

(Translation)

Minutes of the 2nd Meeting of
Community Building, Planning and Development Committee (2/2016)

Date: 8 March 2016 (Tuesday)

Time: 2:30 p.m.

Venue: Main Conference Room, Tsuen Wan District Office

Present:

Members

Mr LAM Faat-kang, MH (Chairman)
Mr CHAN Chun-chung, Jones (Vice Chairman)
Mr MAN Yu-ming, MH
Mr KOO Yeung-pong
Mr NG Hin-lung, Norris
Ms LAM Yuen-pun, Phyllis
Ms LAM, Lam Nixie
The Hon CHAN Han-pan, Ben, JP
Mr CHAN Sung-ip, MH
Mr WONG Ka-wa
Mr WONG Wai-kit
Mr KOT Siu-yuen
Mr CHOW Ping-tim
Mr CHENG Chit-pun
Mr LO Siu-kit
Mr TAM Hoi-pong

Co-opted Members

Ms WONG Pui-chi
Mr HOU An-che

Government Representatives

Mr LEUNG Chun-hei, Winsor	Assistant District Officer (Tsuen Wan), Tsuen Wan District Office
Mr KWONG Wang-ngai, Walter	Senior Town Planner/Tsuen Wan, Planning Department
Mr LAM Chi-fai	Administrative Assistant/Lands (District Lands Office, Tsuen Wan and Kwai Tsing), Lands Department
Mr FUNG Ka-ho	Engineer/11 (NTW), Civil Engineering and Development Department
Mr LEE Shing-fai, Henry	Executive Officer (Development) , Tsuen Wan District Office

Tsuen Wan District Council Secretariat Representatives

Miss LAM Siu-yung, Daisy	Senior Executive Officer (District Council), Tsuen Wan District Office
Miss KWONG Mo-ting, Salina (Secretary)	Executive Officer (District Council)1, Tsuen Wan District Office

Attendance by Invitation:

For discussion of item 2

Mr FUNG Kin-shing, Stanley

Technical Secretary (Operations),
Support Services Division, Rating and
Valuation Department

Miss LIN So-ching, Fiona

Senior Valuer (NT Division), Rating and
Valuation Department

The Meeting

I Opening Remarks and Introduction

The Chairman welcomed the Members and representatives from the government departments to the 2nd meeting of the Community Building, Planning and Development Committee (CBPDC).

(Note: Mr WONG Ka-wa joined the meeting at 2:37 p.m.)

2. The Chairman reminded Members that according to section 15(3) of the Tsuen Wan District Council Standing Orders (the “Standing Orders”), “in the course of a meeting of the Council, all persons attending or sitting in on the meeting at the place of the meeting shall switch off all devices which may emit sound and shall not use any telecommunications devices for conversation” in order to ensure the smooth progress of the meeting. He further reminded Members that according to section 28 of the Standing Orders, unless otherwise agreed by the Chairman, each Member might speak and make supplementary remarks once for each agenda item at the meeting. Each Member could speak up to three minutes each time.

(Note: Mr TAM Hoi-pong joined the meeting at 2:39 p.m.)

II Item 1: Establishment of Working Groups under Community Building, Planning and Development Committee

(CBPDC Paper No. 1/2016)

3. The Secretary introduced the paper.

(Note: Mr CHOW Ping-tim and Mr CHENG Chit-pun joined the meeting at 2:40 p.m.)

4. After discussion, the CBPDC endorsed the establishment of the following Working Groups, including:

- (1) the Working Group on Community Building Activities;
- (2) the Working Group on Community Development and Planning; and
- (3) the Working Group on Industrial and Commercial Development.

5. The CBPDC endorsed the adoption of the terms of reference of the Working Groups (Annex I).

6. The CBPDC endorsed the tenure of the Working Groups, Convenors, Vice Convenors and the Members who were concurrently the District Council (DC)

Members from the date of the establishment of the Working Groups to 31 December 2019, and the tenure of office of the Members who were concurrently the Co-opted Members of the CBPDC from the date of the establishment of the Working Groups to 31 December 2017 and from 1 January 2018 to 31 December 2019 respectively.

7. Members expressed their intention to join the Working Groups by a show of hands. The membership lists of the Working Groups were set out in Annex II.

(Post-meeting note: The Secretary invited in writing the Members who had not joined the Working Groups at the meeting to join the Working Groups after the meeting.)

8. The Convenors and Vice Convenors of the Working Groups were elected as follows:

	<u>Working Group</u>	<u>Convenor</u>	<u>Vice Convenor</u>
(1)	Working Group on Community Building Activities	Mr CHAN Chun-chung, Jones	Ms LAM Yuen-pun, Phyllis
(2)	Working Group on Community Development and Planning	Mr CHENG Chit-pun	Mr CHAN Chun-chung, Jones
(3)	Working Group on Industrial and Commercial Development	Mr LAM Faat-kang	Mr KOO Yeung-pong

III Item 2: District-based Building Numbering Campaign 2016 (Tsuen Wan) (CBPDC Paper No. 2/2016)

9. The Chairman welcomed the representatives of the Rating and Valuation Department (RVD) who specially joined the meeting, including:

- (1) Mr FUNG Kin-shing, Stanley, Technical Secretary (Operations), Support Services Division (Tech Secy(Ops)); and
- (2) Miss LIN So-ching, Fiona, Senior Valuer (NT Division) (Sr Valuer (NT Div)).

