

Minutes of the 3rd Meeting in 2021
of the Planning, Housing and Works Committee
of Tai Po District Council

Date: 20 July 2021 (Tuesday)

Time: 9:35 a.m. - 3:56 p.m.

Venue: Conference Room, Tai Po District Council ("TPDC")

<u>Present</u>	<u>Time of Arrival</u>	<u>Time of Withdrawal</u>
<u>Chairman</u>		
Mr. AU Chun-wah	Beginning of the meeting	End of the meeting
<u>Members</u>		
Mr. AU Chun-ho	Beginning of the meeting	End of the meeting
Mr. CHAN Chun-chit, Richard	Beginning of the meeting	End of the meeting
Ms. CHAN Wai-ka, Olive	Beginning of the meeting	End of the meeting
Mr. HO Wai-lam	10:26 a.m.	End of the meeting
Mr. LAU Yung-wai	Beginning of the meeting	End of the meeting
Mr. MO Ka-chun, Patrick	Beginning of the meeting	End of the meeting
Mr. SO Tat-leung	Beginning of the meeting	End of the meeting
Mr. TAM Yi-pui	Beginning of the meeting	End of the meeting
Mr. WONG Siu-kin	10:56 a.m.	1:16 p.m.
Mr. YIU Kwan-ho	9:48 a.m.	End of the meeting
<u>Secretary</u>		
Ms. SY Ling-ling, Phoebe	Beginning of the meeting	End of the meeting
Executive Officer (District Council) 1 / Tai Po District Office ("TPDO") / Home Affairs Department ("HAD")		
<u>In Attendance</u>		
Ms. CHU Ha-fan, Jessica	District Planning Officer / Sha Tin, Tai Po and North / Planning Department ("Plan D")	
Ms. CHAN Cheuk-ling, Kathy	Senior Town Planner / Tai Po / Plan D	
Mr. LEUNG Sui-hei, Feddy	Town Planner / Tai Po 1 / Plan D	
Mr. TO Chak-foo	Senior Housing Manager (Tai Po, North and Shatin 2) / Housing Department ("HD")	
Ms. CHANG Ming-lai, Regina	Senior Planning Officer / 10 / HD	

Ms. LEE Ka-kay, Kerry	Planning Officer / 32 / HD
Mr. TAO Kei-hung	Project Team Leader / Project / Civil Engineering and Development Department (“CEDD”)
Mr. CHAN Chun-ping, Johnny	Senior Engineer / 1 / CEDD
Ms. LO Sik-chi, Cynthia	Engineer / 22 (North) / CEDD
Ms. LEE Che-ying	Engineer / New Territories East (Distribution 4) / Water Supplies Department
Mr. CHOY Kin-lun	Administration Assistant / Lands (Atg.) / District Lands Office, Tai Po (“TPDLO”) / Lands Department (“Lands D”)
Mr. PANG Hiu-fung	Engineer / Tai Po 3 / Transport Department (“TD”)
Mr. WONG Chi-keung, Richard	Associate Director / Atkins China Limited (“Atkins”)
Mr. CHOW Yan-kit, Stanley	Associate Director / Atkins
Mr. FUNG Ching-kit, Howard	Principal Engineer / Atkins
Ms. WONG Yu-hang, Anita	Senior Liaison Officer (2) / TPDO / HAD
Mr. SO Ka-yu, Tel	Senior Executive Officer (District Council) (Atg.) / TPDO / HAD

Absent

Mr. LAM Yick-kuen, MH	TPDC Member
Mr. LI Yiu-ban, BBS, MH, JP	TPDC Member

Opening Remarks

The Chairman welcomed participants to this Planning, Housing and Works Committee (“PHWC”) meeting and announced the following:

- (i) Mr. LI Yiu-ban and Mr. LAM Yick-kuen were unable to attend this meeting due to sickness and had submitted a notice of absence to the Secretariat. Pursuant to Order 51(1) of the TPDC Standing Orders (“Standing Orders”), the PHWC would only give consent to a Member’s application for absence from a meeting filed on the grounds of sickness (including sickness due to pregnancy), jury service, attendance at another meeting / activity on behalf of the District Council (“DC”), attendance at a Legislative Council or Executive Council meeting, confinement or paternity leave. Pursuant to the above requirements, their applications were approved.
- (ii) Mr. MAN Nim-chi, Chairman of the Working Group on Management, Development and Monitoring of Public Housing (“Working Group”), had resigned as a DC Member. The Working Group had not convened any meetings in the past, and the relevant issues had been followed up by the PHWC. For example, the HD would submit

reports at the PHWC meetings. Therefore, after discussing with the TPDC Secretariat (“Secretariat”), he suggested electing the Chairman of the Working Group at the PHWC meeting in September and asked Members to take note of that.

- (iii) He thanked the resigned DC Members for their contributions during their terms of office.
- (iv) Ms. LO Sik-chi, Cynthia, Engineer / 22 (North) of the CEDD, would attend the PHWC meetings from now on in place of Mr. YIP Pui-lam, who had been posted out.

I. Election of the Vice-chairman of the PHWC under the TPDC

2. The Chairman reported as follows:

- (i) As Mr. YIU Yeuk-sang, elected DC Member of Hong Lok Yuen Constituency, had resigned as a DC Member, pursuant to Section 26(b) of the District Council Ordinance (Cap. 547), Mr. YIU’s office had been vacant since 17 May 2021, and the resignation was also applicable to the committees and working groups under the DC. Therefore, the position of PHWC Vice-chairman had also been vacant since that day.
- (ii) According to the resolution of the TPDC at the meeting on 7 January 2020, the election of Vice-chairman of the committees under the TPDC would be carried out according to the election methods of the Chairman and Vice-chairman of the DC, i.e., carried out in accordance with the voting procedure stated in Schedule 5 of the District Council Ordinance issued by the Secretariat earlier and the regulations in Appendix II, Election Procedure of Chairman and Vice-chairman of the District Council, under the Standing Orders.
- (iii) As he was a Member of the PHWC and was entitled to vote in the election, to ensure fairness and equality of the election, he would ask the Senior Executive Officer (Atg.) (District Council) to count the vote and decide the validity of the votes on his behalf if an election was to be carried out.
- (iv) On 13 July 2021, the Secretariat invited Members by writing to nominate candidates for the election of the PHWC Vice-chairman. The nomination period ended an hour before this meeting, i.e., at 8:30 a.m. this morning.
- (v) Before the end of the nomination period, the Secretariat had received one valid nomination form. The nominated candidate, Member making the nomination and Members seconding the nomination were as follows:

<u>Candidate</u>	<u>Member making the nomination</u>	<u>Members seconding the nomination</u>
Mr. AU Chun-ho	Mr. MO Ka-chun, Patrick	Ms. CHAN Wai-ka, Olive, and Mr. LAU Yung-wai

3. There was only one candidate being nominated as the PHWC Vice-chairman. Pursuant to Section 5 of the Schedule 5 of the District Council Ordinance, the Chairman announced that Mr. AU Chun-ho was elected as the PHWC Vice-chairman and his term of office would be between today and 31 December 2021.

4. The election of the PHWC Vice-chairman had ended. The Chairman congratulated to the newly elected PHWC Vice-chairman.

II. Confirmation of the minutes of the 2nd meeting in 2021 of the PHWC on 18 May 2021
(TPDC Paper No. PHW 27/2021)

5. The Secretariat had not received any proposed amendments before the meeting. The Chairman asked whether Members had any proposed amendments.

6. As Members did not have any proposed amendments, the captioned meeting minutes were confirmed.

III. Planning Department and Civil Engineering and Development Department – Site formation and infrastructure works for development at To Yuen Tung, Tai Po – Feasibility study – Proposed amendments to the Approved Tai Po Outline Zoning Plan No. S/TP/28
(TPDC Paper No. PHW 28/2021)

7. The Chairman welcomed the following participants to the meeting for the discussion of the captioned agenda item:

Plan D

Ms. CHU Ha-fan, Jessica, District Planning Officer / Sha Tin, Tai Po and North

Ms. CHAN Cheuk-ling, Kathy, Senior Town Planner / Tai Po

Mr. LEUNG Sui-hei, Feddy, Town Planner / Tai Po 1

CEDD

Mr. TAO Kei-hung, Project Team Leader / Project

Mr. CHAN Chun-ping, Johnny, Senior Engineer / 1

HD

Ms. CHANG Ming-lai, Regina, Senior Planning Officer / 10

Ms. LEE Ka-kay, Kerry, Planning Officer / 32

TD

Mr. PANG Hiu-fung, Engineer / Tai Po 3

Atkins

Mr. WONG Chi-keung, Richard, Associate Director

Mr. CHOW Yan-kit, Stanley, Associate Director

Mr. FUNG Ching-kit, Howard, Principal Engineer

8. Ms. CHAN Cheuk-ling, Kathy, went through TPDC Paper No. PHW 28/2021 and the relevant PowerPoint slides (see Annex).

9. Mr. MO Ka-chun, Patrick's questions and comments were as follows:

- (i) For ten years, he had heard from time to time that a public housing development at To Yuen Tung, Tai Po ("To Yuen Tung Development") would be implemented, but the departments had never released any official design plans. He, therefore, did not understand why the relevant papers were suddenly released recently.
- (ii) He was not sure that when the relevant departments drew up the afore-mentioned development project, whether they had taken into account the fact that Vanke Holdings (Hong Kong) Company Limited ("Vanke") had partnered with CNQC International Holdings Limited ("CNQC") last year to acquire the site at location R(B)10 on page 2 of the PowerPoint presentation. According to the relevant development parameters, Vanke and CNQC would build a total of 1 000 residential units on the said site, which would generate a population of 4 000 to 5 000 if each unit could accommodate four to five people. If this was added to the estimated additional population of 6 000 in To Yuen Tung Development, the burden on Ma Wo Road would increase by 10 000 people. Although the traffic impact assessment ("TIA") report of Atkins mentioned the request to widen the junction of Ma Wo Road, the measure could only divert traffic to Tai Po Market or the urban area of Tai Po. Even if Kwong Fuk Roundabout was widened or an additional left-turn junction was set up at Ma Wo Road, it would still be difficult to cope with the traffic demand of these 10 000 people and divert the additional traffic flow. He pointed out that it was feasible for vehicles to turn right from Ma Wo Road to Tolo Highway and asked whether the departments had considered doing so to divert the traffic flow on Ma Wo Road. In addition, the departments did not mention whether the timing of the

relevant traffic signals would be adjusted.

- (iii) He pointed out that the problem of illegal parking on Tat Wan Road and Ma Wo Road was very serious. Although Members had been asking the Police to enforce the law stringently, both sides of these roads were still full of illegally parked vehicles at night. Therefore, if three residential buildings were to be built on the Green Belt site at To Yuen Tung, Ma Wo Road without careful planning, the overall traffic would be seriously affected.
- (iv) According to the conceptual design plan on page 3 of the PowerPoint presentation, there would be an ancillary car park next to the three residential buildings. However, with reference to the public housing developments in the past, the ancillary car park would not be used solely for car parking purpose, and other facilities such as social welfare facilities would be provided on other floors as well. For example, only two to three storeys of the ancillary car park in Fu Tip Estate were used for parking purpose, and they only provided a few dozen to 100 parking spaces in fact. Therefore, he opined that with the shortage of parking spaces on Ma Wo Road at present, even if an ancillary car park was built, as the department did not provide the relevant development parameters, the effectiveness of such measure in improving the traffic problem could not be accurately assessed. In addition, the department had not provided any data to explain how the completion of To Yuen Tung Development would increase the hourly and peak hour traffic flow. Therefore, he opined that the relevant TIA data was inadequate.
- (v) Looking at the development plan of the entire Tai Po District, a total of two school sites had been earmarked for the development of Fu Tip Estate and Tai Po Area 9. In view of the current social situation and emigration wave, he had reservations about the proposal to earmark school sites in To Yuen Tung Development.
- (vi) The construction site of To Yuen Tung Development was very close to Tolo Highway and the school site was even located under Tolo Highway. He asked how many storeys the proposed buildings had, given that they were no higher than 135 metres above Principal Datum ("mPD"). Assuming a height of three metres per storey, the proposed buildings would be about 40 storeys high, with storeys on or above 20th floor looking directly onto Tolo Highway. He pointed out that The Regent, a large housing development (with 1 700 households), was already located in Tolo Highway near Shan Tong New Village, and that he had been receiving complaints from residents about the serious nuisance caused by Tolo Highway. The department might opine that the proposed buildings were at an appropriate distance of about 100 to 200 metres from Tolo Highway and therefore did not intend to implement noise mitigation measures on Tolo Highway. However, he did not think that the residents of the proposed buildings would agree to such an approach. Nevertheless, even with noise mitigation measures, the noise from vehicles would still reverberate among the

floors of the proposed buildings. In addition, the noise and air pollution problems of Tolo Highway would also affect the residents. Therefore, he did not find it appropriate to build three residential buildings on the Green Belt site of To Yuen Tung.

10. Mr. YIU Kwan-ho said that it was mentioned in the captioned paper that the applicants of Amendment Items B1 and B2 had conducted a series of technical assessments for the proposed residential development. To his understanding, these applications mentioned that the existing minibus services would be enhanced and that an additional 10 to 20 trips per hour would be sufficient to meet the transport demand of the new population. In this regard, he asked whether the applicant still retained the proposal in the above technical assessments on transport.

