, North and Shatin 3, Housing Department
Mr YEUNG Wai-dor	Administrative Assistant/Lands (Atg), District Lands Office, Sha Tin
Ms YICK Hong-nien, Hannah	Senior Town Planner/Shatin, Planning Department
Mr CHAN Ka-kui	District Environmental Hygiene Superintendent (Sha Tin), Food and Environmental Hygiene Department
Mr KAO Hsi-chiang	Chief Health Inspector (Sha Tin)3 Food and Environmental Hygiene Department
Ms CHAN Hoi-wing	Engineer/New Territories East (Distribution 1), Water Supplies Department
Ms WONG Pui-wan, Cecilia	Senior Environmental Protection Officer (Regional North)4, Environmental Protection Department
Ms MAN Pui-shan, Erica	Deputy District Leisure Manager (Sha Tin)2, Leisure and Cultural Services Department

<u>In Attendance by Invitation</u>	<u>Title</u>
Ms LAU Sin-yee, Jessie	Town Planner/Shatin 3, Planning Department

<u>Absent</u>	<u>Title</u>
Mr MOK Kam-kwai, BBS	DC Member (Application for leave of absence received)

Welcome Remarks

The Chairman welcomed the members and representatives of government departments to the Development, Housing, Environment and Health Committee (DHEHC) meeting.

Application for Leave of Absence

2. The Chairman said that the Secretariat of the Sha Tin District Council (STDC) had received application for leave of absence in writing from the following member:

Mr MOK Kam-kwai

Official commitment

3. Members unanimously approved the application for leave of absence submitted by the member above.

Election of Vice-Chairman of the Committee

4. The Chairman said that by the end of the nomination period, the Secretariat had not received any nomination form for the office of Vice-Chairman of the DHEHC. Since there were no candidates, the Chairman announced that the office of the Vice-Chairman of the DHEHC would remain vacant.

Confirmation of Minutes

Minutes of the Meeting Held on 20 September 2022
(DHEHC Minutes 4/2022)

5. The Chairman added that in response to the views raised by the members at the previous meeting, the Electrical and Mechanical Services Department and CLP Power Hong Kong Limited indicated that they suggested attending the DHEHC meeting to be held in early 2023.

6. Members unanimously endorsed the above minutes of meeting.

Matters Arising

Responses of Government Departments to Matters Arising from the Previous Meeting
(Paper No. DHEH 42/2022)

7. Members unanimously endorsed the above paper.

Discussion Items

Proposed Amendments to the Approved Ma On Shan Outline Zoning Plan No. S/MOS/24
(Paper No. DHEH 43/2022)

8. Ms Hannah YICK, Senior Town Planner/Sha Tin of the Planning Department, briefly introduced the paper.

9. The views of Mr SIN Cheuk-nam were summarised below:
- (a) he said that the outline zoning plan (OZP) concerned was amended only after part of the site was rezoned, and would like to learn more about the procedures and criteria for consideration of site rezoning; and
 - (b) he said that the proposed Amendment Item D in the paper showed the rezoning of the site of the footbridge under construction, connecting Yan On Estate and Kam Chun Court, across Ma On Shan Road. He would like to know whether it was a common situation and the reason for rezoning.
10. The views of the Chairman were summarised below:
- (a) he wished to know whether the rezoning application for the Horizon Suites site involved redevelopment, and whether the developer had the right to conduct redevelopment at the site. Moreover, he said that the designs of hotels and residential units (such as fire services installations, number of parking spaces) were different. He would like to know how the developer would align with the requirements of residential site after rezoning, and how the relevant residential project would be sold; and
 - (b) he would like to know the benefits and implications brought by rezoning the comprehensive development area to residential use.
11. Ms Hannah YICK gave a consolidated response as follows:
- (a) she said that applications should be made for rezoning of sites pursuant to the procedures set out under Section 12A of the Town Planning Ordinance (Cap. 131) (the Ordinance). According to Section 12A of the Ordinance, the Town Planning Board (TPB), upon receiving applications involving rezoning of land use, was required to consider such applications within three months. After the applications were endorsed, relevant OZPs would be amended correspondingly;
 - (b) she said that the application for rezoning the Horizon Suites site was endorsed by the TPB. The amendments to the OZP concerned had to be submitted to the TPB for consideration and exhibited according to the Ordinance. The public might submit representations and comments on representations in respect of the amendments before such amendments were submitted to the Chief Executive in Council (CE in C) for approval. In addition, she said that upon rezoning the site to “Residential (Group A)12” zone, the applicant might convert or redevelop the buildings on the site and was required to comply with the requirements set out in other relevant legislation during the process;
 - (c) in respect of Amendment Item D, she said that the Housing Department (HD) consulted the STDC in 2017 on the planning and design of the extension of Yan On Estate and the project of Kam Chun Court (Reference Papers: DH 10/2017, DH 20/2017, DH 40/2017). After considering the views collected and conducting detailed design, the location of a footbridge connecting two residential estates had to be adjusted, and it was not necessary to provide retail