10. Tech Secy(Ops) of the RVD introduced the paper.

11. The views, suggestions and enquiries of Ms LAM Yuen-pun, Phyllis, Ms LAM, Lam Nixie, Mr WONG Ka-wa, Mr WONG Wai-kit and Mr TAM Hoi-pong were summarised as follows:

- (1) unnumbered properties in rural areas were more likely in place, when compared to the urban areas. It was enquired that whether the squatter areas would be allotted with building numbers apart from indigenous villages;
- (2) enquiry was raised on how to identify the wrong building numbers and how such situations were handled;

- (3) according to the schedule provided by the RVD, the RVD had started a general survey. It was enquired that within the target areas of RVD, the number of shops or buildings failing to display the building numbers, and the number of cases to be handled by the RVD;
- (4) it was enquired on whether the building number should be displayed on the side facing the street if a single owner owned the entire property;
- (5) it was learnt that a fine could be imposed if no number was displayed. It was hoped that the RVD would enhance liaison and deal with difficult cases through negotiation and would not immediately impose penalties upon expiration of the deadline. There were many single-block buildings without owners' corporations (OCs) in Tsuen Wan town centre. It was suggested who should pay the fees for the production of building numbers for these buildings;
- (6) according to the schedule provided by the RVD, the RVD anticipated that inspection would be conducted and warning letters would be issued from March 2016 to October 2016. It was opined that the progress was rather slow, as the RVD could directly approach the shop owners and tenants and there was not much difficulties on implementation. Thus, it was advised that if manpower was available, the inspection of building numbers of shops and the issuance of warning letters be expedited;
- (7) the existing campaign mainly covered the vicinity of Wing Shun Street and Hoi On Road. Enquiries were raised about the mode and time of the campaign and methods of handling matters in various areas. It was enquired whether the RVD had conducted inspections in phases and what areas they approximately covered so that the DC Members could tie in with the campaign;
- (8) enquiry was raised about the percentage of properties that did not display their building numbers;
- (9) it was enquired whether the RVD had imposed fines or issued warning letters in respect of properties not displaying building numbers in the past;
- (10) the rural areas of Shing Mun, Lo Wai, Fu Uk, Wo Yi Hop were not covered. It was enquired whether there would be phase 2 of the campaign;
- (11) tenants of shops of old-styled buildings might not know the building numbers of shops they rented, and how the situation should be handled; and
- (12) it was enquired whether there was adequate manpower for the campaign.

12. Tech Secy(Ops) of the RVD responded as follows:

- (1) such campaign was not the first ever conducted. A territory-wide Building Number Campaign had been carried out since 1992. In 2010 or so, the RVD discovered that if efforts were pooled to an individual district, the effects of displaying building numbers were more satisfactory. Hence, from 2012 to 2013 and from 2014 to 2015, the RVD conducted a district-based Building Number Campaign in Wanchai as well as Central and Western respectively. It was hoped that conducting the campaign on a district basis would enable the handling of matters in a more prudent

- manner and widened the areas covered;
- (2) under the limited manpower and resources, the RVD hoped to pool its resources to places where there were more visitors or passers-by. Should the manpower was available in the future, the RVD would proceed to handle the building numbering of the rural areas;
 - (3) if members of the public doubted that there was mistake in respect of a certain building number, they could write or send email to the RVD for follow-up action. The RVD would inform the owner who displayed the wrong building number to make rectification;
 - (4) at present, as the RVD had yet formally begun its inspection, it did not have data on the percentage of buildings with correct number in the district. The RVD had sent promotional letters to inform the owners/users of ground floor shops or OCs about the details of the campaign. The parties concerned were also reminded to take actions if the numbers were not displayed at their respective units. The purpose of issuing promotional letters to owners was, apart from notification, to give the owners more time to display the numbers at their units before the RVD conducted inspection. In the past, it was discovered in the inspections in Wanchai that around 80% of units had properly displayed their numbers. The situation in Central and Western district was better, where more than 80% of units had properly displayed their numbers. Recent inspections of some streets in Tsuen Wan revealed that most buildings and ground floor shops had displayed their numbers. It was estimated that the situation in Tsuen Wan was similar to those in Wanchai as well as Central and Western;
 - (5) if only one building number was allocated to a property, its owner or management company could display the number at the main entrance. An advisable practice was that the management company or the owner displayed the identification number of each ground floor shop of the property at the entrance of the shop for the convenience of visitors. If the shops within the property split or integrated, the owner(s) could on his own determine the identification number of the new shops without involvement of the RVD on the number allocation;
 - (6) the RVD hoped that no one would be fined and in fact no prosecution had been initiated in the past. As for the criteria of displaying building numbers, the RVD had made proposals relating to the building numbers' size and colour, but not to materials used. The owners did not need to spend money on producing the numbers. In the past, owners had painted their building numbers prominently with paint that would not go off, or they printed their building numbers on a piece of paper and had them laminated and displayed them on a glass doors. Producing number was therefore not difficult at all. Generally speaking, upon receipt of the letter issued by the RVD, owners would follow up on the matter. In case the owners were out of town, the RVD would give them time to take action. Hence, Members needed not worry that penalties would be imposed immediately. The RVD would in total issue three warning letters and verbal contact would also be established in order to understand

the difficulties encountered. It was believed that there would be adequate time for persons concerned to follow up on the matter and produce the number;

- (7) with regard to the mode of operation of the campaign, the RVD would hire a contractor to conduct two rounds of inspections and issue warning letters. The contractor would begin inspection in mid-March 2016. It was expected that inspection would be completed before August 2016. The RVD would then follow up from August to October 2016 on the cases that had not displayed the building numbers after inspection of the contractor. The mode of operation would be for the contractor to conduct inspection and make records of units that had not properly displayed numbers. The RVD would base on the information provided by the contractor to issue letter to persons concerned and inform them to display the correct building numbers within 21 days. Within one or two weeks after the expiration of deadline, the contractor would conduct inspection again. If the building numbers had not yet been displayed, the RVD would issue another warning letter urging the correct display of number within 21 days. The contractor would inspect once again in about two weeks after the expiration of deadline. The contractor would be responsible for the first two inspections and assist in issuance of two warning letters. According to the preliminary estimation of the RVD, the entire area covered about 3 000 buildings and shops. It would take a longer period for the whole exercise to be completed, as adequate time would be given for persons concerned to display the correct building numbers;
- (8) the RVD would conduct inspections on buildings and shops at the same time but not separately, so as to enhance efficiency and expedite the implementation of the campaign;
- (9) it was noted that it would take longer time for the old areas. It was acceptable to find that the numbers of the old buildings were clearly displayed therein for the public's identification;
- (10) due to the limited resources, the campaign did not cover villages or remote areas. As the RVD hoped to deal with places where there were many outside visitors first, shops and entrance of buildings of busy areas were targeted. Should the opportunity arose, the RVD hoped to handle the properties in other districts in the future;
- (11) the campaign for the current year would be conducted in Tsuen Wan. There was no plan to conduct another phase of campaign in Tsuen Wan for the time being;
- (12) if owners were not aware of the correct building number of old buildings, they could approach the RVD which would make reference to past records and then inform the owners; and
- (13) as to whether the RVD had adequate manpower, the first two rounds of inspections would be conducted by the contractor and then the RVD would follow up. The RVD would as much as possible deploy manpower suitably so as to complete the campaign the soonest possible.