11. The Chairman's comments were as follows:

- (i) He was concerned about the problem of parking spaces in Tai Po District and pointed out that although more parking spaces had been provided in the district to "optimise the land use", as departments continued to set the number of parking spaces according to the outdated Hong Kong Planning Standards and Guidelines ("HKPSG"), there would be a shortage of parking spaces near the newly completed developments and it would result in illegal parking. Therefore, he suggested the departments not to follow the outdated HKPSG while planning. Otherwise, the issue of insufficient parking spaces would continue to be discussed at DC meetings years later.
- (ii) Members always had reservations about the need to earmark two school sites in Fu Tip Estate development, and although To Yuen Tung Development was expected to complete in 2032 to 2033, there might also be delays. As there were already primary and secondary schools in the vicinity of Wan Tau Tong Estate, there might not be any demand for school places when To Yuen Tung Development was completed. In this regard, he asked whether the land use of the earmarked school site could be changed in the future. If the departments were open to this, it would be one of the factors for Members to consider whether to support To Yuen Tung Development. Members were concerned whether the development had included certain ancillary facilities such as social welfare facilities, schools, retail facilities, leisure and recreational facilities, community halls, activity rooms, etc. In addition, the department should also make good use of the underground area of the development to provide parking spaces or other facilities with a view to "optimising the land use" without increasing the height of the proposed buildings.
- (iii) To Yuen Tung Development was expected to be completed in ten years' time, and it was not known whether the redevelopment of Tai Yuen Estate would be necessary then. However, he again suggested the departments think about the facilities required for redeveloping Tai Yuen Estate and the relevant rehousing arrangement as

early as possible. Otherwise, it would certainly cause discontent among local residents. He pointed out that Tai Yuen Estate, which was completed in 1979, was the first housing estate in Tai Po District and would be over 50 years old when To Yuen Tung Development was completed. In preparing for redevelopment, consideration had to be given to how to rehouse the affected households and as very few sites in Tai Po town centre would be available for large-scale public housing developments, he was worried that there would be no more sites in Tai Po town centre to rehouse Tai Yuen Estate residents. If residents were to be rehoused in more remote areas of Tai Po (e.g. Tai Hang or Lam Tsuen), this would affect their long-standing living pattern. If the departments' objective to take forward To Yuen Tung Development was to increase housing supply, he opined that redeveloping Tai Yuen Estate and increasing its number of storeys would also do the trick. Instead of redeveloping the entire Tai Yuen Estate altogether, the departments could redevelop two to three blocks at a time, which would provide more residential units than To Yuen Tung Development.

12. Ms. CHU Ha-fan, Jessica, responded as follows:

- (i) As regards the enquiry in paragraph 10 above about Amendment Items B1 and B2, she pointed out that the maximum plot ratio for the site at Yau King Lane near Tsiu Hang had been increased to 3.6 with the consent of the Town Planning Board ("TPB"). She understood that at present, only green minibus ("GMB") route 28S was available at Yau King Lane. According to the traffic assessment report of the relevant planning application, however, it was recommended that bus and minibus services would be added upon the completion of the project, subject to the TD's approval.
- (ii) The Plan D understood that some Members were concerned about the pressure on the traffic capacity of Ma Wo Road upon the completion of To Yuen Tung Development. Therefore, when conducting the relevant TIA, Atkins had taken into full consideration the development parameters of the existing development at Ma Wo Road and the private housing development on "Residential (Group B) 10" site, and had proposed corresponding road and junction improvement measures. With the implementation of the improvement measures, the volume / capacity ratio and reserve capacity of the relevant junctions were within an acceptable range.
- (iii) The Plan D noted that the problem of illegal parking at Ma Wo Road was the most serious at night. In this connection, the Leisure and Cultural Services Department ("LCSD") and TD had been co-operating in a proactive manner and it was tentatively proposed to provide about 200 public parking spaces in the sports centre development in Tai Po Area 6 to meet the parking demand of the local residents.

- (iv) As regards the views on the earmarked school sites, the Plan D understood Members' view about the current downward trend of the number of school children. Apart from the new town areas covered by Tai Po Outline Zoning Plan ("Tai Po OZP"), the department would also revise the planning of schools in rural areas such as Tai Mei Tuk, Ting Kok, Kau Lung Hang, Lam Tsuen, etc., which were located in the TPDC's constituencies, as there might be students in these areas who needed to attend schools in the new town areas of Tai Po. In addition, the department had consulted the Education Bureau ("EDB") on the overall demand for schools in Tai Po, and the EDB said that it would examine the need for schools based on a number of factors. Apart from meeting the schooling needs of the additional population, some of the existing school premises might need to be relocated or upgraded, thus the construction of standard and higher quality school premises on new sites was necessary for the provision of a wider range of facilities. The site of To Yuen Tung Development would be rezoned as "Residential (Group A) 10", where Government, Institutions and Community ("GIC") facilities were always permitted. While the EDB currently found it necessary to earmark a site for primary school, the latest situation would be taken into account in the detailed planning for the above development to provide appropriate GIC facilities for the local residents.
- (v) The Administration was reviewing the parking standards set out in the HKPSG. As the TD and HD would provide parking spaces according to a higher standard, the number of parking spaces in To Yuen Tung Development would certainly be more than the existing requirement of the HKPSG.
- (vi) As regards the view on optimising the use of underground space at the construction site of To Yuen Tung Development, even though many developments nowadays constructed underground facilities, the Government would like to complete the said public housing development as soon as possible. If excavation of underground spaces was involved in the construction of facilities, it would increase the construction cost and delay the completion date.

13. Ms. CHANG Ming-lai, Regina, responded as follows:

- (i) As regards the enquiry on the number of storeys in the residential buildings of To Yuen Tung Development, the proposed building height was not higher than 135 mPD, which meant that each block was about 41 storeys high. There was only a preliminary conceptual design at present. Regardless of the final number of storeys, however, the building height would not be higher than 135 mPD.
- (ii) As regards the enquiry on the redevelopment of Tai Yuen Estate, Hong Kong Housing Authority ("HA") considered that redevelopment of aged housing estates was a way to increase housing supply. The HA carefully considered whether to redevelop

certain housing estates based on four basic principles, namely the structural conditions of buildings, the cost-effectiveness of repair works, the availability of suitable rehousing resources in the vicinity of the redeveloped housing estates, and the potential for in-situ redevelopment. At present, the HA would first identify sites for new units in the vicinity of the redeveloped housing estates, so that the affected residents could move into the newly constructed public housing units, and then the vacated old housing estates would be demolished for the construction of new ones. The above process involved a lot of consultation work and took time to rehouse the residents. In the case of Wah Fu Estate, which was large in scale, its rehousing arrangement had to be made in phases and the entire redevelopment process often took at least ten years. Therefore, although redevelopment could increase the number of public housing units in the long run, it took longer and additional units were often available only at a later or even final stage of redevelopment. Moreover, the redevelopment of aged housing estates required arranging for a large number of newly built units to rehouse the affected residents, which would in the short run reduce the number of units available for allocation to those waiting for public housing and thus lengthening the waiting time for those with urgent housing needs. The HA opined that the housing need of people currently waiting for public housing allocation was much more pressing than that of those who were already living in public housing units. The HA would therefore strike a balance between redeveloping aged housing estates and meeting the needs of people waiting for public housing allocation, and consider redeveloping individual estates in an orderly manner wherever practicable.

14. Mr. TAO Kei-hung pointed out that according to the TIA of the Feasibility Study of To Yuen Tung Development (“Feasibility Study”), the existing traffic facilities were enough to cope with the additional traffic flow in the future if vehicles turned right from Ma Wo Road onto Tolo Highway via Tat Wan Road. As such, the Feasibility Study did not recommend any improvement measures. However, this did not mean that vehicles coming from To Yuen Tung could not enter Tolo Highway in the future. In addition, the CEDD had proposed a number of junctions where improvement measures were required.

15. Mr. CHOW Yan-kit, Stanley, added that as regards the junction of Ma Wo Road and Tat Wan Road, apart from recommending the widening of the left-turn lane on Ma Wo Road (east bound) towards Tat Wan Road, the TIA had also provided other improvement measures at the junction, including adjusting the traffic light operation and signal timing. The above assessment had also taken into account the future growth in traffic flow of the right-turn lane on Ma Wo Road, and put forward improvement measures to reduce the traffic pressure on Ma Wo Road.

16. The Chairman opined that the reply in paragraph 13(ii) above illustrated how the HA had repeatedly ignored the needs of Tai Po residents on the pretext of territory-wide policies. He pointed out that there was almost no space left in Tai Po town centre for the construction of a large housing estate, and there would be no suitable rehousing resources if Tai Yuen Estate had to be redeveloped and its residents rehoused in the future. However, the HA had not yet drawn up any redevelopment plan, and that was why he reminded the department to consider the redevelopment of Tai Yuen Estate in the planning of public housing developments, including To Yuen Tung Development. The department, however, had ignored Members' views. For example, in the past, Members had suggested the department make use of the facilities of Fu Tip Estate Development to improve the traffic problems and insufficient facilities in the neighbouring housing estates, but the department did not consider the suggestion in the end. He agreed that the HA needed to increase the housing supply for people waiting for public housing, but the two public housing developments in Tai Po were not the only options in Hong Kong, and in some districts, there were not any aged housing estates that needed to be redeveloped in the vicinity of the sites of public housing developments, so that the units in those public housing developments could be allocated to people who were waiting for public housing. He found it unreasonable for the HA to say that it would consider redeveloping Tai Yuen Estate only when the number of people waiting for public housing had gone down. The HA could not apply a territory-wide policy and ignore the actual needs of Tai Po residents while failing to respond to the rehousing plan for the redevelopment of Tai Yuen Estate.

17. Mr. LAU Yung-wai's questions and comments were as follows:

- (i) He believed that while in principle, no one would object to the Government increasing housing supply, he was more concerned about whether the Government could provide sufficient transport or community support facilities.
- (ii) He opined that the department did not set any priority and was self-contradictory in dealing with issues. He often criticised the EDB's projected demand for school places for far exceeding the actual demand, and pointed out that the department had already earmarked sites for two primary schools in Fu Tip Estate Development despite there was no demand for school places. If there was indeed an urgent demand for school places in Tai Po, why did the bureau plan to cease the operation of a time-limited primary school (i.e., the former Confucian Sam Lok Chow Mud Wai School in Tai Yuen Estate, Tai Po) between 2027 and 2028? He opined that it would be a waste of community resources if no one attended the new school at that time.
- (iii) The Government had been advocating the principle of "single land, multiple use" for years, but the department refused to consider making good use of the underground space at the site of To Yuen Tung Development for the construction of facilities on the pretext that it would like to begin the works as soon as possible. He did not understand how the departments decided on the priority and asked whether the

departments considered that there was no urgent need to plan for social welfare or recreational facilities. He pointed out that Tai Po had a population of 300 000 and according to the HKPSG, there should be one clinic for every 100 000 residents and one district library for every 200 000 residents. However, there were only two clinics and one district library in the district, not to mention that there was a serious shortage of other social welfare facilities such as child care centres. Apart from not meeting the above requirements, the provision of major community facilities in Tai Po was by no means enough to meet the demand of the additional population arising from the captioned amendment items as alleged in paragraph 16 of the captioned paper. However, instead of putting forward improvement measures, the department proposed earmarking a for primary school. In this regard, he asked the department to consider rezoning the said site for the construction of a major complex to provide social welfare facilities, particularly residential care homes for the elderly (“RCHEs”), child care centres and clinics.

- (iv) Citing the recommendation in paragraph 9 of the captioned paper, he asked whether the department had studied whether Tai Po Sewage Treatment Works (“TPSTW”) could treat the sewage generated from To Yuen Tung Development.

18. Ms. CHAN Wai-ka, Olive’s comments were as follows:

- (i) She opined that if there was indeed an urgent demand for school places, the EDB would not have planned to cease the operation of the former Confucian Sam Lok Chow Mud Wai School in Tai Yuen Estate, Tai Po, nor would it have failed to re-plan a school in Fu Shin Estate for more than ten years. As such, she had reservations about earmarking the primary school site. As many Tai Po residents would like to find a RCHE in Tai Po to facilitate family visits, she suggested the department consider developing facilities that promoted harmony across generations or RCHEs managed by the Social Welfare Department (“SWD”) at the above site.
- (ii) She pointed out that there was a serious shortage of government-subsidised RCHEs in Tai Po, and many elderly people could only stay in private ones. She was disappointed that the Government only planned to build primary schools, social welfare facilities, kindergartens and children’s playgrounds, etc. in To Yuen Tung Development, without providing any facilities for the elderly or retirees.
- (iii) She opined that the department had not taken into account the additional travel demand arising from To Yuen Tung Development. For instance, there was no plan to build a footbridge or pedestrian subway to connect the nearby housing estates.

19. Mr. TAM Yi-pui echoed Members' views above and conveyed the views of Mr. WU Yiu-cheong, the then DC Member of the constituency concerned (i.e., San Fu). Mr. WU opined that the rezoning of Green Belt site at To Yuen Tung, Ma Wo Road to "Residential (Group A)" would completely change and damage the original ecological environment. The neighbouring housing estates of the proposed buildings, including Grand Dynasty View, The Balmoral and Classical Gardens, were a few to about a dozen storeys high. Even the tallest building in Wan Tau Tong Estate was only 34 storeys high, but the proposed buildings were expected to be 41 storeys high each, which would ruin the landscape and affect the residents nearby. In addition, as residents of Classical Garden used Ma Wo Road to travel to the urban area, the traffic pressure on Ma Wo Road upon the completion of To Yuen Tung Development would seriously affect them. As such, Mr. WU and he were against To Yuen Tung Development.

20. Mr. YIU Kwan-ho asked whether the bus and minibuss services mentioned in Amendment Items B1 and B2 would travel from Pok Yin Road to Fo Chun Road via the roundabout at Mayfair By The Sea and then to the urban area. If yes, he was concerned whether the flyover of Pok Yin Road would be able to cope with that many bus and minibuss services as more and more vehicles were travelling through Pak Shek Kok. He opined that the TIA should take into account various factors such as other ancillary facilities, frequency arrangements, junction capacity and whether residents of other housing estates would be affected, rather than simply suggesting the addition of bus and minibuss services. In addition, he would not make any amendment proposals as he was against To Yuen Tung Development.

