

(Translation)

Minutes of 3rd Meeting of
Community Building, Planning and Development Committee (1/16-17)

Date : 10 May 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 Wai-kit
Mr KOT Siu-yuen
Mr CHOW Ping-tim
Mr CHENG Chit-pun
Mr LO Siu-kit
Mr TAM Hoi-pong

Co-opted Member

Ms WONG Pui-chi

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 (New Territories West), Civil Engineering and Development Department

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 5

Ms Virginia SIU

Communications Manager, Financial
Dispute Resolution Centre

Ms Sophie SHEK

Communications Officer, Financial
Dispute Resolution Centre

For discussion of item 6

Mr CHAU Yat-cheung, Lawrence

District Planning Officer/Tsuen Wan
& West Kowloon, Planning
Department

Mr LAM Chun-cheuk, Tim

Engineer (Tsuen Wan) 1, Transport
Department

Mr NGAN Tak-cheong, Patrick

Chief Inspector of Police (Operations
2) (Tsuen Wan) (Acting), Hong
Kong Police Force

Mr CHEUNG Kwok-leung, Joe

Officer-in-Charge District Traffic
Team (Tsuen Wan), Hong Kong
Police Force

For discussion of item 7

Mr CHAU Yat-cheung, Lawrence

District Planning Officer (Tsuen
Wan & West Kowloon), Planning
Department

Mr LAM Chun-cheuk, Tim

Engineer (Tsuen Wan) 1, Transport
Department

Absent:

Member

Mr WONG Ka-wa

Co-opted Member

Mr HOU An-che

The Meeting

I Opening Remarks and Introduction

The Chairman welcomed the Members and representatives from the government departments to the 3rd meeting of the Community Building, Planning and Development Committee (CBPDC).

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 of section 28 of the Standing Orders that unless otherwise agreed by the Chairman, a 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: Ms WONG Pui-chi joined the meeting at 2:35 p.m.)

3. The Chairman said that Mr HOU An-che was absent with apologies.

(Note: Mr TAM Hoi-pong joined the meeting at 2:36 p.m.)

II Item 1: Confirmation of Minutes of the Meeting held on 8.3.2016

4. The minutes of the previous meeting were unanimously confirmed by Members without amendment.

III Item 2: Matters Arising from the Minutes of the Previous Meeting

5. The Chairman said that there were no matters arising from the minutes of the previous meeting.

IV Item 3: Funds Allocation for Community Building, Planning and Development Committee 2016/17

(CBPDC Paper No. 1/16-17)

6. The Secretary introduced the paper.
7. The CBPDC approved the funds allocation of District Council Funds (Community Involvement Projects) in 2016/17 as follows:

<u>Programme</u>	<u>*Allocation Available for Use (\$)</u>
(1) Working Group on Community Building Activities	112,000.00
(2) Working Group on Community Development and Planning	40,000.00
(3) Working Group on Industrial and Commercial Development	51,000.00
(4) Tsuen Wan Festival Lightings Organizing Committee	1,618,000.00
(5) Reserve	0.00
Total:	<u>1,821,000.00</u>

* The allocation included 10% deficit budget.

8. The CBPDC endorsed that the Tsuen Wan District Council Secretariat was authorised to approve the applications for the change of activity names, venues, dates and time on its own initiative in accordance with the approved funding application without making any amendment to the approved financial budget, whereas the amounts of funds allocated remained unchanged.

V Item 4: Planning Applications (as at 29.4.2016)

(CBPDC Paper No. 2/16-17)

9. Senior Town Planner/Tsuen Wan (Sr Town Plnr/TW) of the Planning Department (PD) introduced the paper and supplemented as follows:
 - (1) planning application A/DPA/TW-CLHFS/3 had been extended for a month in the previous week; and

- (2) recently, the Town Planning Board (TPB) received a new planning application A/TWW/111. The applicant applied for relaxation of non-domestic gross floor area restriction at 5th floor of Bellagio Mall, Bellagio, Sham Tseng to be used as a tutorial centre for a period of three years.

(Note: Mr WONG Wai-kit and Mr CHOW Ping-tim joined the meeting at 2:40 p.m.)