13. The views, suggestions and enquiries of Mr MAN Yu-ming, Mr KOO Yeung-pong, Mr CHAN Sung-ip, Mr CHOW Ping-tim, Mr LO Siu-kit and Ms WONG Pui-chi were summarised as follows:

- (1) it was opined that publicity was inadequate. Residents were not aware of the scope of control under the respective ordinances and that failure to display building number would be prosecuted;
- (2) the number of buildings in villages or old areas or the name of streets might be different from those of the past. In addition, there was a case in which the name of the road was different from that shown on the village building plate. It was enquired whether confirmation of building numbers by the RVD was required, or it would be acceptable as far as letters delivered by the officers of the Hongkong Post were received at the property;
- (3) enquiry was raised on whether street numbers would be re-arranged in a uniform manner in the future, and that the old ones be abolished and new ones be allocated;
- (4) the direction of the campaign was supported. However, enquiry was raised whether it was the responsibility of the developer, owner, tenant, OCs or owners' committee. Concern was also raised that before the campaign could bring improvements, disputes would arise as to whom should be taking up the responsibility of display of building number;
- (5) the RVD said that the number plate should be displayed at a suitable spot, but it was opined that suitable spot as mentioned was not specific enough. In addition, the penalty under the respective ordinance was rather severe. Apart from a fine of \$2,000, the offender would be sentenced to a six-month imprisonment. Thus, it was hoped that the RVD would provide further and more specific guidelines;
- (6) as there were many old buildings in Tsuen Wan town centre, it was hoped that the RVD could enhance communication with the owners of those buildings;
- (7) it was enquired whether the numbers of the shops facing the street were displayed only if there were many shops within a building, if all the shops faced the street. It was enquired whether all the numbers of the shops facing the street were displayed;
- (8) the picture provided by the RVD included the names of the streets in Chinese and English and the building numbers, and according to the representative of the RVD, it was acceptable to display the building number only. It was opined that it would be simpler and easier if only the building number were required to display;
- (9) according to the RVD, all 4 000 letters had already been sent to Tsuen Wan in January 2016. Enquiry was raised on the progress of delivering the letters, and whether buildings and shops in the vicinity of Sai Lau Kok Road and Tsuen Wan town centre had received the letters. Some Members had not yet received the letter yet;
- (10) relevant messages had not been received from other channels. It was opined that publicity and education of displaying building numbers was not adequate. While the RVD had not initiated any prosecution in respect

of displaying building number, the respective ordinances were still daunting. It was opined that the RVD should conduct review and make adjustment in time for publicity;

- (11) in certain old areas, the front block and rear block of the same building might be located in different streets. It was enquired which street should be referred to in displaying the building number;
- (12) it was enquired whether the shops were arranged in numerical order if there were many shops in a building, and whether the number of shops had also to be displayed on the number plate as well;
- (13) Members supported the campaign which would make the number of buildings clearer. However, members of the public also encountered similar difficulties in areas such as Yau Tsim Mong and it was opined that the issue should also be handled. In addition, it was hoped that the RVD would report the inspection results every six months. It was also hoped that members of the public would not be penalised and the most important point was to have local problems resolved; and
- (14) according to the RVD, the production of number would only require posting of a laminated paper. The contractor would also conduct two inspections. As the rainy season was approaching, the laminated paper might fall off after inspection was conducted. It was enquired whether follow-up work would be taken under the campaign, and whether there would be restriction on the materials used.

(Note: Mr WONG Ka-wa left the meeting at 3:30 p.m.)

14. Tech Secy(Ops) of the RVD responded as follows:

- (1) currently, the RVD was making an Announcement of Public Interest (API). It was anticipated that the API would be broadcast by radios and television stations by the end of March or early April 2016. Members of the public would be reminded of the responsibility of displaying the correct building number;
- (2) building numbers were allocated by the RVD, not by members of the public. The Buildings Department had provided guidelines to the developers and architects. The parties concerned had also been reminded that applications for building numbers had to be made to RVD. Thus, even after the completion of construction of village houses, the owners could not allocate numbers on their own, whereas the developers should know the number allocated to them;
- (3) with regard to the re-allocation of existing confused building numbers, the RVD opined that an overall change and re-allocation of existing numbers of the streets would cause inconvenience to the public and thus was not feasible. The RVD would as far as possible inform members of the public concerned and remind them to display their building numbers. In case the building numbers of the street were very confusing, the problem could only be resolved after the demolition of buildings concerned and when new numbers were allocated;

- (4) the RVD would issue a letter to the user. The user would need to inform the owner to display building number. If it was found after two inspections that the owner had still not displayed the number, prosecution might be initiated. Enquiries on the information of the owners would also be lodged to the Land Registry and a letter would be sent to the owners thereafter to notify them of their failure to display the building numbers. Such display should be taken up by the owner. The RVD would not prosecute the tenants;
- (5) the building number should be displayed at the entrance of the building. The RVD would allocate the building numbers in accordance with the location of the main entrance. If the building concerned had many entrances, the number should be displayed at the main entrance;
- (6) as the penalty was severe, owners would display the building numbers after receipt of letter from the RVD. It was not a difficulty for the owners to display the building numbers and therefore no prosecution had been initiated so far. The RVD hoped that after the API was broadcast and when other publicity activities tied in, owners would be aware of the relevant practice and would display building numbers on their own;
- (7) if only one building number was allocated to a building, then the owner had to display that number. For shops within that building, the owner should allocate the identification numbers on his own. The main duty of the RVD was to advise shops to display the identification numbers. Naturally, the ideal practice was that the owner should take the initiative to display those identification numbers. Should the shops integrate in the future, then the identification numbers after integration should be displayed. The owner should study the tenancy agreement and deed of mutual covenant to find out whether it was the duty of owner or that of the tenant to display the identification numbers. The RVD was dedicated to the allocation of the number for the whole property, whereas the owner should take up the allocation of the number of internal units;
- (8) in January 2016, the RVD had issued all publicity letters to the OCs or shop users within Tsuen Wan district to inform them of the details of the campaign. It was hoped that the users or OCs which had not displayed the building numbers would comply with the requirements expeditiously. Members had not received the relevant letters probably because the building concerned had already displayed the number and there was no need for the RVD to follow up. Such being the case, the member of the OCs had not informed the Member;
- (9) due to the limited resources, the RVD had to conduct the building number campaign on a district basis. The RVD could not regularly deploy staff to conduct inspection to all places. It was hoped that after the broadcast of the API, the public would be mindful of the practice and requirement and take necessary action. The RVD opined that public education would be carried out more effectively through the APIs broadcast by radios and television stations due to their wider coverage;
- (10) as for the situation in Yau Tsim Mong district, the RVD hoped that under the limited resources, the situation could be improved through the