21. Ms. Jessica CHU responded as follows:

- (i) According to the HKPSG, To Yuen Tung Development would provide social welfare facilities that the district did not have. The plan tentatively included elderly care facilities, child care centres, family service and rehabilitation facilities (e.g. relatives resource centres and on-site pre-school services centres) to be provided by the SWD. Apart from the afore-mentioned public housing development, the applicant of the residential development at Yau King Lane near Tsiu Hang would also provide 315 public parking spaces and, at the SWD's request, facilities such as RCHEs and day activity centres so as to serve the community and help the underprivileged, the elderly or people with disabilities on all fronts.
- (ii) The Plan D had consulted the Food and Health Bureau ("FHB") on the need for clinics in the district. The FHB replied that there were currently two clinics in Tai Po District and the proposed third clinic at the ex-Jockey Club Swimming Pool Site at On Pong Road was under planning. Therefore, the bureau opined that the above facilities were enough to meet the needs of residents. However, if Members disagreed, she could convey to the bureau Members' wishes to build a fourth clinic in the district.

- (iii) According to the location map on page 2 of the PowerPoint presentation, there was a GIC site at the north of To Yuen Tung, and the open space with a ball court near Tat Wan Road had recently been opened for public use. The LCSD was currently exploring the possibility of providing additional facilities (including social welfare facilities and public parking spaces) at the proposed sports centre in Tai Po Area 6. Therefore, there would be open space, recreational and sports facilities and parking spaces in the vicinity of To Yuen Tung Development.
- (iv) The Plan D had conveyed Members' views on the construction of a school to the EDB. The EDB had confirmed the need to earmark a primary school site in To Yuen Tung Development based on the population benchmark, as well as the need to relocate schools and upgrade school facilities in the district. However, in "Residential (Group A)" zone, uses such as "Place of Recreation, Sports or Culture", "Government Clinic" and "Library" were always permitted and application to the TPB was not required. Therefore, the above site could be developed according to the Government or community needs at that time.
- (v) The TIA conducted by the applicant for Planning Application No. Y/TP/28 projected the traffic situation by assuming that the additional population would use Pok Yin Road for access, and proposed improvement works and provision of facilities at five junctions, including the provision of a bus lay-by at Yau King Lane and the construction of a public transport terminus, etc.
- (vi) Apart from the provision of elderly service facilities, To Yuen Tung Development would also provide child care facilities and other social welfare facilities required by people from other walks of life, thus promoting harmony across generations.
- (vii) According to the location map on page 2 of the PowerPoint presentation, the site of To Yuen Tung Development would be zoned as "Residential (Group A)" with a maximum building height of 135mPD. The neighbouring Wan Tau Tong Estate was an earlier development with a lower plot ratio than the current developments, and its building height was about 108 to 110mPD. To achieve "optimising the land use", the maximum total plot ratio for To Yuen Tung Development was 6.8 and the maximum building height would be about 25 metres higher than the existing buildings in the vicinity, and that was not consistent with the high-density development of Wan Tau Tong Estate. According to the preliminary conceptual development design, the height of the proposed ancillary car park and school would be about 50 to 60mPD, which was similar to the height of the adjacent buildings in The Balmoral (about 50mPD).
- (viii) The Administration recognised the importance of Green Belt. Therefore, the consultancy had proposed mitigation measures for rezoning Green Belt for housing development. The feasibility study recommended using a piece of government land

of about 1.95 hectares at Lin Au as ecological compensation for woodland, and the Agriculture, Fisheries and Conservation Department (“AFCD”) found the compensation measure appropriate. She hoped Members would understand that although To Yuen Tung Development involved felling of trees, the Administration would replant them in Lin Au, and the HD and CEDD would also try their best to plant vegetation at the said public housing development site so as to achieve a green coverage of 20% to 30%.

22. Mr. TAO Kei-hung said that as regards the enquiry in paragraph 17(iv) above, the CEDD had completed the sewage impact assessment report, and had discussed with the relevant departments to confirm that the TPSTW had sufficient capacity to deal with the sewage generated from To Yuen Tung Development in the future. In addition, according to the TIA recommendations, the improvement measures at the three junctions would be sufficient to cope with the additional traffic flow of the said public housing development and thus there was no plan to build a footbridge or a pedestrian subway.

23. Mr. FUNG Ching-kit, Howard, added that according to the assessment, the sewage flow from To Yuen Tung Development was relatively low during the dry season with about 1 700 cubic metres per day in average, which only accounted for 1.4% of the TPSTW’s capacity.

24. Mr. Patrick MO’s questions and comments were as follows:

- (i) According to the legend on page 3 of the PowerPoint presentation, vehicles of the proposed school and ancillary car park would access via Ma Shing Path which was at the same time the only access to The Balmoral. Therefore, the entrance and exit of The Balmoral’s car park would definitely be affected by the vehicles accessing the school during school hours and lead to traffic congestion in the future.
- (ii) He opined that even though the height of the proposed school was similar to that of The Balmoral, the view of The Balmoral Tower 1 would be seriously affected as it was very close to the school.
- (iii) He pointed out that there was no bus terminus on Ma Wo Road but the population in the area was estimated to be at least 10 000. The TIA report only recommended a bus lay-by on the south of Ma Wo Road instead of a public transport interchange, which could not cope with the demand for the boarding and alighting of buses.
- (iv) As most Tai Po residents travelled by the railway, especially during the morning and evening peak hours, the junction of Nam Wan Road and Tat Wan Road towards Tai Po Market MTR Station was already very busy, and the TD had also told him that it was not possible to widen this junction. Therefore, the additional traffic flow would only aggravate the congestion problem at the junction, and the junction improvement

works at Tat Wan Road and Ma Wo Road proposed by To Yuen Tung Development would not be able to divert the traffic to Tai Po Market MTR Station or the urban area either.

- (v) He opined that adding a left-turn lane on Kwong Wang Street towards Kwong Fuk Estate would only aggravate the traffic congestion in the estate and would not be able to divert the traffic of Tai Po residents heading to Kowloon. He agreed that it would help divert the traffic if vehicles could turn right from Ma Wo Road to the urban area via Tat Wan Road, but the department did not put forward such a proposal.
- (vi) He opined that the construction of a pedestrian subway under Ma Wo Road and Tat Wan Road connecting Tai Po Market MTR Station would help alleviate the overall traffic problem, and he did not understand why the department did not consider it.
- (vii) He pointed out that To Yuen Tung, Classical Gardens and even the entire San Fu Constituency were zoned as “Residential (Group B)” that would not be used for high-density building development. However, the Government was now planning to rezone the Green Belt site at To Yuen Tung, Ma Wo Road as “Residential (Group A)” for high-density building development, which was extremely incoherent with the surrounding environment. For example, the 10-storey buildings of The Balmoral were adjacent to buildings of more than 40 storeys high. Therefore, he opined that the planning of To Yuen Tung Development was not comprehensive enough and had not considered how it would fit in with the surrounding environment.
- (viii) He asked whether the HD had drawn up any mitigation measures to improve the noise problem of Tolo Highway.
- (ix) He asked where the Plan D would replant trees to make up for those felled for To Yuen Tung Development.
- (x) The residential development at Yau King Lane near Tsiu Hang was a public-private partnership with only the developer and the Government participated in the discussion. To his understanding, the developer only owned 30% of the land and could obtain the remaining 70% from the Government by way of land exchange and premium payment. As of now, he was still not sure how the Government and the developer would allocate the ownership of these ten buildings. In addition, as this residential development had no public transport interchange, no shops and not enough parking spaces, it looked as though the residents were living on an island regardless of whether the land would be used for subsidised housing or private properties. Moreover, the proposed amendment items to the Tai Po OZP did not specify in detail the implementation of the relevant development. Therefore, he opined that the above project was to a certain extent a transfer of benefits between the developer and the Government.

25. Mr. LAU Yung-wai's comments were as follows:

- (i) He opined that the department should consider building footbridges and pedestrian subways on Ma Wo Road and Tat Wan Road, and pointed out that the traffic on Tat Wan Road would be busy in the future. Apart from using Kwong Fuk Roundabout, if vehicles could also use the entrance and exit of Tat Wan Road to travel between Kowloon or to the north, it might help relieve the pressure of the additional traffic.
- (ii) He pointed out that even if a third clinic was to be built in Tai Po District in the future, it would only meet the outdated HKPSG for the use of 300 000 people, and the current population of Tai Po District had already exceeded 300 000 and would increase to 350 000 to 400 000 when the developments were gradually completed. In this regard, he opined that the Plan D should plan ahead for the corresponding facilities, instead of saying that it would convey Members' request for a fourth clinic to the FHB.
- (iii) He reiterated his opposition to the building of primary schools and opined that the schools and related facilities in Tai Po District were already enough. He also pointed out that it was unreasonable for the EDB to ignore the many vacant school premises in the district, or even shut down schools, while at the same time kept looking for sites to build new schools. He understood that there was a large number of cross-boundary students in Tai Po and North District and the number was hard to estimate, and the bureau still had to reserve school places for them. However, if the cross-boundary students were not admitted eventually, the resources reserved would go to waste, which was why he had reservations about this approach. According to the current trend, some cross-boundary students might drop out of schools due to the epidemic. Coupled with the wave of emigration in Hong Kong, the demand for school places was therefore unlikely to increase in the future. He said there was data showing that even without the reasons above, the number of primary school students in Hong Kong had gone down when the "Year of the Dragon effect" faded, but the bureau's data still pointed to an upward trend in the demand for school places in Tai Po District, and that did not make sense. Therefore, even if the bureau opined that there was a certain demand for school places, the Plan D could provide other data to refute it so as to optimise the land use and planning as soon as possible for the construction of other facilities that were more urgently needed, such as clinics, RCHes, child care centres, etc., to cater for the needs of Tai Po residents.
- (iv) While agreeing with increasing the housing supply, he opined that essential facilities should be provided at the same time. If there was no suitable location for the provision of facilities, early consideration should be given to make good use of the underground space of the site of To Yuen Tung Development to provide facilities such as car parks, shops, wet markets, etc. The principle of "optimising the land use"

should not be abandoned for the sake of cost-effectiveness and the needs of residents should not be ignored. The Plan D should not rush to launch new housing projects without careful consideration. It should have planned the overall development of Tai Po District when planning for new housing developments, such as considering the redevelopment of Tai Yuen Estate.

26. Ms. Olive CHAN's questions and comments were as follows:

- (i) She asked about the area ratio of social welfare facilities provided in To Yuen Tung Development and whether the design of residential units on the upper floors and social welfare facilities on the lower floors of the buildings would remain. She pointed out that the limited space for social welfare facilities on the ground floor of the current housing estates was not enough for non-governmental organisations to provide more facilities and intensive services for the public. Therefore, the provision of only one 1 000-square-foot unit on the ground floor of the buildings in the said development for social welfare facilities would not be enough. What Tai Po District needed was a lot more social welfare facilities, not schools. Therefore, if there was no need to build a primary school, the site should be used for the provision of social welfare facilities instead. She asked whether the Plan D had consulted the SWD on the need to earmark land for social welfare facilities to meet the needs of Tai Po residents.
- (ii) According to the demographic profile of Tai Po District provided by the SWD, there were 52 800 people aged 65 to 75 or above in the district in 2020, but only eight subsidised RCHEs at present which were not enough to meet the needs. The RCHE (without mentioning whether it was private or subsidised) provided by the residential development at Yau King Lane near Tsiu Hang with only 100 beds would be completed between 2026 and 2027. By then, the elderly population would have further increased, and given how inaccessible Yau King Lane was, it would be even more difficult to meet the need of the population. Therefore, if there was no need to build a school in To Yuen Tung Development, the Plan D should consider using the site to construct a building to provide RCHEs, child care centres, other social welfare facilities and health centres so as to genuinely serve the residents of Tai Po.
- (iii) She suggested the CEDD study the construction of pedestrian subways and footbridges to meet the basic travel needs of residents. Otherwise, the problems of pedestrian and vehicular flows could not be resolved.

27. Mr. AU Chun-ho, the Vice-chairman's comments were as follows:

- (i) He disagreed with the statement in paragraph 6 of the captioned paper. He pointed

out that there was traffic congestion on these roads every day and thus disagreed that To Yuen Tung Development would not lead to an unacceptable impact on the overall traffic and transport. He opined that the ineffectiveness of the road and junction improvement measures proposed in the above project was exactly why they had not been used in the past to tackle the traffic problem. Therefore, the department should explore other long-term and effective solutions to improve the traffic problems.

- (ii) He opined that as Fu Tip Estate Development had already included the construction of two schools, it was not necessary to earmark land for a school in To Yuen Tung Development, and it was more practical to use the land for social welfare facilities.

28. Mr. YIU Kwan-ho's comments were as follows:

- (i) He disagreed that the improvement works at the five road junctions and the relevant transport facilities could cope with the traffic growth arising from the completion of the residential development at Yau King Lane near Tsiu Hang. He pointed out that the routing from Yau King Lane to the urban area usually went past the University MTR Station and Tolo Highway, and the existing roundabout could no longer cope with the traffic pressure. Therefore, the measures above could not address the problems of overloaded junctions and serious traffic congestion. In this regard, he asked whether the department would reconsider providing additional ramps or exits at the flyover of Pok Yin Road, or even a bus interchange connecting Tolo Highway.
- (ii) He opined that the Green Belt site at To Yuen Tung, Ma Wo Road should not be rezoned. He, therefore, reiterated his objection to To Yuen Tung Development.