10. The views, suggestions and enquiries of Mr NG Hin-lung, Norris and Ms LAM Yuen-pun, Phyllis were summarised as follows:

- (1) regarding A/TW/476, the paper revealed that the TPB had rejected the application. An enquiry was raised on the details; and
- (2) regarding A/DPA/TW-CLHFS/3, it was enquired whether the PD had formally consulted the residents in the places concerned including Chuen Lung Village. Apart from being concerned about the impacts on traffic and environment, the residents in the places concerned were also concerned about whether residential development works would affect local fung shui. In addition, she had previously objected to the application as the district councilor of the constituency concerned. She opined that the authorities should respect the wish of residents of the area.

11. Sr Town Plnr/TW of the PD responded as follows:

- (1) at the Tsuen Wan District Council (TWDC) meeting held in March 2016, the PD had consulted Members on the proposed amendments to the Tsuen Wan Outline Zoning Plan No. S/TW/31. The PD would gazette the relevant proposed amendments;
- (2) regarding A/TW/476, the location involved was still for “industrial” use when the applicant submitted his application. The relevant work site would later be rezoned as “Other Special Uses (Business)” zone alongside with its neighbouring areas. The application was a conversion case. As the parking spaces provided under the proposed development were far below the number of parking spaces as prescribed by the Hong Kong Planning Standards and Guidelines (the “Guidelines”) and there were often traffic congestions in Sha Tsui Road at where the site of this planning application was located, the TPB turned down the application on 18 March 2016. Even Chai Wan Kok Industrial Area was to be rezoned as “business” zone in the future, if the applicant still intended to change the site for commercial use, the applicant still had to resolve the traffic issues in the stages of lease modification and the submission of the building plan before the relevant works could be implemented. The applicant, though, did not need to re-submit application to the TPB again; and
- (3) regarding A/DPA/TW-CLHFS/3, according to a department, there was technical issue in the application. The applicant thus applied for a one-month extension in order to resolve the technical issue. The TPB had agreed to the extension of the application on 13 May 2016 and the applicant had to submit supplementary information on or before 13 June

2016. If there were major changes in the supplementary information, the PD would again conduct a three-week consultation in respect of the application. The district councillors and the public were welcome to provide information. If the villagers had any opinions, they could also submit public opinions in respect of the supplementary papers. The PD would submit the public opinions concerned together with the application for the consideration of the TPB.

(Post-meeting note: According to the PD, the Tsuen Wan Outline Zoning Plan No. S/TW/32 was gazetted on 13 May 2016. The proposed amendments to the Tsuen Wan Outline Zoning Plan No. S/TW/31 were included in the aforesaid Zoning Plan.)

12. The views, suggestions and enquiries of Mr NG Hin-lung, Norris and Mr TAM Hoi-pong were summarised as follows:

- (1) it was showed in the paper that some applications had been rejected or that the applicants applied for interim stays. It was hoped that the PD could provide more details in the summary of applications including the reason for the TPB's decisions. Although Members could understand more information from the webpage of the TPB, it was opined that the provision of more information in the papers would facilitate Members' discussion; and
- (2) regarding A/DPA/TW-CLHFS/3, it was enquired whether the location involved in the application was in the stage of development permission area plan. As the location involved was close to Tai Mo Shan Country Park, it was further enquired whether the location was one of the "enclaves". In addition, it was enquired whether the vegetation cover on the site in question had been damaged.

(Note: The Hon CHAN Han-pan, Ben joined the meeting at 2:46 p.m.)

13. Sr Town Plnr/TW of the PD responded as follows:

- (1) if necessary, the PD could provide more information about applications for a postponement or being rejected in the paper, starting from the next CBPDC meeting;
- (2) regarding A/TW/476, the TPB rejected the application based on traffic issues;
- (3) regarding A/TW/477, the applicant applied for a postponement based on reasons such as landscape;
- (4) A/TW/478 had been approved;
- (5) A/TW/479 had not been submitted to the TPB for discussion yet;
- (6) regarding A/TWW/110, the applicant applied for a postponement based on reasons such as traffic and views; and
- (7) regarding A/DPA/TW-CLHFS/3, the applicant applied to build 27 detached buildings which were not small houses. The location involved in the application was Chuen Lung at Route Twisk and it was covered by development permission area plan at present. The location was not one

of the “enclaves”. As mentioned above, the location involved in the application was Chuen Lung at Route Twisk and it was covered by development permission area plan at present and the PD was formulating the outline zoning plan. As the location in question had been approved for recreational use many years ago, there was a vacant building and the adjacent lands were covered with concrete. There were some village-type workshops too.