- broadcast of the API; and
- (11) the RVD proposed that if there was such need, owners or users could post the number inside the window of the shop which were not affected by the weather. It was hoped that they would laminate the paper and affix it with adhesive tape so that the number would not fall off easily. If the correct building number was not displayed at relevant location after the contractor had conducted inspection twice, the RVD would follow up on the matter.

(Note: Mr CHOW Ping-tim left the meeting at 3:35 p.m.)

15. The views, suggestions and enquiries of Ms LAM Yuen-pun, Phyllis, Mr LO Siu-kit and Mr HOU An-che were summarised as follows:

- (1) enquiry that was raised about the aim of the campaign. According to the RVD, it was hoped that the general public was reminded of the responsibility of displaying building number. However, the RVD issued the letters to the users but the owners were under prosecution. It was enquired whether the purpose of the campaign was to urge the owners to take actions. Furthermore, the user might not be the owner, or that the identity of the owner was unknown. It was enquired whether it was possible to require the owner to take action within the prescribed period, or else prosecution would be initiated. It was enquired how prosecution was initiated if the owner was not in Hong Kong or the property was owned by a company. It was hoped that the RVD would provide more information;
- (2) many shops were sub-divided into several shops and the numbers were allocated among themselves. Enquiry was raised on whether it was lawful;
- (3) enquiry was raised on whether the names of the street in Chinese and English or only the number should appear on the building number plate; and
- (4) according to the RVD, 4 000 letters had been issued to Tsuen Wan district. It was believed that all street shops and buildings had received the letters. It was enquired whether these letters had actually been delivered. It was worried that if publicity was inadequate, the workload of RVD would be increased.

(Note: The Hon CHAN Han-pan, Ben joined the meeting at 3:45 p.m.)

16. Tech Secy(Ops) of the RVD responded as follows:

- (1) the purposes of organising displaying building number campaign on a district basis were not only to let owners learn about the relevant message, but to let every member of the public in Hong Kong be aware of the message and understand that it was the owners' responsibility to display building numbers. Members of the public could, upon discovering that certain property had not displayed its number, inform the RVD to follow up. The RVD hoped that the campaign could enhance the effectiveness of displaying building numbers and conduct education;

- (2) according to the respective ordinances, the owners were required to display correct building number. The reason for informing the users was that in case the owners were out of town, the RVD might not be able to contact the owners. The tenants, however, needed to pay rents to the owners and thus they would have channels to inform owners. The RVD opined that such pattern was more effective. In case the tenant did not hand over the letter to the owner, the RVD would conduct land search to find out the owners. The RVD would send letter to the owner again. The owner would not be under prosecution without being informed. The RVD also hoped that the publicity campaign would cover owners, tenants and members of the public, so that the purpose of educating all people in Hong Kong would be reached;
- (3) if the building number was allocated by the RVD, the shops concerned would have to display the number allocated. If the shop number was allocated by owners or developers, then people concerned would have to display the number allocated in accordance with deed of mutual covenant or the tenancy agreement. If the number was allocated by the RVD, the RVD had to be informed if partition of shops should change in the future. The RVD would conduct inspection to determine if re-allocation of numbers was necessary;
- (4) display of building number was acceptable and display of street name was not mandatory. However, the RVD opined that it would be advisable to display street name at the same time as the streets might be very long and people in mid-sections might not be aware of the street in which they were situated. If street name was also displayed, it would be convenient to the public; and
- (5) with regard to the letter mentioned by a Member, the RVD would make enquiry to the staff concerned after the meeting.

17. The views, suggestions and enquiries of the Chairman were summarised as follows:

- (1) Members were concerned about the captioned topic;
- (2) it was hoped that the RVD would pay attention to the time of implementation and strengthen the publicity work;
- (3) Members hoped that the RVD would provide clearer guidelines for street shops; and
- (4) if time allowed, the RVD was welcome to report the follow-up situation to the CBPDC. If the RVD was unable to send its representative to the CBPDC meeting, a written report could be submitted accordingly.

IV Item 3: Planning Applications (as at 12.2.2016)
(CBPDC Paper No. 3/2016)

18. The Chairman said that a declaration of interest was received by the Secretariat before the meeting.

19. The Secretary reported that Mr NG Hin-lung, Norris had liaison with the architecture company responsible for a planning application. He was an

architectural assistant in one of the subsidiary company of the group to which the company belonged, but he did not take part in any job in the planning application.

20. Mr NG Hin-lung, Norris said that the said planning application was A/TW/474 as contained in the paper and that he would make no representation on the planning application.

21. The Chairman approved that Mr NG Hin-lung, Norris could remain in the meeting as an observer but he could not discuss this planning application according to section 48(12) of the Standing Orders.