29. Mr. CHAN Chun-chit, Richard, asked, when conducting the TIA for To Yuen Tung Development, whether the consultancy had taken into account the impact of the completion of Fu Tip Estate Development and the use of 9-car trains of the MTR East Rail Line on the outbound traffic of Tai Po District. In addition, based on Members' views above, he opined that the PHWC was against the captioned project and asked whether his view was correct.

30. Ms. Jessica CHU responded as follows:

- (i) If schools or residences were to be built next to Ma Shing Path in the future, the CEDD would widen the said road section. During the construction period, the department would also ensure that the works would not affect the access of The Balmoral's residents.
- (ii) A noise impact assessment had been conducted in the feasibility study, which confirmed that with the implementation of mitigation measures, residents of To Yuen Tung public housing would not be affected by unacceptable noise nuisance.

- (iii) The department would reserve a site of about 1.95 hectares at the south of Tai Po Water Treatment Works (“TPWTW”) for replanting high-value trees to make up for the ecological impact caused by the felling of trees within the Green Belt site in To Yuen Tung.
- (iv) She clarified that the residential development at Yau King Lane near Tsiu Hang was not a public-private partnership. Upon completion of the land exchange application, it would be up to the Government to decide how to develop Amendment Item B1, i.e., the land at Construction Site A (northern portion), while Construction Site B (southern portion) would be developed by the applicant on its own. In processing the land exchange application, the Lands D would require the applicant to pay the full market value, instead of only part of the premium, according to the size and proposed use of the land obtained from land exchange.
- (v) The Plan D had previously discussed in detail with the EDB and FHB as regards earmarking a school site in To Yuen Tung Development and the demand for clinics in the district. Based on internal estimates and requirements, the EDB confirmed the need for an 18-classroom primary school in the above public housing development. However, she would convey Mr. LAU Yung-wai’s views to the department again to re-examine the need.
- (vi) She pointed out that by her estimation, walking from the residential buildings of To Yuen Tung Development to Wan Tau Tong Estate would take two to three minutes, while walking to the bus stop of the housing estate and Tai Po Market MTR Station would take four minutes and ten to 12 minutes respectively. There were retail facilities with an area of about 7 000 square metres (“m²”) in Wan Tau Tong Estate. The HD would also provide retail facilities in To Yuen Tung Development, and private clinics were also a permitted use in the above project.
- (vii) As regards the provision of RCHEs, Amendment Item B2 would provide 160 beds and Amendment Item A would also provide beds. Measures currently adopted by the SWD included using a funding of \$20 billion to identify premises throughout the territory for the provision of RCHEs, or requesting other developments to explore the feasibility of providing beds to meet the residents’ needs.
- (viii) As regards the residential development at Yau King Lane near Tsiu Hang, the applicant had submitted a TIA which the TD found its proposed measures appropriate. Nevertheless, the TD had launched a regional traffic and transport study on Tai Po, which would assess the impact of different developments (including Amendment Items A, B2 and B2) on the traffic of Tai Po District. Furthermore, the Government had launched the Strategic Studies on Railways and Major Roads beyond 2030 in late 2020, which would examine the possibility of building more major infrastructure and railway systems, such as an MTR station at Pak Shek Kok.

- (ix) It was announced in the Policy Address that the Administration would study the allocation of about 5% of the total floor area of future public housing developments for social welfare facilities. As such, To Yuen Tung Development would also refer to the requirement above for the provision of social welfare facilities.

31. Mr. Stanley CHOW said that the TIA conducted by the consultancy had analysed and projected the additional pedestrian flow and travel pattern of To Yuen Tung Development, and assessment had been conducted according to the destinations, road sections involved (including the pedestrian walkways on Ma Wo Road and Tat Wan Road) and the locations of other transport facilities (e.g. MTR station), etc. The result showed that the service level was acceptable and there was spare capacity. As the above TIA estimated that there would be an average patronage of over 400 passengers using MTR services per hour, the impact on the MTR's services would be minimal.

32. Mr. TAO Kei-hung pointed out that according to the TIA, the proposed traffic improvement measures would be enough to meet the traffic demand of the additional population brought by To Yuen Tung Development. The construction of pedestrian subways at Ma Wo Road and Tat Wan Road was a long-term traffic improvement measure, details of which had to be provided by the TD.

33. Mr. PANG Hiu-fung said that the TD had to conduct sufficient assessment when considering the need for footbridges or pedestrian subways. The department would consider these facilities only if there were capacity issues with the relevant pedestrian walkways.

34. Mr. LAU Yung-wai did not understand why the department did not consider building footbridges. He opined that if To Yuen Tung Development was implemented, its additional population would put heavy traffic pressure on Tat Wan Road, and vehicles travelling from Tat Wan Road to the urban area via Tolo Highway would overload Tat Wan Road. The department could not wait until residents had moved in before considering the construction of facilities such as footbridges.

35. Mr. WONG Siu-kin's questions and comments were as follows:

- (i) He was neutral as to whether to support To Yuen Tung Development, as the above development was not expected to be completed until ten years later and it was difficult to predict now the population policy and the facilities needed at that time.
- (ii) In response to the Plan D's earlier reply that retail and ancillary facilities were available in Wan Tau Tong, he pointed out that there were housing estates under the Tenants Purchase Scheme ("TPS") and Home Ownership Scheme in Wan Tau Tong, and according to the information of the 2019 DC Election, the population of Wan Tau Tong Constituency was 15 438. As residents of nearby housing estates (including Wun Yiu and Classical Gardens) would also use the facilities in Wan Tau Tong, the

department should also take the situation above into account when planning the said development. Although it was difficult to estimate now the facilities required in the future, the existing retail facilities in Wan Tau Tong were not enough and most of the bus routes at Wan Tau Tong bus terminus only operated on weekday mornings, with only a handful of them providing full-day services. Therefore, if the department was to use Wan Tau Tong as the base for the development above, the existing retail facilities and bus services in the area would have to be improved.

- (iii) Paragraph 10 of the captioned paper mentioned the site at To Yuen Tung, of which about 0.2 hectare was private land. In this connection, he asked whether the department was negotiating with the owner of that private land at this stage.
- (iv) According to the legend on page 2 of the PowerPoint presentation, some of the sites were neither within the proposed construction site of To Yuen Tung Development nor within the area rezoned as “Residential (Group A)”. In this connection, he asked about the use of the above sites, whether they were private land, and why they did not belong to the above construction sites. In addition, he pointed out that the development above required the felling of 1 000 trees, but could only build three residential buildings. Therefore, he suggested the department consider planning a more comprehensive development in To Yuen Tung.
- (v) He asked if the Plan D expected the TPB would approve To Yuen Tung Development, and whether the project would be affected by the change of Government.

36. The Chairman’s questions and comments were as follows:

- (i) Experience had shown that the department’s planning and estimates were not up to date. Theoretically, the department should now estimate the situation of To Yuen Tung Development a few years after its completion (i.e., more than ten years later), and then plan the project and propose improvement measures. For example, when he asked the department years ago whether road surface area of Ting Kok Road to be widened could be increased, the department said at that time that there was not enough data to support the proposal and that it could be studied again in the future. He pointed out that at present, even though the department found it necessary to widen Ting Kok Road again, there was no room to do so. Nevertheless, Members had to bear the brunt for it and were blamed by residents for not having any comprehensive planning. The bus terminus at Wan Tau Tong had undergone improvement works but was still not enough to meet the traffic demand. The said development only proposed the provision of a lay-by, which would be impossible to meet the demand of residents of the three proposed residential buildings. He opined that if the department would like to encourage these residents to use MTR services, it should provide ancillary facilities to connect to the MTR station instead of merely

asking them to walk there. Therefore, the department should draw up support measures to convince Members to support the project.

- (ii) He pointed out that Tat Wan Road connected Uptown Plaza, Nam Wan Road, Wan Tau Street and Heung Sze Wui Street, and the traffic congestions along the entire road section affected one another. Traffic congestion on the northbound Nam Wan Road (i.e., under the “railway bridge” towards Fu Heng) was serious every morning, and if there was a traffic accident on Tolo Highway, traffic queue would extend all the way back and paralyse the trunk roads in Tai Po town centre. He asked whether the department had considered this problem.
- (iii) He pointed out that the department had not yet responded to the enquiry about the construction of noise barriers on Tolo Highway.
- (iv) He opined that the department should study the feasibility of constructing pedestrian subways early in the planning and carefully consider Members’ views, instead of indicating that a study would be carried out in the future.

37. Mr. TAO Kei-hung responded as follows:

- (i) As regards the enquiry on the need for the construction of pedestrian subways at the junction of Tat Wan Road and Ma Wo Road, he said that apart from pedestrian subways, various pedestrian crossing facilities, including signalised crossings, could also deal with pedestrian demand. The junction concerned was equipped with a signalised crossing for pedestrians to proceed to Tat Wan Road. However, whether the facilities were enough to meet the pedestrian demand depended on the width of the crossing and the timing of traffic lights. The TIA of the feasibility study estimated that the width of the said crossings and the signal time allocated for pedestrian use would be enough to cope with the projected pedestrian flow in 2039. Based on the assessment above, the CEDD opined that the proposed junction improvement measures for To Yuen Tung Development would be able to cope with the traffic demand of the additional population. In the long run, it should be up to the TD to consider whether it was necessary to provide pedestrian subways at the junction of Tat Wan Road and Ma Wo Road.
- (ii) He pointed out that there had been ongoing improvement works on Tolo Highway years ago, including the construction of noise barriers. In addition, the CEDD had carried out a preliminary environmental impact assessment, including a traffic noise impact assessment, when carrying out the feasibility study. According to the assessment result, the relevant traffic noise level was in line with the standard. The CEDD could provide further information where necessary.

38. Ms. Jessica CHU responded as follows:

- (i) She pointed out that a sports centre and sitting-out facilities would be provided at the north of To Yuen Tung in the future, and retail facilities were also tentatively planned for To Yuen Tung Development. The proposed maximum plot ratio for the above amendment items was 6.8, of which 0.3 had been reserved for non-domestic floor area for the provision of retail facilities to facilitate the public.
- (ii) As there were more trees in the Green Belt outside the red box on page 2 of the PowerPoint presentation and the hillside was steeper, the area was not included in this rezoning proposal. In addition, the Administration would make adjustment in accordance with the site conditions and other technical factors when deciding the area of the development. For instance, it would heed the AFCD's advice to avoid affecting the location with more valuable trees.
- (iii) The Lands D had not yet negotiated with the owner of the afore-mentioned private land of about 0.2 hectare (the area in yellow in the legend on page 2 of the PowerPoint presentation). However, if the TPB agreed to the captioned amendment items, the Lands D would liaise with the affected parties according to the established procedures.
- (iv) She pointed out that the number of trees to be felled was not directly related to the number of buildings or units to be built. To Yuen Tung Development was located near a developed area, and the Administration would also replant trees in the Green Belt at the south of TPWTW.
- (v) It was difficult for her to assess how likely the TPB would approve the captioned amendment items. However, the Plan D would submit Members' views together with the proposed amendments to the TPB for consideration according to the established procedures, and the TPB would then simply decide whether to approve the proposed amendments. If the TPB did, it would display the draft Tai Po OZP for public inspection in accordance with Section 5 of the Town Planning Ordinance. During the public inspection period, anyone could make written representations on the amendment items and make comments on the representations. The TPB would then hold a hearing on the representations and comments received before making the final decision. At this stage, the Plan D would submit the proposed amendments to the TPB to decide whether to agree to the release of the captioned amendment items.
- (vi) Government departments had the responsibility to ensure adequate and sustainable housing supply, and the Plan D had been making every effort to implement the policy since 2010 and would not do anything different because of the change of government.

39. Mr. LAU Yung-wai's questions and comments were as follows:

- (i) He reiterated that the data showed that there was no need for the school. As such, the department should consider turning the school site into a community complex to provide clinics and various social welfare facilities.
- (ii) The estimated population of To Yuen Tung Development was about 6 480. If they all walked to the MTR station, they could only use the junction of Ma Wo Road and Tat Wan Road. Therefore, he asked about the estimated daily pedestrian flow and the daily peak hourly pedestrian flow of the junction.

40. Mr. WONG Siu-kin asked the Plan D, based on past experience, if the owners of the private land involved were not informed of the project even after the TPB's approval, whether it would have any impact on the project, and whether it was feasible to draw up a development without the knowledge of the owners involved. He also asked about the buildings at the 0.2 hectare of private land concerned and their uses.

41. Mr. Patrick MO said that according to his observation, there were three to four squatter households living on the said 0.2 hectare of private land. In this connection, he asked how the department planned to rehouse them. For example, he asked whether the department would compensate them through To Yuen Tung Development. In addition, he pointed out that most of the slopes would be formed under the above project, and therefore asked the CEDD about the relevant technology and mitigation measures to avoid affecting the nearby residents during the site formation.

42. Ms. Jessica CHU said that at present, the 0.2 hectare of private land concerned was partly residence (with about 10 to 50 residents, according to the consultant's preliminary assessment), partly agricultural land and temporary housing, and partly non-private land with occupation permits issued by the Government. Many of the government projects involved private land resumption in the past and the Government had drawn up established procedures for the matter. Members of the public could check the relevant booklets on the Lands D's website or contact the department's staff about compensation, rehousing and clearance measures. When processing the applications, the TPB mainly took into account the relevant land use, for instance, whether the Green Belt was suitable for rezoning as "Residential Development", while compensation for clearance was not covered by the Town Planning Ordinance. After the meeting, the Plan D would also contact the Tai Po Rural Committee and HAD in an attempt to contact the owners of the said private land so as to brief them on To Yuen Tung Development as soon as possible.

43. Mr. TAO Kei-hung responded as follows:

- (i) The TIA for To Yuen Tung Development analysed the adequacy of junction capacity and examined the need for improvement measures based on the projected situation in 2039, including the traffic direction and pedestrian flow of the junction. According to the result of the above analysis, the relevant junction improvement measures were

considered sufficient to cope with the traffic pressure brought by the additional population of the said project.