14. The Chairman hoped that in the future, the PD would explain to Members the process of approving planning applications and provide more information in the paper, so that Members could give their views on various applications to the PD for consideration.

VI Item 5: Introduction to the Financial Dispute Resolution Centre
(CBPDC Paper No. 3/16-17)

15. The Chairman welcomed the representatives of the Financial Dispute Resolution Centre (FDRC) who specially joined the meeting, including:

- (1) Ms Virginia SIU, Communications Manager; and
- (2) Ms Sophie SHEK, Communications Officer.

16. Communications Manager of the FDRC introduced the paper.

17. The views, suggestions and enquiries of the Chairman, the Vice Chairman, Ms LAM yuen-pun, Phyllis, Ms LAM, Lam Nixie, Mr NG Hin-lung, Norris and Mr LO Siu-kit were summarised as follows:

- (1) it was opined that the discussion might tie in with the work of the Working Group on Industrial and Commercial Development and the message could be brought into the community;
- (2) the practice of the FDRC was different from that of mediation service provided by districts and buildings in general. It was agreed with the approach of “mediation first, arbitration next”. At present, the mediator of buildings just acted as the middleman and arrangement would be made for the two parties to negotiate but the mediator would not provide opinions. On the other hand, the FDRC was more proactive. Its degree of participation was higher and more forceful;
- (3) at present, no appeal was allowed after arbitration. The financial institutions did not raise objection because they were under supervision. However, it was enquired what members of the public could do if they were not satisfied with the results of arbitration;
- (4) after the establishment of the FDRC, the rate of successful mediation was more than 80%. Members were encouraged by the high successful rate and an enquiry was raised on the actual figures;
- (5) some members of the public might expect to conduct mediation at the FDRC only. If it was not successful, appeal might be lodged through law courts. It was enquired after mediation, whether there were still choices of arbitration and appeal through law courts, or whether the choice had to be made upon signing the mediation agreement;

- (6) in the process of mediation and arbitration, whether the FDRC would proactively assist members of the public in investigating, gathering evidence and handling documentary proof and properly conducting relevant procedures;
- (7) according to the FDRC, the representatives from the banks must be present at the mediation. It was hoped that the FDRC would provide more information on it;
- (8) when the members of the public, such as the elderly, lodged a complaint, they might not be able to provide necessary information. They might not be able to give details of the case clearly and explain their wishes. They might not be able to understand their position in the mediation. Thus, it was hoped that the FDRC would be able to provide more assistance so that the public could make use of the FDRC's services effectively;
- (9) it was agreed with the consumer-lead approach. Usually consumers were not willing to initiate litigation as it would cost a large sum of money. In the course of participation in the mediation plan, if a financial institution exploited the consumer who was unwilling to accept mediation so as to make concessions, it would lead to the failure of mediation. It was enquired whether the consumers would incur demerit points in the process of mediation and the matter would be kept in record; and
- (10) claimants should make claims within twelve months after they learnt that they suffered monetary loss. There were cases in the past in which members of the public such as the elderly, who were not aware of the establishment of the FDRC, commissioned a third party to negotiate with or lodge complaints against financial institutions. The relevant processes might take a longer time. If members of the public made claims after the twelve-month period, it was enquired whether there was no other channel from which they could get assistance.

