

Summary of Discussion of the 4th Meeting in 2014
of the Environment, Housing and Works Committee (EHWC)
on 14 May 2014

I. Confirmation of the minutes of the special meeting of the EHWC on 13 February 2014

The minutes of the special meeting of the EHWC on 13 February 2014 were confirmed subject to the amendments set out in TPDC Paper EHW 35/2014.

II. Confirmation of the minutes of the 3rd meeting in 2014 of the EHWC on 12 March 2014

2. The minutes of the 3rd meeting in 2014 of the EHWC on 12 March 2014 were confirmed without amendments.

III. Amendments in the Draft Tai Po Outline Zoning Plan No. S/TP/25

3. The District Planning Officer (Sha Tin, Tai Po and North) of the Planning Department (PlanD) briefed the meeting on the captioned subject. Regarding the proposed extension of Ting Kok Road under suggestion D (i.e. the site near Fung Yuen), he said that according to the Transport Department, the existing design and traffic arrangements of the road should be able to cope with both the present and future traffic flow. With respect to suggestion E (i.e. the site on Lo Fai Road), he said that while the PlanD noted the objection of local residents and recognized the landscape value of the green belt on Lo Fai Road, it thought that a tradeoff had to be made between environmental protection and housing development to meet the strong public needs. He remarked that the PlanD hoped to implement the suggestion without making adverse or unacceptable impact on the residents as a whole.

4. The Chairman suggested not to go over suggestion E in detail again as the Tai Po District Council (TPDC) had already passed a motion on it. Members agreed with the Chairman.

5. The meeting discussed some of the amendments in the draft plan. Main points of discussion were as follows:

Suggestion A (i.e. the sites to the east and west of Chung Nga road and the site in Area 9)

Members' views

- (i) the new population and traffic flow would put further strain on Chung Nga Road and might affect emergency vehicular services as the road was the only local vehicular access leading to

- the two hospitals in the district;
- (ii) the Y-type public housing estate (PHE) proposed to be built on the site next to the Tai Po Hospital would obstruct the view of some of the units of Fu Heng Estate and affect air circulation in the vicinity. The number of parking spaces to be set up in the proposed PHE was also not enough;
 - (iii) the two proposed primary schools might be under-enrolled. One of two sites marked for this purpose should be used to provide social services facilities instead; and
 - (iv) the site to the west of Chung Nga Road should be used to develop community facilities instead of housing.

The District Planning Officer (Sha Tin, Tai Po and North)'s reply

- (i) community and service facilities would also be developed on the site marked for the construction of the proposed PHE. The Housing Department (HD) was conducting a traffic impact assessment in relation to the proposed PHE development project and would consult the TPDC and explain to it detailed traffic arrangements; and
- (ii) the Education Bureau informed the PlanD that Tai Po District needed 100 more classrooms (i.e. 3 primary schools). The PlanD thus set aside some 6 000m² of land from the site marked for the development of the proposed PHE for the construction of two primary schools. To address the concerns of the residents of Fu Heng Estate about the potential blockage to their units' view, the PlanD choose to construct the two primary schools instead of high-rise blocks on the part of the site closest to Fu Heng Estate.

In conclusion, the Chairman remarked that the EHWC supported suggestion A but hoped that the government could develop the site to the east of Chung Nga Road and the site in Area 9 first and then deal with the planning issues relating to the site to the west of Chung Nga Road.

Suggestion B (i.e. the site near Pinehill Village of the Hong Chi Association)

The Chairman supported the suggestion. Members raised no comments or questions in particular.

Suggestion C (i.e. the site to the west of the Nethersole Hospital)

Members' views

- (i) together with the proposed PHE on Chung Ngai Road, the housing blocks to be built under suggestion C would completely seal off Fu Heng Estate and Chung Nga Court;

- (ii) more public housing should be developed in Tai Po to meet people's needs and the site might be used to develop Home Ownership Scheme flats; and
- (iii) any rezoning suggestions must have the support of the stakeholders. The PlanD should consult the residents concerned as well as the TPDC and respected their views.

The District Planning Officer (Sha Tin, Tai Po and North)'s reply

- (i) the PlanD respected the views of the residents and the TPDC. It had included their views in its submissions to the Town Planning Board (TPB). In fact, it had consulted the TPDC on most of the rezoning suggestions concerned on two occasions.