- (ii) The CEDD had conducted a full analysis on the need for pedestrian subways at Tat Wan Road and Ma Wo Road, and would be happy to provide the relevant findings after the meeting if Mr. LAU Yung-wai found it necessary.
- (iii) As the site formation for To Yuen Tung Development was of a standard level, the works would be bored piling and excavation. When carrying out these works, the department would generally take environmental mitigation measures according to the existing standards, such as only carrying out works with serious noise problem during specified hours, avoiding traffic obstruction by soil transporting construction vehicles, and requiring staff to wash the tyres of construction vehicles before leaving the site to avoid leaving marks on the carriageways, thereby ensuring that the public was not affected by the works. In summary, the preliminary environmental impact assessment had assessed the potential impacts of various work processes, and with the implementation of the established mitigation measures, these impacts would remain at the reasonable limits.

44. Mr. Stanley CHOW added that upon the completion of To Yuen Tung Development, it was estimated that the peak 15-minute pedestrian flow would be 725 people. Most of them would walk from Tat Wan Road to various destinations, including the transport facilities and MTR station nearby, while those travelling by vehicles to the MTR station would have to use the lay-by on Ma Wo Road. According to the assessment, a total of about 1 400 people used the two pedestrian walkways on Tat Wan Road during the peak session per hour, and the width and flow of the pedestrian walkways, as well as the timing of the traffic signal, were all up to par.

45. Mr. CHOY Kin-lun said that as the captioned amendment items and the area for land resumption had not yet been confirmed, the TPDLO could not estimate the number of households affected by the clearance or works. Generally speaking, once the scope of works of a development project had been confirmed, the TPDLO would, in accordance with the mechanism, conduct freezing survey and contact the affected parties to make a compensation offer. Under the existing mechanism, to expedite the compensation process, the TPDLO would assess the amount of land compensation independently. In addition, the TPDLO would assess the eligibility of squatters for rehousing to public housing based on how long they had been living there and other relevant factors, including whether they owned residential properties and assets. Members of the public could refer to the Lands D's online booklets on ex-gratia compensation arrangements for property owners, tenants or occupants affected by government developments, land resumption or clearance operations.

46. Mr. LAU Yung-wai said that according to the data in paragraph 44 above, if the pedestrian crossing signal at Tat Wan Road lasted for three minutes, it meant that about 50 to 60 people would be using the said pedestrian walkway during that period, and that pedestrian flow was sufficient to justify the need for a pedestrian subway. He could not accept that the department had ignored the needs of pedestrians by arguing that there was no need for additional pedestrian crossing facilities simply because of vehicular flow.

47. Mr. Richard CHAN asked whether the CEDD could provide the TIA report for the PHWC Members' reference.

48. The Chairman suggested that the Plan D representative should be responsible for co-ordinating the submission of reports from the relevant departments to the Secretariat, which would then distribute them to Members for reference.

(Post-meeting note: The CEDD had submitted the information as requested in paragraph 46 above. The Secretariat sent the paper to Members via email on 16 August 2021 and put a hard copy of the TIA report in the DC Members' Room at the Secretariat for Members' reference.)

49. Ms. Jessica CHU said that the CEDD would provide the TIA for Members' reference. In addition, upon completion of the TIA, the consultancy would submit the result and the proposed improvement measures to the TD. Therefore, the TD had examined the TIA of To Yuen Tung Development and found the proposed improvement measures appropriate. As such, the Plan D would also respect the TD's views.

50. Mr. PANG Hiu-fung said that when conducting the pedestrian flow analysis, the consultancy would visit the site to calculate the pedestrian flow of the road section, and then project the population growth in 2039 to simulate the pedestrian flow of the road section during the morning or afternoon peak hours. The assessment had also set the standards that the TD would accept the recommendations if the results showed that the road section could maintain a reasonable service level.

51. Mr. LAU Yung-wai was not happy with the replies from the consultancy and TD, and opined that the department only replied that it had no particular comment on the consultancy's TIA, and it did not mean that there was no problem.

52. Ms. Jessica CHU said that the CEDD would provide Members with the TIA report after the meeting. She added that the TD representative had replied that the TD would, in accordance with the relevant standards, examine if the pedestrian walkways were enough to maintain a reasonable service level. The TIA results indicated that the road section concerned was of Grade A service level, i.e., the road section was free from obstruction, and that was why no pedestrian subways and

footbridges were proposed. If Members had any questions after reviewing the TIA report, she believed that the consultancy, CEDD and TD would be happy to answer them.

53. Mr. Patrick MO said that the nearby residents did not know the details of the captioned amendment items, and it was only at this meeting that Members learnt about the captioned paper and made a lot of comments. Therefore, he would like to move an impromptu motion to express his stance on To Yuen Tung Development.

54. The Chairman said that he would deal with the impromptu motion moved by Mr. Patrick MO. Pursuant to Order 17 of the Standing Orders, unless otherwise agreed by the Chairman, a Member had to inform the Secretary ten clear working days prior to the meeting for moving any motions. However, as many Members were concerned about the matters relating to the afore-mentioned motion and they were of an urgent nature, he had exercised his discretion to allow the motion to proceed.

55. The Secretary read the impromptu motion as follows:

“The PHWC under the TPDC objects to the development of public housing at To Yuen Tung, Tai Po by the departments without fully consulting Tai Po residents.”

The motion was moved by Mr. Patrick MO and seconded by Mr. SO Tat-leung and Mr. Richard CHAN.

56. Members did not put forth any other amendment motions at the meeting.

57. The PHWC agreed to take a vote by open ballot. The Chairman guided Members to vote on the motion moved by Mr. Patrick MO and the result was as follows:

For:	8 votes	Mr. AU Chun-ho, the Vice-chairman Ms. Olive CHAN Mr. Patrick MO Mr. TAM Yi-pui	Mr. Richard CHAN Mr. LAU Yung-wai Mr. SO Tat-leung Mr. YIU Kwan-ho
Against:	0 vote		
Abstain:	0 vote		
Present without voting:	3 votes	Mr. AU Chun-wah, the Chairman Mr. WONG Siu-kin	Mr. HO Wai-lam
Absent without voting:	0 vote		
Total :	11 votes		

58. The Chairman announced that the above motion was carried. He also asked the relevant departments to adjust or amend the captioned items in the light of Members' views, and to brief Members again in the future if there were any updates.

IV. Enquiry on the occupation arrangement for Fu Tip Estate – Phase 1 (Ban Tip House) in Tai Po

(TPDC Papers No. PHW 29/2021, PHW 29a/2021 and PHW 29b/2021)

59. Mr. AU Chun-ho, the Vice-chairman, went through TPDC Paper No. PHW 29/2021.

60. The Chairman said that Members submitted the captioned paper on 2 July and two of the signatories, namely Mr. KWAN Wing-yip and Mr. YAM Kai-bong, resigned as DC Members on 8 July. In addition, the TD was unable to send staff to attend this meeting but had submitted a written reply as set out in TPDC Paper No. PHW 29b/2021.

61. Mr. TO Chak-foo went through TPDC Paper No. PHW 29a/2021.

62. The Chairman asked HD representative to reply to the fourth enquiry in TPDC Paper No. PHW 29/2021. He also asked if it was possible for Phases 1, 2 and 3 of Fu Tip Estate to be managed by different property management companies. If yes, he found the arrangement extremely odd.

63. Mr. TO Chak-foo replied that as residents had not yet moved into Phases 2 and 3 of Fu Tip Estate, the property management company responsible for the management of Phase 1 of Fu Tip Estate would not manage Phases 2 and 3 during the contract period. The department would invite tenders for the management contract of Phases 2 and 3 in a timely manner before residents moved in. In addition, as the management service contract would be tendered, it was possible to have different property management companies managing Phases 1, 2 and 3 of Fu Tip Estate.

64. Mr. HO Wai-lam's questions and comments were as follows:

- (i) Many Members had mentioned at various committee and working group meetings that the serious shortage of parking spaces in Fu Tip Estate had indirectly aggravated the illegal parking problem in the vicinity and led to traffic congestion. He pointed out that if the HD and TD did not address the shortage of parking spaces, the problems of illegal parking and traffic congestion would only escalate. He, therefore, reiterated his request to the HD and TD to provide more parking spaces and identify sites for the construction of car parks.

- (ii) Where circumstances permitted, he hoped that the HD would arrange a visit to Fu Tip Estate with Members as soon as possible before the residents moved in.
- (iii) Based on his observation, the service capacity of bus route 71A was already saturated during peak hours, and there would be a very long queue for the bus in case of delay or lost trip, and the occupancy rate was not around 70% as stated in the TD's paper. Therefore, the TD should expedite the formulation of transport facilities, such as inviting tenders for operating a circular bus route between Tai Wo and Fu Tip Estate as soon as possible, instead of just using bus routes 71A and 71B to cope with the additional passenger demand.
- (iv) It was mentioned in the TD's paper that the operators of New Territories GMB routes 20A and 20X had submitted the applications for increasing the frequency and extending the service hours. He pointed out that credit should go to Members for making the requests to the GMB operators at the working group meetings, and not the TD for making the recommendations.
- (v) Many Members had mentioned at various committee and working group meetings that the additional population in Fu Tip Estate would impose a heavy burden on the nearby housing estates or traffic, but the TD and the relevant departments had never addressed the problem. He opined that if relevant measures were not drawn up in time, it would be difficult for the departments to deal with the problem should it arise.
- (vi) He pointed out that while the captioned agenda item directly and seriously affected his constituency (i.e., Fu Heng), he was not happy for having no prior knowledge of the captioned matter being brought up by other Members.

65. Mr. AU Chun-ho, the Vice-chairman, asked the HD about the total number of parking spaces to be provided in Phases 1, 2 and 3 of Fu Tip Estate, and pointed out that the failure to provide enough parking spaces would only give rise to illegal parking problem. In addition, he asked the Secretariat to inform the TD of Members' concerns about the adequacy of public transport services at Fu Heng Bus Terminus and Chuen On Road public transport interchange to meet the transport needs of the additional population.

66. Mr. Patrick MO asked the HD whether the building components of Ban Tip House would be implanted with radio frequency identification ("RFID") chips, and whether eco-friendly measures, such as setting up recycling bins for construction waste, would be taken forward in the building.

67. Mr. WONG Siu-kin's questions were as follows:

- (i) There were five shops on the lower ground floor of Ban Tip House, and one of them was still being tendered. Therefore, he would like to know why this shop had not yet been leased, as well as its floor area and location.

- (ii) As the four leased shops were a bakery, a grocery store, a household goods shop and an eatery, he opined that the remaining one should sell wet goods to meet the needs of the residents and asked whether the department would contact shops belonging to that category (e.g. supermarkets or convenience stores).
- (iii) He asked about the difference in rentals between these five shops and shops with the same floor area in the market.
- (iv) He asked about the contract period for the estate management of Phase 1 of Fu Tip Estate (Ban Tip House) carried out by China Overseas Property Services Limited (“COPSL”).
- (v) He asked about the floor area of the four leased shops.

68. Mr. TO Chak-foo responded as follows:

- (i) Upon the issuance of occupation permit for Ban Tip House, the HD would inform the Secretariat to arrange for a visit to Fu Tip Estate with Members as soon as possible.
- (ii) As regards the enquiry in paragraph 65 above, he would give Members a written reply after the meeting on the total number of parking spaces to be provided in Phases 1 and 2 of Fu Tip Estate.
- (iii) As regards the enquiries in paragraph 67 above, the department’s replies were as follows:
 - a. Enquiry (i): The remaining shop on the lower ground floor of Ban Tip House, which was still being tendered, had an area of 25m². The HD had previously invited two tenders for a self-service bank and a barber shop or a food and confectionery store (either one), but no response was received on either occasion.
 - b. Enquiry (iii): The rentals of the five shops on the lower ground floor of Ban Tip House were determined by the tender prices of the tenderers. He would check with the relevant unit for information on the tender results after the meeting.
 - c. Enquiry (iv): The contract period for the relevant property management company was two years.
 - d. Enquiry (v): The grocery store had a floor area of 72m²; the household goods shop 41m²; the bakery 49m²; and the eatery 215m².
- (iv) As regards the enquiry in paragraph 66 above, according to the contract, RFID chips would be implanted in the building components of Ban Tip House. In addition, the HD would ask COPSL to set up recycling bins in the refuse collection rooms to recycle items such as plastic, paper and metal.

(Post-meeting note: The HD added that for the enquiry in paragraph 65 above, Phases 1 and 2 of Fu Tip Estate would provide 24 and about 230 parking spaces respectively. In addition, information

on the successful tender for the four shops on the lower ground floor of Ban Tip House was as follows:

Shop Address	Trade	Area (m ²)	Reference Monthly Rent (HK\$)	Monthly Rental of Successful Tender (HK\$)
LG2	Grocery and Provision Store	72	35,000	45,228
LG3	Household Utensils, Furniture, Hardware, Toys and Stationery	41	20,000	28,000
LG4	Bakery	49	25,000	31,002
LG5	Café, Congee and Noodle (with Full Waiter Services)	215	86,000	199,988

Notices of tender awards had been uploaded onto the HA's website at <https://www.housingauthority.gov.hk/tc/commercial-properties/tender-notices-and-awards/index.html> for inspection.)

69. The Chairman opined that it would be more desirable for the entire estate to be managed by the same property management company and suggested that when dealing with the estate management contracts of Phases 1, 2 and 3 of Fu Tip Estate in the future, the HD should invite tenders for these phases altogether wherever possible. In addition, he pointed out that as many new tenants would remove the original equipment from their units during renovation, he suggested the department designate an area for them to dispose of the equipment. As the building components of these units would be implanted with RFID chips and the department would also ask tenants to return the original equipment when they moved out in the future, or else they would have to purchase the same equipment or make a compensation, he suggested the department remind tenants of these situations again.