18. Communications Manager of the FDRC responded as follows:

- (1) since its establishment four years ago, the FDRC had been proactively gauged views by meeting with various parties such as the financial institutions, members of the public and District Councils, with a view to enhancing and improving the FDRC's services;
- (2) the local Mediation Ordinance specified the requirements for the mediators, inter alia, mediators should not give opinions and make decisions for mediation cases, or else it would be unlawful. The mediators therefore had to be well-experienced. The FDRC had strict requirements of qualifications of its mediators, and senior mediators were proud of their service in the FDRC. As the mediators were not allowed to give opinions and make judgments for the cases, they should think about the ways to settle the cases before giving guidance on seeking resolutions and making compromises to the two parties. Sometimes, the resolution made by the two parties after careful thoughts might be better than that of the mediator and was more conducive to solving the problem. The FDRC's services were different from that in the market because the latter only provided mediator's service, whereas the FDRC provided

ancillary services including the secretariat support on preparation of documents for mediation taken up by mediators and provision of details in relation to the FDRC's service to the public. The pre-mediation meetings, which would be held by the FDRC's staff or mediator with both parties to figure out the substantive elements of disputes, facilitated the mediator to get well-prepared. Currently, most cases could be completed within four hours. The case officers of the FDRC were all qualified mediators although they were not on the list of the FDRC's mediators. Thus, they could duly provide effective secretariat service for fruitful outcome of the mediation. Moreover, the FDRC provided unique ancillary service, resulting in a higher successful rate in mediation, even though the FDRC's mediators adopted the same approach of mediation taken by the mediators in the communities;

- (3) in Hong Kong, the arbitral was conducted in accordance with the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the "New York Convention"). The methods of mediation adopted by the FDRC was the same as that adopted by contracting states to the New York Convention, which was "The First Instance is Final". The relevant arbitral awards could also be implemented by law courts. While mediation could be conducted at the FDRC, arbitration might not necessarily be conducted there. The public might firstly opted to get mediation. If the mediation deemed to be failed, they could consider taking arbitration and staff of the FDRC would explain to them that the result of arbitration would be final which was equivalent to that of the law courts and no appeal would be entertained. When in doubt, the public could decide as to whether the case was to be handled through district courts or arbitration. The viewpoint of arbitral awards would be close to that of law courts. i.e. legal viewpoints would be adopted and arbitration would be proceeded under strict confidentiality and the decision of the first instance should be final;
- (4) during the four years since its establishment, the FDRC had received about 2 000 enquiries every year, about 1 000 of which were enquiries on complaints against financial institutions. There were around 30 to 40 cases of mediation each year. As most cases were successfully mediated, the number of arbitration was smaller. As at the end of 2015, there were about eight cases of arbitration. As the arbitral awards should be strictly kept confidential, the FDRC would not be able to provide the tendencies of arbitral awards;
- (5) regarding the proof of evidence, mediation did not aim at proving the rights and wrongs of the two parties. Some overseas organisations alike were established in the capacity of commissioner of financial claims and investigations could be carried out. The FDRC, on the other hand, was dedicated to providing mediation and arbitration and investigations on both parties would not be carried out. The proof of evidence rested on the two parties. During the course of mediation, the mediator would not make judgment but tried to obtain the basic information from the two parties. The mediator then gave guidance on thoughts from wider

perspectives to the two parties. The mediator was not critical of the rights and wrongs of the two parties. In most cases, the two parties were prone to think about the problem from the monetary perspective. However, after careful analysis and deliberations, they probably found that the core of dispute involved other aspects, which was irrelevant to monetary matters;

- (6) the banks under the regulatory control of the Hong Kong Monetary Authority and the financial institutions under the regulatory control of the Securities and Futures Commission (SFC) were required to send representatives to attend mediations. The district councillors of other districts relayed that some cases involved finance companies. Currently, however, the FDRC was unable to handle the cases involving financial institutions such as insurance companies and finance companies. It was hoped that the scope of services could be expanded in future so that more people could use its services. If banks and securities companies were members of the FDRC's scheme, they had to send representatives to attend mediations. Previously, some financial institutions were fined by the SFC due to its refusal to send representatives to attend mediation. After being fined, the financial institution still had to send representatives to attend the mediation;
- (7) the proof of evidence was an integral part of arbitration. The arbitrator made judgment from legal viewpoints. Thus, the two parties were required to produce documents and information, prepare the representations and testify at arbitration hearings. The arbitrator would make judgment based on the representations and statements;
- (8) no points would be deducted if mediation was unsuccessful. Mediation and arbitration were two processes which were separate with each other. A mediator could also take up the role as an arbitrator. According to the international practice, a mediator should not take up the mediation and arbitration for the same case, in order to avert an inappropriate judgment due to his participation in the process of mediation and grasp of private matters of the two parties. Hence, the FDRC would handle the mediation and arbitration cases separately. It was expected that the arbitrator would not be affected by other factors when making judgment; and
- (9) the FDRC agreed that the period of twelve months was too short. Hence, the FDRC planned to enhance its services in the future and lengthen the said period. By then, the FDRC would amend its terms of office and conduct consultation. The FDRC hoped that Members would give their views on it.