22. Senior Town Planner (Tsuen Wan) (STP(TW)) of the Planning Department (PD) introduced the paper.

23. The views, suggestions and enquiries of Ms LAM Yuen-pun, Phyllis, Ms LAM, Lam Nixie, Mr WONG Wai-kit, Mr LO Siu-kit and Mr TAM Hoi-pong on A/TW/474 were summarised as follows:

- (1) the applicant applied for planning approval to use the location as an automobile showroom for three years. It was repeatedly reflected in the past that parking spaces there were inadequate. It was enquired why the Town Planning Board (TPB) still approved the application on 8 January, and whether consultation had been conducted during the cooling-off period of DC. It was said that no consultation paper had been received;
- (2) the owners committee of the land had objected to the application and they opined that the rent of the parking lot was too high. As there were less users, it gave an impression that less people needed to use it;
- (3) it was a pity that three-year approval had been given to the application. It was hoped that the TPB and PD would take into account the need for parking spaces in the district as a whole, rather than just considering the situation of individual buildings;
- (4) the seaside multi-storey carpark building and some parking spaces of TWTL393 had been abolished. It was enquired why there were still surplus parking spaces in Tsuen Wan to be used as automobile showroom;
- (5) a number of members of the community had raised their objection to the application;
- (6) dissatisfaction was expressed on the manner the TPB handled the project at issue;
- (7) Members expressed regret and objected to the approval of the application. It was opined that the causes of delay included its overlapping with change of terms of DCs. The time of handing in, consultation and submission of application to TPB could not tie in with dates of meeting of the CBPDC. For example, the paper only contained the applications up to 12 February 2016, and thus applications of the third and fourth weeks could not be discussed at the current meeting. The CBPDC was aware that the TPB had to determine its meeting dates in accordance with legislative requirements but it was hoped that the TPB would be flexible in handling time-related issues. It was advised that the date of meeting

for the TPB be postponed for one or two weeks to avoid consultation period being too close to the TPB's date of meeting, which might result in opinions expressed at the CBPDC meeting being failed to be reflected and discussed at the TPB meeting;

- (8) there was already a shortage of parking spaces in the district as a result of resumption of some temporary car parks. At the carpark on Sai Lau Kok Road, Tsuen Wan, some cars had to wait overnight for parking spaces. Members expressed their incredibility, regret and anger at the three-year approval. They opined that the change of land use could not bring about benefits for the public. It was hoped that the PD would seriously take into consideration that it would not accept applications of similar nature in the future;
- (9) there was a huge demand for parking spaces in Tsuen Wan. The application was mentioned in the last term of DC and was met with disapproval. The PD was enquired why approval lasting for three years would be given even after learning that Tsuen Wan DC Members were all against the application;
- (10) the Area Committee, district councillors of the constituency concerned and many other government departments raised objection to the application. It was hoped that the PD would provide opinions of various government departments in regard of the application, including those who showed support and raised objection;
- (11) the whole Tsuen Wan district faced the same issue of inadequate parking spaces and the issue had been discussed again and again recently. The application concerned involved an one-storey car park. Disappointment was expressed that the TPB neglected the opinion of DC and local people and approved the application by force; and
- (12) at the previous meetings of the CBPDC, it had been mentioned many times that car parking spaces were seriously inadequate in Tsuen Wan district. It was disappointing that the PD had not accepted proposals raised by Members to improve the problem. In the last term of the DC, some government departments had misinterpreted Members' opinions and it was treated that DC had acquiesced with such situation. It was hoped that Members' opinions were not to be misinterpreted again, and that Members who raised objection to the application should express their disapproval by a show of hands. In addition, the transport problem in the district had become a livelihood issue. It was unacceptable that the PD still approved the application.

(Note: Mr CHAN Sung-ip left the meeting at 3:55 p.m.)

24. STP(TW) of the PD responded as follows:

- (1) the PD was aware of Members' and the public's concern over the case;
- (2) the PD would consult departments concerned in respect of all planning applications. As for this planning application, the PD had consulted a number of departments. For instance, the Transport Department (TD) and Hong Kong Police Force (HKPF) on transport related matters.

Many discussions had been conducted with these two departments. The TD opined that according to Hong Kong Planning Standards and Guidelines (the Guidelines), there were adequate parking spaces in Discovery Park for its residents and visitors. While converting some parking spaces into automobile showroom would reduce the number of parking spaces, the remaining spaces would still meet the requirements in the Guidelines. Hence, it did not object to the application. The PD had discussed with the HKPF on many occasions and the latter had not raised any objection to the application in the end. No objection had been raised by any other departments as well;

- (3) the PD would conduct a three-week public consultation in respect of all planning applications. Upon receipt of planning applications, the PD would, in accordance with legislative requirements, submit the applications to the TPB within two months. The PD would as soon as possible publicise notification on newspaper and send a letter to DC Members on the same day. Notices would also be posted prominently at the site and in the vicinity. As far as the current application was concerned, the PD had prominently posted the notices at Discovery Park and letters were also sent to DC Members. Members and the public could provide their opinions within the three-week consultation period. The same procedures were also carried out during the DC cooling-off period and Members were welcome to give their opinions in respect of all planning applications;
- (4) with regard to the current application, the PD had received opinions submitted by Tsuen Wan West Area Committee, several DC Members and Members of the Legislative Council (LegCo). All opinions supporting and objecting to the application had been submitted to the TPB for consideration;
- (5) as to the handling of the case during the cooling-off period, the applicant submitted the renewal application probably because the similar temporary application submitted by him was reaching its deadline during the said period. As the TPB had given its approval of the application on 8 January 2016 for three years, if the applicant was to submit a renewal application, theoretically the applicant should do so before 8 January 2019. Then it would not be during the cooling-off period and if it was necessary, discussions could be conducted at the CBPDC meeting.
- (6) as the PD had to submit paper to the Secretariat timely, the last day of planning application cases in the paper was 12 February 2016, which was the date the PD submitted the paper to the Secretariat. For the period after 12 February 2016, the PD received a new application in the last few days. All applications received after 12 February 2016 would be reported at the next CBPDC meeting. All those applications would be publicised on newspapers. Letters would be sent to Members and notices would be posted. While the consultation period of the application concerned might not be able to tie in with the dates of CBPDC meetings, the PD would nonetheless inform DC Members and the public through the above-mentioned channels. Members could also refer to the

- TPB's website and newspapers and they were welcome to give their opinions to the PD during the three weeks of consultation period;
- (7) if further information was provided by the applicant in respect of the planning application, and if the information was important, the PD would publicise the information on newspapers, notify Members and post notices. Members could also refer to the TPB's website. The TPB would, during the two months of display starting from receipt of application to its deliberation of the case, set up a new webpage for the application. Members could browse the most updated information of the case in the webpage on the website; and
 - (8) the three-week consultation period for A/TWW/110 would end on this day. Members could submit their opinions in respect of the application, if any, to the PD on this day, so that the TPB could take them into account altogether.