In conclusion, the Chairman remarked that the members of the constituency concerned and another Member objected to suggestion C. He urged the PlanD and other departments concerned to take the initiative to consult residents on the rezoning suggestions.

Suggestion D (i.e. the site near Fung Yuen)

Members' views

- (i) a 10m-wide area should be reserved for broadening Ting Kok Road in the future to cope with the increasing traffic flow brought by the development items in the area. The government might include terms in the conditions of sale to require the developer to reserve land for this purpose; and
- (ii) the suggestion would make Ting Kok Road even more congested. The TD should find long-term solutions to the problem.

The District Planning Officer (Sha Tin, Tai Po and North)'s reply

- (i) the PlanD would forward the TPDC's demand for the broadening of Ting Kok Road to the TD.

In conclusion, the Chairman remarked that the EHWC supported suggestion D on the condition that a 10m-wide area be reserved for broadening Ting Kok Road in the future.

Suggestion F (i.e. the site in Lai Chi Shan)

Members' views/questions

- (i) the Plan D should consult stakeholders and residents concerned on the suggestion; and

- (ii) whether the site involved approved village areas.

The District Planning Officer (Sha Tin, Tai Po and North)'s reply

- (i) the site involved government land only. The PlanD would discuss with the villagers and members of the constituency concerned as well as the Tai Po Rural Committee if the site happened to be adjoining with village areas.

The Chairman remarked that he had reservations over the suggestion as the PlanD did not explain on any road planning. He added that some villagers told him that the department had not consulted them on the suggestion.

Suggestion H (i.e. the site in Kon Hang)

Members' views

- (i) most villagers of Cheung Shue Tan Heung did not object to the suggestion. However, they thought that building high-rise blocks would affect the Fung Shui there. They demanded that the building height restrictions be tightened, the plot ratio be reduced to a level between 0.4 to 0.6 and the maximum number of floors be limited to four;
- (ii) the PlanD should make careful road planning and ensure that access to burial grounds would not be affected. It should discuss with the villagers on ways to minimize the impact on local Fung Shui; and
- (iii) the government should loosen up the restrictions on the development of small village houses on other green belts as well.

The Chairman concluded that the EHWC respected the villagers' views. He requested that the PlanD and the TPB loosen up the restrictions on the development of small village houses on other green belts to address people's strong housing needs.

IV. Draft Tai Po Kau Development Permission Area Plan

- 6. A Member remarked that villagers concerned objected to the captioned plan.
- 7. A Member raised objection against the captioned plan. He remarked that once the land was designated for "unspecified use", its value would be lost as users/land owners had to apply to the TPB if they were to farming on it and the government would not offer any compensation to them, which was just unfair.

8. The Senior Town Planning Officer of the PlanD explained that farming was among one of the uses always permitted in a zone for “unspecified use” and users/land owners needed not apply to the TPB if they were to farm in the zone.

9. The Chairman concluded that the EHWC respected the views of the villagers, the stakeholders and Members.

V. Draft Ping Chau Development Permission Area Plan DPA/NE-PC/1

10. Members noted the captioned plan.

VI. Draft Cheung Sheung Development Permission Area Plan No. DPA/NE-CS/1

11. Members noted the captioned plan.

VII. Draft Ko Lau Wan Outline Zoning Plan No. S/NE-KLW/B

12. The Chairman remarked that the EHWC respected the views of the Sai Kung North Rural Committee, which was against the captioned plan.

VIII. Vetting of district minor works project proposals to be recommended to the District Facilities Management Committee (DFMC)

13. The EHWC vetted 24 district minor works proposals and agreed to recommend 20 of them to the DFMC.

14. A Member proposed that a time limit for commencement of works be introduced in respect of project proposals that were referred to other departments for follow-up to avoid them stand idle. The Chairman agreed to this.