19. Mr NG Hin-lung, Norris said that as litigation fees had to be paid for normal legal procedures, he enquired whether the parties would have to pay, apart from the FDRC's charge, the litigation fees or other charges arising from mediation or arbitration for the other party.

20. Communications Manager of the FDRC responded that mediation brought about a “win-win” situation, which did not involve winning or losing a lawsuit. Hence, no payment of litigation fee to the successful party was to be made. The FDRC did not stipulate any clause for litigation charges on arbitration. Without such clauses, a complainant who lost in the lawsuit of arbitration after making an application of mediation and arbitration would not be required to pay any fees for the financial institutions. The FDRC aimed at providing an alternative channel for the public to resolve disputes through its services.

21. The Chairman thanked the representatives of the FDRC for making a briefing and Members had learnt the messages concerned. If the public were in need of mediation, Members would refer them to the FDRC proactively. It was hoped that the FDRC would provide assistance for the activities which involved mediation service and giving details to the general public to be held in the district in future, if any.

VII Item 6: Strongly Request the Planning Department and Transport Department to Face up to the Problem of Insufficient Parking Spaces in Tsuen Wan West
(CBPDC Paper No. 4/16-17)

22. The Chairman welcomed the representatives of government departments who specially joined the meeting, including:

- (1) Mr CHAU Yat-cheung, Lawrence, District Planning Officer/Tsuen Wan & West Kowloon (Dist Planning Officer/TW & West Kln) of the PD;
- (2) Mr LAM Chun-cheuk, Tim, Engineer (Tsuen Wan) 1 (Engr (Tsuen Wan) 1) of the Transport Department (TD);
- (3) Mr NGAN Tak-cheong, Patrick, Chief Inspector of Police (Operations 2) (Tsuen Wan) (Acting) (CIP(OPS2) (Tsuen Wan) (Atg.)) of the Hong Kong Police Force (HKPF); and
- (4) Mr CHEUNG Kwok-leung, Joe, Officer-in-Charge District Traffic Team (Tsuen Wan) of the HKPF.

Besides, Mr KWONG Wang-ngai, Walter, Sr Town Plnr/TW of the PD would give response to Members’ enquiries on behalf of the PD.

23. Ms LAM, Lam Nixie introduced the paper.

24. The Chairman said that the PD and HKPF had submitted written replies on the captioned matter prior to the meeting for Members’ perusal.

25. Dist Planning Officer/TW & West Kln of the PD responded as follows:

- (1) the PD was concerned about the supply of parking spaces in the district;
- (2) when Chai Wan Kok Industrial Area was redeveloped, the provision of parking spaces would be strictly in compliance with the requirement of the Guidelines. At present, there were insufficient parking spaces in Tsuen Wan district because parking spaces were not provided by most buildings in the vicinity of Chung On Street in Tsuen Wan old town centre. As a result, the demand for parking spaces in the town centre had to be met by public car parks;