25. The views, suggestions and enquiries of Mr MAN Yu-ming, Mr KOO Yeung-pong, Ms LAM Yuen-pun, Phyllis, Ms LAM, Lam Nixie, Mr WONG Wai-kit, Mr KOT Siu-yuen, Mr CHENG Chit-pun, Mr LO Siu-kit and Mr TAM Hoi-pong were summarised as follows:

- (1) Members' opinions were very important and they represented the opinions of many local organisations. While the PD seemed to have tried its best to keep Members informed through various channels such as newspapers, publicity, emails and websites, Members "learnt of events only after they happened". In addition, it was the PD which prescribed procedures for the TPB. As long as the departments such as the HKPF or TD did not raise objection, opinions aired at the meetings by members of the community and Members could simply be ignored. It was opined that the consultation period was too short and thus it could not tie in with the dates of CBPDC meetings. Members were informed only afterwards. It was opined that the PD was not collating opinions from Members. Rather it was only reporting to them. It was hoped that the TPB would conduct review;
- (2) it was not the first time for the Tsuen Wan district to discuss the serious shortage of parking spaces, and hoped that TPB would not turn a deaf ear to it. It was hoped that the PD would conduct a real consultation and submit opinions of DC Members and members of the community to the TPB for deliberation;
- (3) this day was the last day for consultation of A/TWW/110. Even if the Members who were present would like to consult organisations after the meeting, they would not be able to report the opinions collated and it was pitiful;
- (4) recently, a Member and the DC Member of the constituency area sent a letter to the TPB to raise objection to the application of A/TW/474. Despite the objection of the DC Member of the constituency concerned, various DC Members and LegCo Member, the TPB did not take their opinions into account. The application was approved based only on the opinion of the TD and Members were thus disappointed with the TPB.

Furthermore, a three-year period had been approved for the application. According to the PD, the period was not long and when discussion would be conducted three years later, it was not within the cooling-off period and Members could then raise objections. It was opined that if the TPB respected local opinions, many improvements could be made. For example, in case the PD sent letters to DC Members during DC cooling-off period and that time for consultation was inadequate, then consultation period should be extended to allow adequate consultation of Members;

- (5) the Tsuen Wan District Council (TWDC) had on various occasions reflected to the PD that there was a serious shortage of parking spaces in the district. It was hoped that the PD would be concerned of the issue. It was enquired whether there was a well-run internal communication mechanism within the PD to allow it to consider the issue of inadequate parking spaces as mentioned by Members, at the same time as when it handled relevant planning applications. After all, DC meetings could not be held during the cooling-off period. When other departments believed that there was no issue, the PD then opined that the application was supported;
- (6) the HKPF was dedicated to the street management and was not responsible for the deliberation on capacity of private venues or that of the entire traffic ancillary facilities. On the other hand, the DC Members could reflect the actual local situation at the DC meetings. It was therefore hoped that the PD could consider opinions of members of local community in greater details and more pro-actively, rather than handling issue as a matter of procedures;
- (7) it was opined that elected Members of DCs knew the actual situation and that the PD was not respectful of DC and its opinions. Currently, letters could only be sent passively to show that the blame should not be laid at their doors. Disappointment was expressed over the situation;
- (8) it was opined that there were loopholes in the PD's procedures. The applicant could exploit its vulnerability. Even when Members had raised objection, the applicant could still hand in applications repeatedly, in the hope that at the moment when the PD failed to submit Members' opinions to the TPB, the application would be approved. As DC's opinions represented most public opinions and the most actual situation, if the applicant should submit similar applications in the future, the PD should relate DC's past opinions to the TPB for its consideration;
- (9) it was then unable to verify whether the submission of application during the cooling-off period was coincidental or intentional. The proposal of sending a letter revealing Members' objection and discontent of the authorities concerned was supported. It was also discontent of the PD proposal that the case at issue could be discussed again three years later. It was worried that the case of applicant re-submitting application during the DC's cooling period would become a precedent;
- (10) in the past, shortage of parking spaces in Tsuen Wan had become a territory-wide focus. Traffic congestion would now occur in Clague

Garden Constituency every holiday. If parking spaces in nearby Discovery Park decreased, traffic congestion in Clague Garden Constituency would worsen. The PD should take into account not only of the opinions of departments. In addition, all the DC Members of the current term were elected Members and they represented opinions of residents. It was opined that objection should be raised to the application concerned in order to show accountability to the voters;

- (11) the district councillor of the constituency concerned and other DC Members had raised objection to the application in previous discussions. It was opined that while approval had already been given, letter still had to be issued to show the position of CBPDC and that CBPDC were responsible for handling the matter. The timing of the application was difficult to verify. However, it was hardly credible that it was approved as a result of coincidence;
- (12) while the TPB was an independent body, the DC represented public opinions. The DC also adequately discussed the need of the entire district and it did not concern itself only with the need of individual buildings or units. Regarding the shortage of parking spaces, the DC had unanimously opined that it had to be resolved and thus the decision of the TPB was unacceptable. While other departments might have their professional viewpoint, they had not considered the issue based on the concept of Tsuen Wan as a whole. If problem was only partially resolved but the situation of the entire town was not taken into account, it would be difficult to resolve the issue of shortage of parking spaces. Although it was necessary to follow procedures in handling the planning applications, the actual problem might not be solved when procedures were exploited as a manoeuvre. It was therefore opined that the TPB had to review its working methods;
- (13) there were serious traffic congestions in areas such as Tsuen Wan Plaza and Bayview in Tsuen Wan town centre. Fuk Loi Estate was close to Discovery Park. It was hoped that it would not be affected in the future. The manner of the PD in handling the application concerned was dissatisfactory. It was opined that the DC should make clarifications;
- (14) Members were aware of the two-month deadline as stipulated by legislation, but many applicants or developers would apply for extension so that their application would be handled after two months. When the PD related objections or relevant enquiries to the TPD, applicants would be aware of them and apply for extension. It was hoped that the PD would consider measures to address the issue. Under the current mechanism of the TPB, the TPB had to make deliberation in respect of applications based on the opinions provided by the PD. In the past, the TPB would handle most cases based on the opinions provided by the PD. Under such circumstances, the PD as the leading department would not be spared of blame although the TD would have to be responsible. In addition, the application reflected the institutional issue of the PD, the failure to consider Tsuen Wan's overall planning from a holistic point of view and that DC's opinions were not listened to;

- (15) as the application involved both of the TD and HKPF, it was enquired whether letters would be sent to these two departments as well; and
- (16) it was enquired when the previous temporary permit of the application actually expired. It was opined that the application was similar to that of Y/TW/8 in that both kept on extending so that approval would be given during DC cooling-off period.