facilities at the footbridge as pointed out in the study conducted by the HD; and

- (d) she said that the purpose of designating a “Comprehensive Development Area” zone was to regulate the development scale, design and layout of sites subject to environmental, traffic and infrastructure constraints. A planning application and a master layout plan had to be submitted to the TPB under Section 16 of the Ordinance for all developments. Upon completion of any development, the site would be rezoned in order to reflect the actual situation, dispensing with the application procedures of using the site in the future.

12. The views of Mr HUI Lap-san were summarised below:

- (a) he said that the existing parking spaces available were not sufficient, and would like to know the supporting transport arrangements after site conversion;
- (b) he would like to know the time limit within which the developer was required to convert the hotel to residential units if the Executive Council approved the proposed amendments to the OZP; and
- (c) he said that the premium tendered and the facilities provided after completion by a hotel site were different from those of a residential site. He wished to know whether the applicant was required to pay land premium after rezoning of the site and the considerations taken into account for similar applications approved by the department.

13. The views of the Chairman were summarised below:

- (a) he wished to know whether the ratio of parking spaces at Horizon Suites to the number of residential units planned to be provided after rezoning of site was in compliance with the Hong Kong Planning Standards and Guidelines (HKPSG). Furthermore, he was concerned whether the development project would affect the traffic in the surrounding area of the site, and would like to know whether it was necessary for the Transport Department (TD) to conduct a traffic impact assessment; and
- (b) he said that the rezoning of the Horizon Suites site might involve land lease modification and making a request to the developer to pay land premium. He would like to learn more about the mechanism for following up the issues concerned by the District Lands Office, Sha Tin (DLO/ST) and the timetable involved.

14. Mr CHENG Chung-hang said that illegal parking was serious in the vicinity of Horizon Suites. He hoped that the department concerned would flexibly consider the number of parking spaces to be provided after the site conversion. Moreover, he said that there was serious shortage of parking spaces in Ma On Shan. He invited the Planning Department to attend the meeting of the Traffic and Transport Committee of the STDC for exchanging views with the members on parking spaces in the district.

15. Ms Hannah YICK gave a consolidated response as follows:

- (a) she said that the applicant was required to adjust the number of parking spaces according to the development scale and area of residential units of the site in the future. The applicant might need to submit a traffic impact assessment to relevant departments for approval at lease modification stage. She believed that relevant departments would also actively consider provision of additional public parking spaces on government land or at private development projects in the district. Suitable amendments would be made to the standards for parking spaces under the HKPSG at the request of the TD or relevant departments;
- (b) she indicated that whether land premium should be paid for developing the site into residential use would be assessed by relevant departments at lease modification stage; and
- (c) she said that subject to the approval of the TPB, relevant amendments would be gazetted according to Section 5 of the Ordinance. The public might submit representations and comments on representations, and relevant hearing meetings would be held by the TPB. Within nine months of gazettal, the OZP was required to be submitted to the CE in C for approval. She said that the entire process would take about one year.

16. Mr YEUNG Wai-dor, Administrative Assistant/Lands (Atg) of the DLO/ST said that he would, after the meeting, provide supplementary information on the parking spaces and land premium involved in application for lease modification of Horizon Suites.

17. The Chairman asked DLO/ST to provide supplementary information after the meeting for the question raised by the members and announced that the discussion of this agenda item was concluded.

(Post-meeting note: The DLO/ST provided supplementary information for the DHEHC after the meeting.)