- (3) it was stipulated in the Guidelines that commercial buildings should provide hourly parking spaces for its clients according to its floor area, whereas residential buildings had to provide adequate parking spaces to its residents. In the future, the PD would monitor the supply of parking spaces when land usage was changed;
 - (4) at present, there was still a demand for public car parks. As redevelopment project in the old town centre might not be implemented for provision of new parking spaces, public parking spaces had to be provided. After taking into consideration the history of development of Tsuen Wan, many temporary car parks had been set up in Tsuen Wan. There were also many temporary car parks in Tsuen Wan West providing about 1 000 parking spaces;
 - (5) the PD was very concerned about the A/TW/474 Discovery Park case and staff had been deployed many times to conduct inspection at the location to find out whether the application had caused any impact on traffic. The HKPF and TD were also very concerned whether the application would bring about any traffic issue;
 - (6) there were about 1 000 parking spaces at the location concerned. According to the Guidelines, more than 800 parking spaces would be provided for the commercial and residential floor area of the application. The staff of the PD and the departments concerned had conducted on-site observation and did not find that the vehicles queued for long when waiting for parking spaces. After a holistic and detailed consideration, the TPB approved the relevant application as it was only converting the remaining 200 parking spaces to temporary automobile showroom. If there was any change in the demand of parking in Discovery Park which was rather remote in the future, e.g. when the demand for parking spaces increased and when the vehicles queued for parking spaces, the TPB would give separate consideration according to the situation;
 - (7) the planning applications were rather technical in nature. The factors such as land use, town planning, traffic, environment, demand of the community, market and safety should be taken into consideration. After an overall consideration, the TPB would approve the relevant application; and
 - (8) the PD hoped that adequate parking spaces would be provided by the planning of change of future land uses in Tsuen Wan district, tying in with traffic and transport policies.
26. Engr (Tsuen Wan) 1 of the TD responded as follows:
- (1) the TD would consider the traffic situation of every planning development project with reference to the Guidelines, so as to formulate a suitable parking plan and incorporate it into the land lease;
 - (2) with regard to the new development projects in Tsuen Wan and its vicinity, the TD had, in accordance with the Guidelines, incorporated the upper limit of the number of the parking spaces into the land leases. Normally, a 5% increase or decrease in parking spaces under a development project was allowed in the land lease. The TD did not allow the applicant to

- reduce the number of parking spaces, who was only allowed to increase 5% of parking spaces;
- (3) under the condition that the traffic in the vicinity would not be affected, the TD would request developers to add in additional public parking spaces into various development projects which were not required by the Guidelines;
 - (4) under the condition that the traffic safety would not be compromised and that other road users would not be affected, the TD would set up temporary car parks at suitable locations which was under-developed, such as the space underneath the flyovers. According to the survey conducted at the end of 2015, there were about 1 000 temporary parking spaces in Tsuen Wan;
 - (5) the Transport and Housing Bureau (THB) and TD were planning to conduct a review of the Guidelines in the 2016-17 financial year and would accord priority to considering and meeting the parking needs of commercial vehicles;
 - (6) as land resources were limited, the Government would not be able to provide parking spaces continuously if the number of private cars was on the rise. The Government's policy was to encourage the use of public transport; and
 - (7) in deliberation of A/TW/474, the TD had made assessments of parking spaces in accordance with the Guidelines. It was required that about 800 parking spaces should be provided at the location concerned. The applicant applied to use about 150 of the remaining 200 parking spaces as showroom. The TD opined that the conversion was appropriate.

27. CIP(OPS2) (Tsuen Wan) (Atg.) of the HKPF responded as follows:

- (1) the HKPF was concerned about the traffic matters in the district. Between January 2015 and April 2016, the HKPF issued about 74 000 fixed penalty tickets. Within the past 16 months, the HKPF received 9 400 complaints of vehicle obstruction and 9 700 cases of illegal parking. The HKPF was very concerned about the figures;
- (2) regarding application no. A/TW/474, the HKPF had time and again received complaints of vehicle obstruction or illegal parking in the vicinity of Mei Wan Street. The HKPF had taken a series of actions and issued fixed penalty tickets and the relevant figures were relatively high; and
- (3) the HKPF would not take into consideration commercial matters, but it was very concerned about the impact on traffic that might be caused by the application.

(Note: Mr CHAN Sung-ip left the meeting at 3:45 p.m.)