26. The views, suggestions and enquiries of the Chairman were summarised as follows:

- (1) Members were very concerned about the shortage of parking spaces and traffic issues in Tsuen Wan district, and had expressed their opinions and dissatisfaction towards the planning application of A/TW/474;
- (2) as the TD and HKPF did not directly take part in the CBPDC meetings, it was opined that the PD had to handle Members' opinions directly; and
- (3) it was proposed that letter be sent to the PD to relay Members' views. It was also hoped that in handling similar cases in the future, the PD would respect opinions of DC Members. In addition, the opinions raised by the TD and HKPF were only the departmental viewpoints which should not vary the TPB's ideas and decisions. It would be a wrong decision if the TPB approved the relevant applications based only on the opinions of those two departments.

27. The views, suggestions and enquiries of Ms LAM yuen-pun, Phyllis and Ms LAM, Lam Nixie were summarised as follows:

- (1) the TD should be reprimanded. It was enquired whether the copy of the letter to the TPB would also be sent to the TD and HKPF;
- (2) in the past, the DC had reflected to the TD the issue of shortage of parking spaces and thus the TD should be aware of the situation in Tsuen Wan. It was unsatisfactory that the TD still proceeded to consider the application on the basis of an individual case, rather than from an overall point of view; and
- (3) it was proposed that strong dissatisfaction to the PD be expressed in the letter, as the PD gauged the positive opinions of the TD and HKPF selectively, but ignored the TWDC and the actual shortage of parking spaces in the district. Upon receipt of the copy of the letter, the TD and HKPF could seriously take Members' opinions into consideration. The TWDC would give reprimand if similar situation occurred again.

28. The views, suggestions and enquiries of the Chairman were summarised as follows:

- (1) a letter containing the consolidated views from Members would be issued to the PD. However, as the representatives of the TD and HKPF did not attend the meeting, it was proposed that copies of the letter would be delivered to the two departments as well;
- (2) the issue of shortage of parking spaces should continue to be discussed at the Traffic and Transport Committee meetings;
- (3) the current mainstream opinion was very clear that the PD had not

adequately considered the TWDC's opinions in handling the application concerned; and

- (4) it was opined that the PD should bear the ultimate responsibility for the matter.

29. The views, suggestions, enquiries of Mr LO Siu-kit and Mr HOU An-che were summarised as follows:

- (1) it was enquired whether motion would be moved; and
- (2) the aim of the Town Planning Ordinance (Chapter 131) was to promote the health, safety, convenience and general welfare of the community. However, "convenience" mentioned was different from that as understood by Members. It was therefore proposed that the Ordinance be mentioned in the letter.

30. The Secretary said that section 16 of the Standing Orders stipulated that a motion must be put in writing and signed by the concerned Member and the seconder, and its subject matter and terms must be compatible with the functions of the DC. In addition, section 17(1) of the Standing Orders stipulated that, any Member who wished to move a motion was required to give the Secretary a notice in writing ten clear working days before a forthcoming meeting, unless otherwise prescribed by section 17(2) and unless otherwise agreed by the Chairman.

31. The Chairman enquired whether any Member would like to move an extempore motion and said that he could, in accordance with the stipulations of the Standing Orders, accept and approve extempore motions moved by Members.

32. Mr WONG Wai-kit said that with regard to the Standing Orders and extempore motion, it was feasible for the CBPDC to move an extempore motion but the CBPDC should seriously consider whether or not to set the precedent of allowing the Chairman to determine and accept an extempore motion.

33. The Chairman said that he had previously concluded opinions given by Members and proposed that a letter should be sent to the PD to express the Members' objection to the application. Copies of the letter would also be sent to the TD and HKPF. He opined that sending letters to the PD, TD and HKPF could serve the purpose. However, should Members insist on moving extempore motion, he would support and accept the move.

34. The views, suggestions and enquiries of Ms LAM, Lam Nixie, the Hon CHAN Han-pan, Ben, Mr WONG Wai-kit and Mr TAM Hoi-pong were summarised as follows:

- (1) the issue of shortage of parking spaces had aroused wide concern in Tsuen Wan. It was opined that any change of parking facilities to other usage had to be adequately considered. In the past, the PD failed to provide parking spaces in Tsuen Wan despite repeated requests. New developments in the district had also reduced the supply of parking spaces. Dissatisfaction to the practice was expressed but moving a motion was not

- insisted. However, if Members thought that it was necessary to move a motion, no objection would be raised;
- (2) if Members collectively opined that it was necessary to move a motion, then a motion should be moved. On the other hand, if Members opined that it was not necessary to move a motion and that a letter to the PD would serve the purpose, it should be all right. However, it was inclined to move a motion in order to show a hardline stance;
 - (3) it was proposed that a paper should be submitted at the next CBPDC meeting, and the representatives of the TD and HKPF should be invited to attend the next CBPDC meeting in order to respond to Members' enquiries. Members could move motions at the next CBPDC meeting if necessary;
 - (4) it was opined that the PD, TD and HKPF were required to respond to the enquiries at the next CBPDC meeting; and
 - (5) the decision whether to move a motion or not was supported. District Planning Officer/TW and West Kowloon was requested to attend the following meeting.

35. The Chairman proposed that a letter should be sent to the PD, TD and HKPF to convey opinions expressed by Members. Members were requested to submit a paper so as to invite the representatives of the TD and HKPF to attend the next CBPDC meeting and respond to Members' enquiries. Furthermore, he requested the PD to make arrangement to send its representative to attend the next CBPDC meeting and respond to Members' enquiries.

(Post-meeting Note: The CBPDC sent a letter to the PD to convey the opinions concerned.)