V. Request to resume the site of the auto-liquefied petroleum gas filling station on Kwong Chun Street, Tai Po

(TPDC Papers No. PHW 30/2021, PHW 30a/2021, PHW 30b/2021 and PHW 30c/2021)

70. Mr. AU Chun-ho, the Vice-chairman, went through TPDC Paper No. PHW 30/2021.

71. The Chairman said that Members submitted the captioned paper on 5 July and two of the signatories, namely Mr. KWAN Wing-yip and Mr. YAM Kai-bong, resigned as DC Members on 8 July. In addition, the TD and Electrical and Mechanical Services Department ("EMSD") were

unable to send staff to attend this meeting but had submitted written replies as set out in TPDC Papers No. PHW 30b/2021 and PHW 30c/2021.

72. Ms. Kathy CHAN went through TPDC Paper No. PHW 30a/2021.

73. Mr. CHOY Kin-lun said that the TPDLO had nothing to add.

74. The Chairman's comments were as follows:

- (i) He was not happy with the EMSD's reply and opined that the department had not checked the past documents to find out why the TPDC strongly demanded for the relocation of the captioned liquefied petroleum gas ("LPG") filling station. The department replied that "the LPG filling station at Yuen Chau Tsai, Tai Po is the only exclusive LPG filling station in Tai Po and provides essential LPG filling services for the taxis and minibuses in the area. Removal of this LPG filling station will seriously affect the daily operation of LPG vehicle trade and it is therefore necessary to maintain the service of this LPG filling station". In this connection, he pointed out that the TPDC began discussing the relocation of the captioned LPG filling station about ten years ago, and the department could check the relevant papers between 2013 and 2014 or even earlier. As the captioned LPG filling station site was the first bottleneck for vehicles entering Tai Po from Tolo Highway, the traffic was very heavy and buses had to wait for a long time before entering the bus stop. As many taxis and minibuses had to go to the captioned LPG filling station for fuelling as well, it had created extremely long vehicular queues, and the TPDC, therefore, proposed the relocation of the captioned LPG filling station years ago. Although the road section above had been widened and the situation had improved, the leftmost lane at Kwong Fuk Roundabout was particularly narrow. In the past, it was hoped that the pedestrian walkways nearby could be used for widening the roundabout. However, as the scale of the works to resume and change the captioned LPG filling station site was considerable, it was decided that discussion would not be held until the expiry of the franchise. Now that the franchise was about to expire, Members had once again put forward the captioned proposal.
- (ii) The TPDC had previously suggested relocating the captioned LPG filling station to a non-busy road section (e.g. Tai Po Industrial Estate) because even if there were queues of vehicles waiting for fuelling at that road section, it would not result in traffic congestion. He pointed out that there were other LPG filling stations in Tai Po, such as the non-exclusive LPG filling station on Tai Po Road near Japanese International School. However, they charged more.

- (iii) Not only did the captioned LPG filling station cause traffic congestion, the vehicles heading there also caused noise nuisance to the residents of Kwong Fuk Estate and Wang Fuk Court every night. However, no solution had been found after all these years.
- (iv) It was suggested in TPDC Paper No. PHW 30/2021 that the relocation of the captioned LPG filling station would not only improve the traffic congestion on Tai Po Road (Yuen Chau Tsai section), but also make room for a public transport interchange. The existing bus lay-by at the road section above alone was not enough to cope with the traffic during peak hours. Therefore, resuming the captioned LPG filling station site would create room for the provision of boarding and alighting areas for buses, taxis and minibuses, and alleviate the congestion at the road section above.
- (v) He was not happy that while Members had made the relevant proposal based on actual needs, the EMSD and TD did not send anyone to attend this meeting. He also pointed out that the contract for operating the captioned LPG filling station would end in 2024. It was fortunate that Members had put forward the captioned proposal in time. Otherwise, the departments concerned would have refused Members' requests with other excuses, such as the contract with the operator had been renewed or alternative arrangements had been made.
- (vi) He asked the Secretariat to reflect the above views to the EMSD and TD and ask them to check the TPDC meeting papers in the past to find out why Members asked for the relocation of the captioned LPG filling station, instead of giving responses without going through the papers.

75. Mr. Richard CHAN's questions and comments were as follows:

- (i) He pointed out that there would be queues of vehicles at the captioned LPG filling station whenever taxi drivers changed shifts, and the queues would even extend all the way to Kwong Fuk Roundabout and Tolo Highway, making it impossible for vehicles coming from Lam Tsuen to reach the said roundabout via Tolo Highway, and thus causing serious traffic congestion. In this connection, he asked which department was responsible for dealing with the franchise of the captioned LPG filling station, and when the franchise would be re-tendered. He was worried that the relevant department had already begun the relevant work. If yes, the PHWC would need to start following up on the matter.
- (ii) He pointed out that the captioned LPG filling station was located at the transport hub of Tai Po, and if not dealt with properly, it would lead to serious traffic congestion in Tai Po District. For instance, the vehicular queues at Kwong Fuk Roundabout would even extend all the way back to Tolo Highway during the afternoon peak hours. Therefore, the problem had to be addressed as soon as possible. The expiry of the

franchise of the captioned LPG filling station in 2024 could be seen as an opportunity to plan for its relocation, and he therefore asked which department would take the lead on the matter, like whether the TPDO was responsible for co-ordinating the matter, so as to deal with the issue accordingly.

76. Mr. LAU Yung-wai's comments were as follows:

- (i) The previous term TPDC had discussed how to deal with the captioned LPG filling station and had also requested for its resumption to provide a public transport interchange. He opined that it would be better than the present situation if the site of the captioned LPG filling station could be turned into a public transport interchange or other transport uses.
- (ii) According to the EMSD's reply, the department objected to Members' proposal and had no intention to change the land use of the captioned LPG filling station, which meant that it would retain this LPG filling station after 2024. In addition, he asked why the EMSD did not send anyone to the meeting. He was extremely unhappy that the department objected to Members' proposal without sending anyone to the meeting, nor mentioning the reasons for its absence. He also opined that the department ignored or even belittled the DC.

77. Ms. WONG Yu-hang, Anita, said that the TPDO would be happy to help convey the views of Members and residents, and the Secretariat would continue to liaise with the relevant departments to answer Members' questions. The TPDO would also be happy to contact the departments for further discussion with Members if necessary.

78. The Chairman said that to his understanding, the EMSD should be responsible for co-ordinating the handling of the captioned LPG filling station, but the EMSD's reply did not mention the relevant matters. Therefore, he asked the Secretariat to consolidate the comments and questions at this meeting to ask whether the EMSD was the leading department responsible for dealing with the matters of the captioned LPG filling station. If yes, the PHWC requested the EMSD to send staff and liaise with the relevant departments to attend the next meeting, so as to respond to Members' enquiries and request made years ago concerning the relocation of the captioned LPG filling station to a non-busy road section.

79. Mr. CHOY Kin-lun said that the EMSD was responsible for vetting the franchise of the captioned LPG filling station.

80. Mr. Richard CHAN pointed out that as the captioned LPG filling station affected the overall traffic condition of Tai Po District, he hoped that the TPDO would contact the EMSD on the captioned matter in a proactive manner. As Members understood the importance of the captioned

LPG filling station to LPG vehicles, they were not suggesting its removal but relocation to somewhere else only, and hoped that the overall traffic planning of Tai Po District could be improved through the EMSD's handling of the captioned LPG filling station.

81. Mr. LAU Yung-wai indicated that while he respected the Chairman's views, he censured the EMSD for objecting to Members' proposal, not sending anyone to the meeting and not giving reasons for its absence.

82. The Chairman said that the Secretariat would record Mr. LAU Yung-wai's censure of the EMSD in the minutes of the meeting. If necessary, the Secretariat could also inform the EMSD that Members were outraged and censured the department for not sending anyone to the meeting.

83. Mr. TAM Yi-pui said that the TPDO would liaise with the EMSD on the relocation of the captioned LPG filling station. However, he asked whether Members could first provide some suitable sites so that the TPDO could provide the EMSD with alternatives.

84. The Chairman said that while it was difficult for Members to provide suitable sites for the EMSD's consideration immediately they were welcome to make suggestions in the future. In addition, he suggested the TPDO examine and propose suitable locations for the provision of LPG filling stations, such as non-busy road sections like Tai Po Industrial Estate, so as to minimise the impact on the nearby traffic.

85. The Chairman said that he would deal with an impromptu motion moved by Mr. AU Chun-ho, the Vice-chairman. Pursuant to Order 17 of the Standing Orders, unless otherwise agreed by the Chairman, a Member had to inform the Secretary ten clear working days prior to the meeting for moving any motions. However, as many Members were concerned about the matters relating to the afore-mentioned motion and the EMSD only submitted a reply one to two days before the meeting, it was not possible for Members to move a motion regarding the said reply ten clear working days prior to the meeting. As such, he had exercised his discretion to allow the motion to proceed.

86. Mr. AU Chun-ho, the Vice-chairman, read the impromptu motion as follows:

“The PHWC under the TPDC requests to resume the site of the auto-LPG filling station on Kwong Chun Street, Tai Po, for the provision of a transport interchange or other relevant facilities, so as to alleviate the traffic congestion of Tai Po Road – Yuen Chau Tsai.”

The motion was moved by Mr. AU Chun-ho, the Vice-chairman, and seconded by Mr. LAU Yung-wai.

87. Members did not propose any other amendment motions at the meeting.

88. The PHWC agreed to vote by open ballot. The Chairman guided Members to vote on the motion moved by Mr. AU Chun-ho, the Vice-chairman, and the result was as follows:

For:	8 votes	Mr. AU Chun-ho, the Vice-chairman	Mr. Richard CHAN
		Ms. Olive CHAN	Mr. LAU Yung-wai
		Mr. Patrick MO	Mr. SO Tat-leung
		Mr. TAM Yi-pui	Mr. YIU Kwan-ho
Against:	0 vote		
Abstain:	0 vote		
Present without voting:	3 votes	Mr. AU Chun-wah, the Chairman	Mr. HO Wai-lam
		Mr. WONG Siu-kin	
Absent without voting:	0 vote		
Total :	11 votes		

89. The Chairman announced that the above motion was carried. He also asked the Secretariat to inform the relevant departments of the motion above.

90. Mr. LAU Yung-wai suggested continuing the discussion on the captioned agenda item at the next meeting, and asked the relevant departments (the EMSD in particular) to send staff to the meeting to respond to Members' enquiries and listen to their views.

91. The Chairman said that the discussion on the captioned agenda item would continue at the next meeting, and the relevant departments would be requested to attend the meeting to respond to Members' enquiries.

92. The Chairman announced a recess of 1 hour and 15 minutes.

93. The meeting later resumed.

VI. Request to rebuild Tai Po Government Offices as soon as possible

(TPDC Papers No. PHW 31/2021, PHW 31a/2021, PHW 31b/2021 and PHW 31c/2021)

94. Mr. AU Chun-ho, the Vice-chairman, went through TPDC Paper No. PHW 31/2021.

95. The Chairman said that Members submitted the captioned paper on 5 July and two of the

signatories, namely Mr. KWAN Wing-yip and Mr. YAM Kai-bong, resigned as DC Members on 8 July. In addition, the Government Property Agency (“GPA”) and the Architectural Services Department were unable to send staff to attend this meeting but had submitted written replies as set out in TPDC Papers No. PHW 31a/2021 and PHW 31c/2021.

96. Ms. Kathy CHAN went through TPDC Paper No. PHW 31b/2021.

97. Mr. CHOY Kin-lun said that as the TPDLO was one of the user departments of the Tai Po Government Offices (“TPGO”), the GPA would inform the TPDLO of the relocation arrangements if the building was to be redeveloped in the future.

98. Ms. Anita WONG said that the TPDO was one of the user departments of the TPGO and was open about the redevelopment of the building. If the department concerned had such a plan and identified a suitable temporary or permanent office site for the TPDO, the TPDO would co-operate with the arrangement.

99. Mr. LAU Yung-wai asked how many government offices had been completed before the TPGO.

100. The Chairman’s comments were as follows:

- (i) The TPGO was opened in 1979. With the increase in services and manpower of different departments, the building could no longer cope with the relevant demand, resulting in the need for different departments to identify premises elsewhere for setting up offices. In addition, Members had asked certain departments to provide services for Tai Po residents. For instance, at the TPDC meeting in July, Members suggested the Commissioner for Labour look into setting up an office in Tai Po.
- (ii) He pointed out that the scattered locations of the offices of different departments in the district had made it difficult for members of the public to seek help. While most government buildings in other districts would house the offices of different departments under one roof for the convenience of the public, the TPGO did not have enough room to accommodate different departments. Therefore, Members suggested making good use of the space in the TPGO by re-planning and increasing the number of storeys so that more departments and organisations could provide services. If the TPGO was rebuilt, additional parking spaces could be provided in the underground area and could be rented out during evening hours to alleviate the shortage of parking spaces in the vicinity and in the building. Therefore, he believed that the redevelopment of TPGO would benefit the overall development of Tai Po in the future.

- (iii) He estimated that it would take at least eight to ten years to rebuild the TPGO, but no department had come up with a plan yet. In this regard, he opined that with the increasing population in Tai Po, the department should be more forward-looking in planning for Tai Po.

101. Ms. Kathy CHAN said that the GPA had replied that as the TPGO's redevelopment involved the reprovisioning of offices of the existing user departments, the GPA had to take a leading role. If the GPA found it necessary to increase the development parameters of the TPGO site, it could submit an application to the TPB.