28. The views, suggestions and enquiries of Ms LAM yuen-pun, Phyllis, Ms LAM, Lam Nixie, Mr WONG Wai-kit, Mr CHOW Ping-tim and Mr LO Siu-kit were summarised as follows:

- (1) it was enquired when the Guidelines had been changed or amended. In early years, 200 additional parking spaces were provided at Discovery Park. At present, after Members had relayed many times that parking spaces were inadequate, additional parking spaces could not be provided because of relevant requirements. Furthermore, there were many parking spaces in public housing estates in the past, but there were only more than a dozen at present;
- (2) as the TD and HKPF would also provide opinions based on requirements of the Guidelines, Members were glad that the Guidelines would be reviewed in 2016-17;
- (3) in the past, the departments concerned had resumed the multi-storey car park by the seaside and also temporary car park. However, there was no compensatory proposals in buildings newly constructed and only the Guidelines were adopted. It was enquired whether departments concerned had taken into account the parking situation in the whole district;
- (4) at present, there was already parking problem in Tsuen Wan West. After the in-take of the newly constructed buildings in Tsuen Wan West, it was believed that the problem would become more serious;
- (5) it was agreed that there was inadequate parking spaces in Tsuen Wan and the number of parking spaces was not increased under a number of newly developed projects. It was opined that the PD and the departments concerned had ignored the requests of Members and that the number of parking spaces should be increased under the new development projects planned in the future;
- (6) regarding A/TW/474, it was opined that apart from the showroom of the concerned planning application, there was no lawful showroom for second-hand cars in the New Territories West. Members of the public would have to purchase second-hand cars from illegal venues. Therefore, support to the showroom was given. In addition, inspection was conducted in the vicinity of Mei Wan Street. It was found that recently the entire car park of the shopping mall was closed as a result of renovation. However, the waiting situation for parking spaces during holidays was not serious. The tailback reached the corner of the factory for making turns and the traffic in the vicinity of Mei Wan Street had not been affected. Therefore, the showroom should not be the target of blame. If traffic impact assessment had been conducted in respect of the showroom, and if no impact had been caused even after its establishment for many years, the showroom should be allowed to continue to operate upon overall consideration and to bring convenience to the members of the public who purchased the second-hand cars. After making enquiries to the developer, Members learnt that even if the application was rejected and the relevant parking spaces were resumed, the developer would not lower their rent to let tenants rent the parking spaces. People who would want to use the parking spaces would still have to pay market rent. The developer would not lower rent as a result of unsuccessful application of the showroom and no sides would be benefitted. Therefore, it was

opined that the showroom complied with relevant legislations and the existing situation was “win-win”. It was opined that the overall situation should be considered, rather than one-sided consideration;

- (7) at the last CBPDC meeting, Members had disagreed with the TPB’s approval for setting up a showroom at Discovery Park. A Member had raised that the rent for parking spaces at Discovery Park was too high. It was opined that if the TPB had not approved the application all along, the developer might have lowered the rent so that more people could use the car park. It would be conducive to the provision of parking spaces in planning;
- (8) it was reiterated that A/TW/474 was just an example. The purpose of the paper was to deal with squarely the issue of inadequate parking spaces in Tsuen Wan West;
- (9) a Member expressed astonishment at the HKPF’s response to A/TW/474. According to the PD, at the last CBPDC meeting, both the HKPF and TD opined that there was no problem with the application. Then, the application was approved. Based on the response of the HKPF, it was enquired whether it was as a result of lack of thorough consideration that the application was approved during the last District Councils Election. According to the HKPF, it had never agreed to the application. If it was a result of internal communication problem of the HKPF, the relevant procedures should start anew. It was enquired whether the application could be repudiated. It was also opined that a complaint could be lodged to the Ombudsman;
- (10) over the years, many district councillors had mentioned at different TWDC meetings that parking spaces were inadequate in Tsuen Wan West. It was opined that the PD should deal with the issue squarely. At present, the problem had emerged and it was enquired how it should be handled. Besides, there were serious traffic congestion in Tsuen Wan West during weekends and it was opined that there was a mistake in planning;
- (11) currently, there was serious traffic congestion in Chai Wan Kok Street. Even if the HKPF issued penalty tickets on a daily basis, the problem could not be solved. It was enquired how the issue could be resolved. It was opined that there was a mistake in overall planning. In addition, the Environmental Protection Department previously expected to set up a community green station at the location by resuming 20 to 30 parking spaces. The plan was abortive due to the inadequate parking spaces and serious traffic congestion;
- (12) many district councillors had repeatedly mentioned the problem concerned at the meetings of the last-term TWDC. It was opined that the PD had not conducted a study on the relevant issue. In the PD’s response every time, the figures were repeatedly given and the public was encouraged to take the public transport. It was opined that the PD should conduct the planning;
- (13) the TWDC was concerned about the overall shortage of parking spaces in Tsuen Wan. It was not targeting parking problem of individual project. It was opined that the problem was found in all 18 districts. As there