36. Mr NG Hin-lung, Norris said that the location related to A/TW/476 was currently an industrial site. He proposed that the site should be changed to restaurant, shop and service industry and office use. Recently, he learnt from the newspaper that the Government hoped to terminate the handling of the relevant application, as the amount of land to be changed from industrial usage to commercial or other usage was already adequate. He enquired the direction of policy of planning with regard to the industrial area in Sha Tsui Road of Tsuen Wan West.

37. STP(TW) of the PD responded as follows:

- (1) the PD would regularly review the supply of industrial floor area in Hong Kong and in 2014 it had conducted a review on industrial land in the territory. It was concluded that Chai Wan Kok Industrial Area in the vicinity of Sha Tsui Road and Tai Chung Road was suitable to be rezoned to "Other Special Uses" annotated "Business" (OU(B));
- (2) in recent years, the TPB also changed part of "Industrial" land in the vicinity of Hoi Shing Road to OU(B) for non-polluting industrial use, commercial premises and office use. If new industrial development was to be conducted in OU(B), the development had to be for non-polluting industrial use so as to bring improvement to the environment. Rezoning

- the land to OU(B) would be able to provide more employment opportunities for the district and initiate restructuring for the district; and
- (3) the PD would amend the outline zoning plan and submit the proposal of changing the remaining industrial land in Chai Wan Kok Industrial Area to OU(B) to the TPB. The proposal would first be submitted to DC to seek opinions from Members. If DC agreed to the proposal, the PD would then submit it to the TPB for deliberation. If the TPB approved the proposal, the PD would gazette it in accordance with “Town Planning Ordinance”. There would be two months of consultation period for the public and Members to submit representations.

(Note: Mr KOT Siu-yuen left the meeting at 4:45 p.m.)

V Item 4: Work Progress Report of Sponsored Organisations

(A) Tsuen Wan Festival Lightings Organizing Committee (“Lightings Committee”)
(subsidized organization)

38. Mr LO Siu-kit reported that festive lighting programmes organised by Lightings Committee in 2015-16 were completed, and that the contractor had removed all lightings in early March 2016. “2016 New Year Countdown in Tsuen Wan” was also successfully completed and there were 17,500 participants. On fund-raising, acknowledgement banners on lamp posts and promotion posters on footbridges were posted in December 2015 and removed before 4 March 2016. The third meeting of Lightings Committee would be held in mid-March 2016. The effectiveness of the activities held in the current year and improvements to be made in the next year would be discussed.

VI Item 5: Any Other Business

(A) Information Papers

39. Members noted the contents of the following information papers:
- (1) Membership List of Community Building, Planning and Development Committee 2016-19
(CBPDC Paper No. 4/2016);
 - (2) Terms of Reference of Community Building, Planning and Development Committee
(CBPDC Paper No. 5/2016);
 - (3) Date of Meetings of Community Building, Planning and Development Committee between May 2016 and March 2017
(CBPDC Paper No. 6/2016); and
 - (4) Financial Statement of the Funds Allocated to Community Building, Planning and Development Committee as at 17 February 2016
(CBPDC Paper No. 7/2016).

VII Adjournment of the Meeting

40. The Chairman reminded Members that the next meeting was scheduled at 2:30 p.m. on 10 May 2016 (Tuesday) and the deadline for submission of paper was 22 April 2016.

41. There being no other business, the meeting was adjourned at 4:51 p.m.

Tsuen Wan District Council Secretariat
27 April 2016

Terms of Reference of the Working Groups under
Community Building, Planning and Development Committee in 2016-19

- (I) Working Group on Community Building Activities
- (1) To encourage individuals, families and racial groups to develop a harmonious and good neighbourhood relationship with the community through organising various forms of activities for enhancement of the sense of belonging of the members of the public to the community;
 - (2) To organise and advise on relevant community activities in the District; and
 - (3) To report its work to the CBPDC on a regular basis.
- (II) Working Group on Community Development and Planning
- (1) To research and advise on planning, land use, community facility and building in the District;
 - (2) To promote, research and advise on community involvement activities pertinent to community planning, building and development; and
 - (3) To report its work to the CBPDC on a regular basis.
- (III) Working Group on Industrial and Commercial Development
- (1) To express concern over the situation and trend of industrial and commercial development in Tsuen Wan district and across the territory;
 - (2) To introduce the industrial and commercial development of Tsuen Wan district to all walks of life through organising different types of industrial and trade visits to private industrial and commercial enterprises, public organisations and industrial and trade missions in China and foreign countries, etc.;
 - (3) To invite experts and iconic people from industrial and commercial sectors to host the talks of different topics of industry and commerce as organised for enhancement of the knowledge of industrial and commercial development for the public and members of local community of Tsuen Wan; and
 - (4) To organise various activities for the people at work or from industrial and commercial sectors.

Membership lists of the Working Groups under
Community Building, Planning and Development Committee in 2016-19

Working Group on Community Building

Activities

Convenor : Mr CHAN Chun-chung,
Jones
Vice Convenor : Ms LAM Yuen-pun, Phyllis
Members : Mr MAN Yu-ming, MH
Mr KOO Yeung-pong
Mr WONG Wai-kit
Mr HOU An-che

**Working Group on Community Development
and Planning**

Convenor : Mr CHENG Chit-pun
Vice Convenor : Mr CHAN Chun-chung, Jones
Members : Mr MAN Yu-ming, MH
Mr KOO Yeung-pong
Mr NG Hin-lung, Norris
Ms LAM Yuen-pun, Phyllis
Mr WONG Wai-kit
Mr KOT Siu-yuen
Mr LO Siu-kit
Mr TAM Hoi-pong
Ms WONG Pui-chi
Mr HOU An-che

**Working Group on Industrial and
Commercial Development**

Convenor : Mr LAM Faat-kang, MH
Vice Convenor : Mr KOO Yeung-pong
Members : Ms LAM Yuen-pun, Phyllis
Mr CHAN Chun-chung,
Jones
Mr CHOW Ping-tim
Mr HOU An-che

Note: The tenure of the Members who are concurrently the Co-opted Members of the CBPDC is from the establishment date of the Working Groups (i.e. 8 March 2016) to 31 December 2017.