102. The Chairman asked which policy bureau should take the lead in the TPGO's redevelopment.

103. Ms. Kathy CHAN said that to her understanding, the GPA should be responsible for co-ordinating the existing user departments if the TPGO was to be rebuilt.

104. Mr. LAU Yung-wai asked departments to respond to his enquiry in paragraph 99 above.

105. Ms. Kathy CHAN said that the Plan D did not have the information requested in paragraph 99 above and might need to ask the GPA.

106. The Chairman said that there was no other department at this meeting that could respond to the enquiry in paragraph 99 above.

107. Mr. LAU Yung-wai said that his enquiry in paragraph 99 above was to find out whether the TPGO was one of the first government offices built in Hong Kong. If yes, the departments should plan for the redevelopment as early as possible and make proper arrangements. He was disappointed that no department could provide the relevant information.

108. The Chairman said he believed that the reason why the departments present could not reply to the enquiry in paragraph 99 above was that the TPGO's redevelopment should be co-ordinated or responded to by the GPA. However, he hoped that the Secretariat would convey the above enquiry to the GPA and ask them to reply. In addition, he pointed out that as the Secretariat's office had been relocated to its present location for almost 20 years, the relevant departments should be more forward-looking in planning and co-ordinating the redevelopment project. For instance, when planning the TPGO's redevelopment, the feasibility of relocating the Secretariat's office to the TPGO and upgrading its equipment should also be examined. He opined that it would be difficult to rebuild the TPGO with no department responsible for co-ordination.

109. The Chairman suggested continuing the discussion on the captioned agenda item at the next meeting, and inviting the GPA again to attend the meeting.

110. No Members opposed to the above suggestion.

VII. Matters arising from the 2nd meeting in 2021 of the PHWC on 18 May 2021

Urging the MTR Corporation Limited and Hong Kong Housing Society to address the overall planning of the transitional housing in Trackside Villas

(TPDC Paper No. PHW 36/2021)

111. The Chairman said that while the Transport and Housing Bureau (“THB”), Hong Kong Housing Society (“HKHS”) and MTR Corporation Limited (“MTRC”) were unable to send staff to this meeting, the HKHS had submitted a written reply as set out in TPDC Paper No. PHW 36/2021. In addition, he added that at the previous meeting, some Members said that they would like the HKHS to study for the provision of more bicycle parking spaces in Trackside Villas, make good use of other spaces, and provide other public transport tools, such as providing shuttle buses for residents to travel elsewhere (e.g. the urban area of Tai Po). He asked whether Members had other questions or comments.

112. Mr. YIU Kwan-ho’s comments were as follows:

- (i) He censured the THB, HKHS and MTRC again for not respecting the TPDC.
- (ii) He opined that the transitional housing project in Trackside Villas was a relatively new housing project in Tai Po and should be taken as a reference for the future planning of similar projects. He pointed out that it was time-consuming to fight for improvements to the facilities in Trackside Villas. For example, it took a year to provide more open-air bicycle parking spaces due to the complex issues of rights and obligations involved.
- (iii) Some residents told him that the shuttle buses ran every 20 minutes and during peak hours, they had to wait for two to three buses before they could get on one. It also took him five minutes to walk up the ramp in Trackside Villas to reach the nearest minibus stop, not to mention places for grocery shopping. He opined that the above situation showed that the Government had not taken care of the needs of the residents when planning the housing projects, be they transitional housing projects or not. However, there was no point in having housing supply if the relevant facilities were not provided.
- (iv) As the HKHS was maintaining communication with the residents of Trackside Villas, and the THB, HKHS and MTRC never sent staff to the meeting despite numerous invitations, he opined that it was meaningless to continue discussing the captioned

agenda item. However, he pointed out that there were still many unaddressed problems in Trackside Villas, including the travel needs of residents, grocery shopping needs, renovation of the units, etc. He believed that the Government had not considered these problems when it developed Trackside Villas as a transitional housing project years ago. He hoped that the HKHS would draw up improvement measures in the next three years to address the travel needs of residents during peak hours.

- (v) He hoped that the HKHS would reply to him regarding the location of the 80 additional open-air parking spaces in Trackside Villas.

(Post-meeting note: The HKHS added that as regards the enquiry in paragraph 112(v) above, they had provided 80 additional bicycle parking spaces in the open area at the southern end of the covered car park of Trackside Villas.)

113. The Chairman said that Members had reflected needs of residents in different transitional housing projects (including those of Trackside Villas and Wong Yue Tan, Shuen Wan, Tai Po). He hoped that the TPDO would also be more proactive in reflecting the problems to the relevant operating organisations so as to draw up improvement measures as soon as possible. Otherwise, the residents would be the ones who suffered.

114. The Chairman said that as mentioned by Mr. YIU Kwan-ho, given that there was no need to further discuss the captioned agenda item, he suggested deleting the agenda item. He also asked the Secretariat to follow up on the enquiry in paragraph 112(v) above.

115. Members did not have any objection. Discussion on the captioned agenda item would not continue at the next meeting.

VIII. District Lands Office, Tai Po – Report on matters relating to the illegal structures on and illegal occupation of Government lands
(TPDC Paper No. PHW 32/2021)

116. Mr. CHOY Kin-lun went through TPDC Paper No. PHW 32/2021.

117. Mr. Patrick MO said that he was aware that the Squatter Control Unit was currently undergoing restructuring, which might involve changes in staff establishment and affect the handling of cases. Therefore, he would like to know the progress of the relevant restructuring.

118. Mr. CHOY Kin-lun said that the Squatter Control / New Territories East (1) Office was not expected to be incorporated into the District Lands Office until the end of 2021. As the relevant

restructuring had not yet been completed, a detailed reply was not available. He added that the captioned report on illegal structures only covered cases of unauthorised small house structures the applications of which had not been submitted to the Buildings Department, but not on unauthorised squatters.

119. Mr. LAU Yung-wai pointed out that there were only about 600 cases of illegal occupation of government lands five years ago, but the number had accumulated to over 900 in recent years, which was not satisfactory. Therefore, he would like to know how many years these cases had been accumulating, and asked whether the TPDLO could provide at the next meeting the respective numbers of cases that had been accumulating for one year or more and five years or more, so that Members could understand the actual situation and take follow-up action.

120. Mr. CHOY Kin-lun said that the TPDLO would deal with cases based on their priority according to the departmental guidelines, i.e., urgent cases before non-urgent ones. When dealing with non-urgent cases, the department would first register the cases and the processing period was normally 24 months.

121. Mr. LAU Yung-wai said he hoped that the TPDLO would provide at the next meeting the number of cases that had been accumulating for a year or more.

122. Mr. CHOY Kin-lun said that the TPDLO would include the number of unhandled cases that had been accumulating for a year or more in the next report for Members' reference.

IX. District Lands Office, Tai Po – Report on the progress of processing redevelopment applications of small houses and old houses in Tai Po District
(TPDC Paper No. PHW 33/2021)

123. Mr. CHOY Kin-lun went through TPDC Paper No. PHW 33/2021.

124. There being no other questions by Members at the meeting, and Members noted the captioned report.

X. Planning Department – Report on the progress of processing planning applications in Tai Po District by the Town Planning Board and its Rural and New Town Planning Committee
(TPDC Paper No. PHW 34/2021)

125. Ms. Kathy CHAN went through TPDC Paper No. PHW 34/2021.

126. There being no other questions by Members at the meeting, and Members noted the captioned report.

XI. Housing Department – Report on the information relating to the vacant housing units, execution of the Marking Scheme for Estate Management Enforcement, and the vacant storage rooms in the public housing estates in Tai Po District
(TPDC Paper No. PHW 35/2021)

127. Mr. TO Chak-foo went through TPDC Paper No. PHW 35/2021.

128. Mr. YIU Kwan-ho's comments were as follows:

- (i) He had inspected the pigeon feeding in Kwong Fuk Estate with staff of the management office. At that time, the management office staff pledged to deploy staff to the relevant locations to enforce the Marking Scheme for Estate Management Enforcement (“Marking Scheme”). However, the captioned paper showed that no tenants in Kwong Fuk Estate had their marks deducted, which meant that the management office staff had not kept their promise.
- (ii) He pointed out that a month or two ago, an organisation set up a stall in Kwong Fuk Estate and deliberately took more than four hours to clear up the stall. As such, he and other residents complained to the staff of Kwong Fuk Estate Management Office. Nonetheless, he was only given a reply that as the stall was staffed by a number of elderly people, it would take longer to clear up and therefore no penalty would be handed out. The management office staff even criticised him for dealing with all matters with a “either right or wrong” attitude. He pointed out that if he was complained against, the HD staff would ask him to make immediate improvement, issue him a warning letter or send security guards to get him out. However, the HD staff ignored the complaints he filed. If the organisation he complained against was staffed by elderly people, the department would even use this as an excuse not to penalise the organisation for the offences. In this connection, he asked whether it was fair for the HD to deal with the complaint in this way.

129. Mr. AU Chun-ho, the Vice-chairman, pointed out that many people smoked in Tai Yuen Estate, but there was only one case in the paper where five marks were deducted from a tenant for smoking. He, therefore, asked whether the HD enforced the Marking Scheme after receiving a complaint or whether its staff had witnessed the tenant concerned smoking in the park or at the staircase. In addition, he pointed out that marks had been deducted from a tenant of Tai Yee House for persistent noise nuisance to his neighbours. Recently, however, that tenant was causing noise nuisance to his neighbours again. Therefore, he asked whether the staff of Tai Yuen Estate Management Office

had enforced the Marking Scheme against that tenant for the afore-mentioned offence again.

130. The Chairman said that according to the captioned paper, there was only one case of mark deduction in Tai Yuen Estate between 1 May and 30 June. To his observation, however, there were still other offences in the estate that warranted the enforcement of the Marking Scheme, like there were often hawkers selling fish in Tai Yuen Estate. Nevertheless, the HD had not taken any action. To his understanding, only staff of specific ranks or HD staff had the authority to enforce the Marking Scheme, and staff of outsourced management companies and security guards could not penalise the offenders. Therefore, even though the offences affected the environmental hygiene or cause noise nuisance to the residents (for example, some residents were still talking loudly and hanging out in the park after 12 p.m.), and the residents complained about the situation every night, the staff of outsourced management companies alone were unable to deal with the problems and thus the situation persisted. In this connection, he asked how the HD could deal with it.

131. Mr. TO Chak-foo responded as follows:

- (i) The HD had been deploying task forces to take enforcement action at the public housing estates in Sha Tin, North District and Tai Po, including following up on the littering problem caused by pigeon feeding. In addition, the department would also review the work of the task forces and report at the next meeting on the availability of relevant data.
- (ii) The department would follow up with the staff of the management company of Tai Yuen Estate on the noise nuisance caused by the afore-mentioned tenant of Tai Yee House to his neighbours. If the tenant could not be persuaded to stop the nuisance, the department would again enforce the Marking Scheme.
- (iii) The department would ask the property manager to remind the outsourced management company of the proper attitude in handling complaints and would follow up on the issues.

(Post-meeting note: The HD added that regarding the situation in paragraph 131(i) above, according to the records, no pigeon feeding was found in Tai Yuen Estate in the past three months, while these complaints had been received in Kwong Fuk Estate. The HD's task force patrolled the common areas of Tai Yuen Estate and Kwong Fuk Estate on 17 and 23 August 2021 respectively and did not find any littering caused by pigeon feeding. Since then, no complaint had been received in Tai Yuen Estate and Kwong Fuk Estate. The HD would continue to step up the enforcement action. As regards the situation in paragraph 131(ii) above, the HD and outsourced management company had been enforcing the Marking Scheme in accordance with departmental guidelines. According to the records, the tenant concerned had ten marks deducted for violating the Marking Scheme. The department would continue to closely monitor the situation. If necessary, the department or

the staff of the outsourced management company would take enforcement action in accordance with the Marking Scheme.)

132. Mr. YIU Kwan-ho opined that the HD's standard in dealing with complaints was inconsistent. When he complained to a staff surnamed YIP that an organisation was four hours late in clearing up its stall in Kwong Fuk Estate, Ms. YIP initially said that the organisation was only an hour late. However, after showing her photos to prove that the organisation was indeed four hours late, she instead accused his stall of breaching the regulations without providing any explanation. Ms. YIP even scolded him for his "either right or wrong" attitude and failure to appreciate that the staff working there were elderly people who needed more time to clear up the stall, and said that the HD would not penalise the organisation. He opined that these reasons were nothing but excuses as Ms. YIP would not accept his explanation when dealing with the complaints against him and would only send security guards to issue warning to him immediately. Therefore, he opined that the department dealt with complaints with double standard.

133. Mr. AU Chun-ho, the Vice-chairman, pointed out that the staff of Tai Yuen Estate Management Office had told him that it was difficult to deduct marks from the afore-mentioned tenant of Tai Yee House for the nuisance caused because of the complicated process of gathering evidence that required the presence of office staff responsible for administrative work for recording the nuisance and enforcing the Marking Scheme. Therefore, if complaints were received by the management office staff at night or in the early hours, and the afore-mentioned office staff was not around, the Marking Scheme could not be enforced against the nuisance caused by tenants. In addition, he said that he had also been treated unfairly by Ms. YIP and found it necessary for the HD to follow up on the unfair handling of complaints by its staff.

134. Mr. Richard CHAN found it necessary to address the situation mentioned in paragraphs 128(ii) and 132 above, and asked the HD representative to submit a report at the next meeting by giving a tabulated account of the timeline of the incident (from the organisation's submission of activity application to the day of the activity), the beginning and end time of the activity, what had happened during the activity, the responses of HD staff after receiving complaints from Members and the public on that day, as well as the department's assessment of the incident and the conclusion reached. In addition, he opined that the HD could refer to the information on vacant public housing units set out in the captioned report and provide similar information on vacant units under the TPS in tabular form.