Information Papers

Statistical Overview of Sha Tin District Environmental Hygiene Service (as at 30 September 2022)

(Paper No. DHEH 44/2022)

Population of Public Housing Estates and Private Sector Participation Scheme Courts in Sha Tin

(Paper No. DHEH 45/2022)

18. The Chairman suggested that the items of “Statistical Overview of Sha Tin District Environmental Hygiene Service (as at 30 September 2022)” and “Population of Public Housing Estates and Private Sector Participation Scheme Courts in Sha Tin” should be discussed together.

19. Members unanimously agreed to the above proposal.

20. The views of Mr SIN Cheuk-nam were summarised below:

- (a) he thanked the Food and Environmental Hygiene Department (FEHD) for accepting the members' views raised at the previous meeting by including the data of illegal extension of business area by shops in Shek Mun in the paper; and
- (b) he thanked the FEHD for having followed up the issue of rodent infestation and accepting his invitation to send officers to conduct a site visit with him in Yiu On Estate for inspecting the problem. He said relevant past papers of the FEHD showed that the peak periods of Rodent Infestation Rate were August and September in each year. He said that the data of this year showed a record high in the recent three years and wished to know whether it was due to aggravating rodent infestation or strengthened rodent trapping by the department concerned. Moreover, he would like to know the reason why rodent infestation remained rampant in November this year.

21. Mr Johnny CHUNG wished to learn about the specific locations as stated in the paper for "provision of additional cleansing services (i.e. some public places without specified departments for management responsibility)" in the Sha Tin District, as well as the waste and refuse cleared.

22. The views of the Chairman were summarised below:

- (a) he wished to know the effectiveness of the departments concerned in tackling the illegal extension of business area by shops in Shek Mun;
- (b) he said that abnormal weather conditions led to continued reproduction of rodents. He wished to better understand the reason why the Rodent Infestation Rate remained high by the end of this year, and the achievements of overnight rodent control teams over the past two months; and
- (c) he said that the Agriculture, Fisheries and Conservation Department (AFCD) planned to amend the legislation to further curb illegal feeding activities of wild animals. He wished to know how the FEHD would work with the AFCD in law enforcement.

23. Mr CHAN Ka-kui, District Environmental Hygiene Superintendent (Sha Tin) of the FEHD gave a consolidated response as follows:

- (a) he said that it was not suitable to place rodent cage traps or baits at some locations in the Sha Tin District during daytime, while the effect of rodents being trapped would be more significant during nighttime at some locations. Since the provision of an overnight rodent control team in the district in July this year, the data showed that a higher number of live rodents were trapped as compared with the past. Furthermore, he said that with relatively warm weather this year, coupled with the efforts of the department concerned in strengthening the clean-up of environmental hygiene blackspots (such as rear lanes) and placing rodent cage traps and poisonous baits, more rodents were therefore trapped;

- (b) he said that the Department would, according to the “designated locations” set out in the paper of the annual “Sha Tin District Action Plan”, compile statistics of the waste and refuse cleared in respect of provision of additional cleansing services;
- (c) he said that the FEHD and the Police had implemented inter-departmental joint operations against illegal extension of business area by shops through stepping up the action against such activities involving shops around Kings Wing Plaza 1 in Shek Mun as well as those along Mei Tin Road and Chik Fai Street since 12 October and 2 November this year respectively. In the operation carried out in Shek Mun on 12 October this year, one arrest against offending goods was made and such goods were confiscated, and a total of five fixed penalty notices (FPNs) against offenders littering in public places were also issued. In the operation along Mei Tin Road and Chik Fai Street on 2 November this year, two FPNs were issued against non-compliant shops, and a total of seven FPNs against offenders littering in public places were issued. The statistics stated in Paper No. DHEH 44/2022 were compiled up to 30 September this year, and hence the data after strengthened enforcement were not covered. The FEHD would set out relevant information in the paper of the next meeting for reference purpose; and
- (d) he said that the FEHD would enhance collaboration with relevant departments to inspect wild animal-feeding blackspots, and institute prosecutions against the offenders of the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance (Cap. 570).

24. The members noted the above papers.

Date of Next Meeting

25. The next meeting was scheduled to be held at 2:30 pm on 17 January 2023 (Tuesday).

26. The meeting was adjourned at 3:25 pm.

Sha Tin District Council Secretariat
STDC 13/15/60

January 2023