IX. Public Consultation on Enhanced Measures against Shop Front Extensions

15. Members’ views were summed up as follows:

- (i) a fixed fine system (the fine might be increased progressively or without an upper

ceiling)/demerit point system leading to the cancellation of business licences should be introduced to combat the problem;

- (ii) other on-street obstruction problems (e.g. those caused by broadband services/fitness club membership mobile counters, recycling dealers etc.) should be dealt with too;
- (iv) more manpower should be deployed to conduct raids and special task forces should be formed to take enforcement actions;
- (v) enforcement in the district was disparate (e.g. shops in Luk Heung were frequently prosecuted while the shops on Tung Cheong Street could often avoid prosecutions simply by removing their articles shortly prior to the commencement of enforcement actions.);
- (vi) while different enforcement practice across the territory might result in public query, standardizing them seemed to be inappropriate as different districts had their own circumstances. Take Tai Po as an example, it had its own district characteristics and historic background and law enforcement agencies had to understand more about these to avoid misunderstandings and disputes; and
- (vii) in view of difficult operating environment, shops putting their articles on pavement without causing serious obstruction and safety hazards should be tolerated.

16. The Assistant Director of the Home Affairs Department (HAD) responded as follows:

- (i) the government was looking for a new enforcement tool to combat shop front extensions more efficiently and effectively. The fine should be of a level acceptable to the public and able to produce a deterrent effect. The government intended to set up a fixed fine system under section 4A of Summary Offences Ordinance (Cap. 228);
- (ii) the introduction of a progressive fixed fine system might create enforcement difficulties or arguments. The preliminary legal opinion was to allow the consecutive issue of fixed fine notices to shops with continuous violations within a reasonable period of time;
- (ii) relevant legislation was in place to deal with other on-street obstructions problems;
- (iii) standardizing enforcement across the territory irrespective of the special circumstances of each district was inappropriate; and
- (iv) a demerit point system had been implemented in respect of food premises and it was inapplicable to shops that did not need a licence, such as pharmacies.

17. The Chairman concluded that the EHWC supported enhanced enforcement against shop front extensions and the introduction of a fixed fine system to tackle the problem.

X. New measures against illegal extension of business by food premises in Tai Po District

18. Members did not make any comments or raise any questions on the subject in particular.

XI. Report of the Tai Po District Environmental Hygiene Office of the Food and Environmental Hygiene Department

19. A Member agreed with the Food and Environmental Hygiene Department (FEHD) that a target food premises in Greenery Plaza had become more restrained after the department stepped up law enforcement. However, he suggested that the FEHD inspect the said food premises at around 6:00 a.m. to have a better understanding of the real situation.

XII. Strategy and work on improvement in environmental hygiene of Hong Kong of the Food and Environmental Hygiene Department

20. Members did not make any comments or raise any questions on the subject in particular.

XIII. Second Phase of Anti-mosquito Campaign 2014 in Tai Po District

21. Members did not make any comments or raise any questions on the subject in particular.

XIV. Progress Report of Replacement and Rehabilitation of Water Mains in Tai Po District

22. Members did not make any comments or raise any questions on the subject in particular.

XV. Progress Report of the Working Group on Tai Po District Environmental Controls

23. Members noted the captioned report.

XVI. Allocation of DC Funds 2014-15 to the EHWC

24. Members noted the paper on the captioned subject.

XVII. Reports of working groups

Working Group on Environmental Protection Activities

25. The working group would convene a meeting to discuss activities to be organised in the next year.

Working Group on Environmental Optimisation and Bicycle-related Affairs

26. The working group noted that:

- (i) the Leisure and Cultural Services Department would plant more perennial shrubs and long blooming flowers in Tai Po. It would also conduct beautification works in preparation for the celebration of the reunification. Also, it would complete inspections on trees in the district soon;
- (ii) double decker bicycle racks would be set up at the end of this year under the pilot scheme on the improvement of cycling tracks and cycling facilities in the New Territories; and
- (iii) a bicycle rental shop in Elegance Garden with serious violations would be targeted in the next inter-department bicycle removal exercise.

Working Group on Monitoring of Public Housing Development in Tai Po

27. The working group noted that the HD was conducting a feasibility study on the development of public housing on the site of the former Confucian Sam Lok Chow Mud Wai School and asked that it consult the residents of Tai Yuen Estate.

XVIII. Any other business

Community Participation Programme in Environmental Protection in Collaboration with District Councils

28. The Secretary reported that the HAD had allocated \$0.3 million to the TPDC this year to implement environmental protection activities in the district under the captioned programme and applications for funds would be vetted in accordance with the Guidelines on TPDC Funds.

29. The Chairman suggested that the Working Group on Environmental Protection Activities co-organise related activities with green groups in the district, to which Members agreed.

XIX. Date of next meeting

30. The next meeting would be held on 9 July 2014.

Tai Po District Council

July 2014