135. The Chairman pointed out that the performance of Ms. YIP and her predecessor was both below par and their attitude was poor. He had asked Ms. YIP to bring up the issue of putting up posters in the estate with her supervisor, but she rudely replied that there was no need to do so. In the end, she reluctantly contacted him only after he had contacted the Chief Manager / Management (Tai Po, North and Sha Tin) (i.e., her supervisor). He had communicated with HD staff of different

ranks in the past and the vast majority of them were well-mannered and helpful, except for Ms. YIP and her predecessor who both had a poor attitude. In addition, he opined that the data on the Marking Scheme in the captioned report did not reflect the actual situation of estate management, because if the Marking Scheme was implemented effectively, it was not possible that there was only one mark deduction case in the entire Tai Po District. Therefore, he hoped that the HD would review the situation of estate management and see if there were any loopholes or difficulties in the implementation of Marking Scheme.

136. Mr. TO Chak-foo responded as follows:

- (i) He would look into the incident mentioned in paragraphs 128(ii) and 132 above and submit a report.
- (ii) As the tenancy of a tenant would be terminated once all the marks of the tenant had been deducted, the HD had to gather enough evidence before deducting marks. If the afore-mentioned tenant of Tai Yee House only caused nuisance in the early hours, the department would deploy staff for surprise inspections during those hours and, if sufficient evidence could be gathered, the Marking Scheme would be enforced against the tenant.
- (iii) He would provide information on the vacant units under the TPS in tabular form when submitting the captioned report next time.

(Post-meeting note: The HD added that as regards the incident mentioned in paragraphs 128(ii) and 132 above, the department had granted permission to an organisation to set up anti-epidemic kiosks at the podium of Kwong Fuk Estate from 10 a.m. to 1 p.m. on 4 June 2021 (Friday). Due to the large number of elderly participants and the old age of the staff involved in the activity, the anti-epidemic materials were handed out slowly. Before the end of the approved time limit for the activity, the security guards of Kwong Fuk Estate Property Services Management Office (“Kwong Fuk PSMO”) had reminded the organisation to end the activity on time. However, there was still a large number of residents queuing up to obtain the anti-epidemic materials. Upon receiving the reminder, the organisation immediately deployed volunteers to clear up the venue, stop people from joining the queue and hand out anti-epidemic materials to the waiting participants. The activity ended at about 4 p.m., which was beyond the scheduled time. That afternoon, the HD’s Property Service Administration Unit (“PSAU”) received a phone call from Mr. YIU Kwan-ho, saying that the activity had overrun and that although most of the organisation’s volunteers were elderly people, there was still a middle-aged female volunteer who could help clear up the venue as soon as possible. Having looked into the situation, the PSAU knew that the organisation was clearing up the venue. As such, the PSAU explained to Mr. YIU that Kwong Fuk PSMO had repeatedly urged the organisation to clear up the venue as soon as possible. Kwong Fuk PSMO had advised the organisation on the above incident, and all the subsequent activities organised by the organisation in

Kwong Fuk Estate were completed on time. The HD had been treating all activity hosting organisations fairly and had instructed Kwong Fuk PSMO to remind them to plan their activity time properly and deploy sufficient manpower when receiving the applications for organising activities.)

137. Mr. HO Wai-lam's comments were as follows:

- (i) To his understanding, Fu Heng Estate was under the TPS and the HD planned to sell the units to the tenants of the estate. A person with disabilities told him that he had been asked by the HD to buy the unit he was currently renting or else he would have to move to another unit. In this connection, he asked whether it was the case, and whether the department would ask tenants who did not intend to buy the units to move to other units. He pointed out that the person with disabilities had recently set up supporting devices in his unit. If that was indeed the case, he found the department's request unreasonable.
- (ii) To his observation, the afore-mentioned task force did not patrol or take enforcement action in Fu Heng Estate. He, therefore, asked about its contact details.
- (iii) He agreed that the HD should seriously address the problem of double standard of its staff when dealing with matters.
- (iv) He opined that it was difficult to prove the offences of tenants and the process was very complicated. It was the HD staff's responsibility to gather enough evidence to enforce the Marking Scheme against the offenders, but their failure to discharge the duties had made it necessary for Members to get involved. For example, a tenant in Fu Heng Estate playing mahjong all night every night had seriously affected the sleep quality of other tenants, and the situation never improved even though security guards and police officers had been there separately to warn the tenant. It was not until he asked the affected tenants to contact him directly and he visited the scene, informed the management office staff and called the Police for help that the relevant records and complaints could be submitted to the HD staff.

138. Mr. AU Chun-ho, the Vice-chairman, said that according to the HD's requirements, two security guards and one office staff responsible for administrative work had to visit the scene together to gather evidence when dealing with complaints involving the enforcement of Marking Scheme. However, as the office staff would not visit the units in the early hours or on holidays to follow up on the offences, staff of Tai Yuen Estate Management Office said that it was difficult to gather enough evidence during these hours for the departmental staff to enforce the Marking Scheme. In this connection, he asked how the management office staff could deal with complaints involving the enforcement of Marking Scheme if the tenants committed offences during the afore-mentioned hours.

139. Mr. Richard CHAN asked the HD, under the existing mechanism, how it enforced the Marking Scheme outside office hours. He also asked about the specific measures taken by the department to deal with the feeding of feral pigeons in housing estates.

140. Mr. TO Chak-foo responded as follows:

- (i) As regards the enquiry in paragraph 137(i) above, the HD would not force tenants to buy their units, nor would it terminate their tenancies because they refused to buy the units. If any staff had disseminated wrong information to the afore-mentioned tenant, he would like to ask the tenant to reflect the matter to the department for follow-up action.
- (ii) As regards the specific details and procedures of enforcement action taken by the task force, general speaking, if the officers of task force witnessed people feeding pigeons, they would give them warnings or even enforce the Marking Scheme or charge them with littering.
- (iii) As regards the enquiry on how the HD enforced the Marking Scheme for tenants' offences (e.g. making noise) outside office hours, the department would provide details of the handling mechanism after the meeting.

(Post-meeting note: The HD added that as regards paragraph 140(iii) above, the Marking Scheme covered 28 misconducts, including noise nuisance. To encourage tenants to correct their bad habits as soon as possible, a warning system would be applied to the said misconduct. For tenants who ignored the warnings and committed the offence again, marks would be deducted immediately. Under the Marking Scheme, noise nuisance was defined as noise beyond the reasonably tolerable level generated between 11 p.m. and 7 a.m. To enforce the Marking Scheme, the noise nuisance had to be verified by two housing estate management staff (e.g. managers, officers, security supervisors or security guards, etc.) and two households. Once a tenant had been proved to have caused noise nuisance, the HD would stop the nuisance on the spot immediately and follow up by issuing a written warning for first offence, and deducting five marks for ineffective warning or repeated offences. Apart from deploying housing estate management staff to inspect and learn about the noise complaints received during daytime and give appropriate advice, the department would also deploy security supervisors to accompany security guards to take immediate enforcement actions such as identifying the source of noise, stopping the nuisance and issuing warnings wherever possible when noise nuisance complaints were received late at night, depending on the circumstances. If the persons making noise nuisance were uncooperative, the department might, with the consent of the complainant, refer the case to the Police for enforcement action under the Noise Control Ordinance (Cap. 400).)

141. Mr. Richard CHAN expressed his concerns that the HD had not taken the right approach to deal with feral pigeons. He added that the AFCD tried using contraceptives for pigeons to control their population in Tseung Kwan O in June 2021. Therefore, apart from prosecuting those who fed the feral pigeons, he also suggested the HD consider consulting the AFCD or referring to its practices.

142. Mr. TO Chak-foo said that he would ask the frontline departmental staff to consult the AFCD.

XII. Any other business

143. Mr. AU Chun-ho, the Vice-chairman, said that this was the last meeting that the Chairman attended as a DC Member. On behalf of all DC Members, he thanked the Chairman for his contribution over the years. The Chairman was his colleague in the DC, mentor and brother, and he was honoured to be the Chairman's colleague in the DC and mentee. He wished the Chairman and all DC Members well, and hoped that they would cross paths again in the future.

144. Mr. Richard CHAN said that this was the last meeting chaired by the Chairman who, as one of the veteran DC Members, had ended his career as a DC Member by resignation. He expressed his sincere gratitude to the Chairman for his contribution in the past.

145. Mr. SO Tat-leung was sad that the Chairman ended his term of office by resignation. As a new DC Member, he often sought advice from the Chairman who would make every effort to help him. He expressed his gratitude to the Chairman for it.

146. Mr. HO Wai-lam asked the Chairman and all DC Members to take good care of themselves. He said that although there had been disagreements among DC Members from time to time, they all shared the same goal of improving the community, and the Chairman had provided them with advice based on his experience. He was honoured to have worked with all DC Members and hoped that the DC Members remained would put the past behind them, share the responsibility of the resigned DC Members and contribute to the community.

147. Mr. YIU Kwan-ho said that regardless of what had happened in the past, he was grateful to all DC Members for their efforts in this DC term and wished everyone peace. He also asked those present to put their hands together for the resigned DC Members.

148. Mr. TAM Yi-pui asked the Chairman and the resigned DC Members to take care of themselves.

149. The Chairman's acknowledgements were as follows:

- (i) He thanked Members for their best wishes and said that he would remain in Hong

Kong to serve the community in another capacity. As such, Members could still contact him if they needed any assistance in the future.

- (ii) In the past few months, eight DC Members had resigned for various reasons and he would be the ninth DC Member to leave office. He planned to stay in office in early July and then resign on 31 July. However, things changed quickly and as the Government would soon arrange for DC Members to take oath in July, it was not up to DC Members to decide whether to stay or go with “Disqualification” looming. Therefore, after weighing the pros and cons, he decided to resign as a DC Member on 21 July. Today was the last time he attended a TPDC committee meeting, and the last time he chaired a PHWC meeting.
- (iii) He thanked his partners in the past DC terms, including DC Members he had worked with, for their unified direction in dealing with local affairs despite their different political affiliations and views. In the past, the political environment allowed DC Members to respect each another for having different views, and DC Members could speak their minds freely. Sadly, that was no longer the case.
- (iv) He thanked Mr. CHEUNG Wing-fai, a vastly experienced DC Member, for his help in the past. Mr. CHEUNG was a veteran and mentor of the democratic camp, and most of those who had stood for election or been elected as TPDC Members had sought his advice on local affairs. Although Mr. CHEUNG had retired, he was still highly concerned with the local affairs, and that was why many veteran DC Members were still asking for his advice.
- (v) He thanked Mr. KWAN Wing-yip and Mr. YAM Kai-bong, who had resigned as DC Members earlier, for their support to him in the DC and local affairs. In one of the TPDC term in the past, only Mr. KWAN, Mr. YAM and him were elected as DC Members of the democratic camp. However, he was honoured that they were able to stand firm together despite the adversity.
- (vi) He thanked Mr. LI Yiu-ban and said that Mr. LI was one of the veterans he respected in his career. Although Mr. LI was a DC Member from the rural sector, his style was different from that of DC Members from the rural sector or the pro-establishment camp in general. Even if it was against the stance of the pro-establishment camp, Mr. LI would point out the crux of the problem and discuss the matter in an earnest manner.
- (vii) He thanked the department’s staff for their tolerance and assistance in the past. While he was harsh and often critical, it was because DC Members, unlike the department’s staff, would not be transferred to other positions every few years (unless they were forced to resign), and because Tai Po was his home that he cared about its local affairs and could not turn a blind eye to the problems. Therefore, he hoped that the department’s staff would forgive and understand. Even though the

department's staff would be transferred to other positions every few years, he hoped they would remember that civil servants served the public directly and that the public badly needed their help to resolve livelihood issues. While the department's staff had their own difficulties and viewpoints, he hoped that they would all act according to their conscience.

- (viii) He advised police officers that "Do unto others as they would have others done unto them". He opined that there was no such thing as love or hatred without a reason, and that the damaged relationship between the Police and the public could not be mended simply by building up images, as only sincerity and time would matter. He believed that no matter which department the staff came from, they were all Hong Kong people. For example, he had been told by a Police staff that they did not agree with certain practices of the Police. Due to their identities, however, they dared not speak out despite their anger.
- (ix) He was particularly grateful to the TPDO staff (especially those in the Secretariat) who were the closest partners of DC Members and were always there to help them. He was honoured to have witnessed the life events of Secretariat staff in the past and maintained friendships with them even after their transfer. While only 18 months had passed since the beginning of the current DC term, he knew that the workload of the Secretariat staff had increased considerably during this period. He apologised and would like to thank the Secretariat staff of the previous and current DC terms.
- (x) While there were disputes among DC Members in the current term, he found it normal to have different views in a democratic society, and it would be the best to have diversity in harmony. He opined that DC Members were not arguing for the sake of arguing, but for making things better, and therefore hoped that they could understand each other and even put the disputes in the past behind them, as there was just a handful of DC Members remaining in office and it was difficult to predict the future operation and changes of the DC given that there were 300 000 Tai Po residents who needed their help in different capacities. He was glad that he had been able to work with DC Members during the most difficult times, and that they had fought a good fight and finished the course. Now that he was leaving office, he hoped that the remaining DC Members would carry on and finish the work that had not been completed by the resigned DC Members.
- (xi) Quoting the lyrics from the song Galactic Repairman, "May you have peace in turmoil", he said that while peace had now become a luxury, he hoped that Hong Kong people would keep fighting in turmoil and that Tai Po residents would keep working hard. He wished everyone well and peace, and hoped that they would cross paths again in the future.

XIII. Date of next meeting

150. The next meeting would be held at 9:30 a.m. on 20 September 2021 (Monday).

151. There being no other business, the meeting was adjourned at 3:56 p.m.

Tai Po District Council Secretariat
September 2021