were many shopping malls in Tsuen Wan, the problem was particularly serious; and

- (14) regarding A/TW/474, it had been considered that many factors had to be taken into account. To name a few, when assessment was conducted, renovation of the mall had not been completed but it was in full operation and the nearby car parks were troubled with the same problem. Taking consideration in the long run, it was opined that A/TW/474 should not be approved. However, according to the representative of the PD at the last CBPDC meeting, the application met relevant standards and that departments concerned had been consulted. According to the response from the HKPF a moment ago, the HKPF objected to the project. It was enquired how the PD evaluated the objection from the Police and the considerations of the TPB, under circumstances that A/TW/474 were not supported by Members and government departments. The project had been approved for three years and it was enquired how Members could raise objection to this application three years later.

29. Mr NG Hin-lung, Norris said that he had made declaration of interest in respect of the planning application A/TW/474 at the last CBPDC meeting. He would like to make declaration at this CBPDC meeting again. He said that he would not give any views on the matter concerned.

30. The Chairman requested Mr NG Hin-lung, Norris to make formal declaration of interest in writing and permitted Mr NG Hin-lung, Norris to remain in the meeting as an observer but he could not speak on the planning application in accordance with section 48(2) of the Standing Orders.

(Note: Mr CHENG Chit-pun left the meeting at 4:00 p.m.)

31. Dist Planning Officer/TW & West Kln of the PD responded as follows:

- (1) regarding the amendments and considerations of the Guidelines, every amendments had been uploaded onto the website. On traffic front, changes to the Guideline had been made in respect of industrial and residential buildings in October 1996 and in 1997, and again in the period between 2005 and 2009. Major changes had been made recently in 1996, 2006 and 2014. Besides, amendments had been made to the Guidelines in the 80s and 90s. The reason for making the relevant changes was to balance various factors in planning. For example, traffic situation and demand were very important and it was hoped that there would be a balance;
- (2) in the past, it was stipulated in the Guidelines that one parking space should be provided for every four housing units. However, the number of parking spaces so stipulated was too large. Currently, the number of parking spaces to be provided was subject to the floor area of the housing units. For example, three to four parking spaces were provided for every 100 small housing units of about 300 to 400 square feet. That was to tie in with the lack of land resources and a huge population in Hong Kong,

less roads and the situation of public transport, so as to achieve consolidated balance in overall planning. Currently, it was required that a parking space should be provided for each housing unit of or more than 1 000 square feet. In recent amendments to the Guidelines, it was found that more parking spaces should be provided for these housing units. As to changes related to offices, a parking space was provided for every 240 square feet in the past. At present, a parking space should be provided for the first 200 square feet and a parking space should be provided for every 300 square feet that followed. On average, a parking space should be provided for every 250 square feet, i.e. one out of 10 to 20 Members of the staff would use vehicles;

- (3) regarding Tsuen Wan's development, parking spaces were not provided for the original town centre in accordance with modern development such as shopping malls. Hence, parking spaces were not provided for most of the commercial floor areas, resulting in traffic problems. With regard to future development in Tsuen Wan, apart from providing residential and commercial parking spaces in accordance with the Guidelines, the TD and PD would provide public parking spaces in consideration of the future demand for parking spaces. The demand for public parking spaces would be reviewed timely. It was found from recent reviews that there was a great demand for the parking spaces;
- (4) the PD was concerned about the future demand for public parking spaces and review would be conducted from time to time. The PD was well aware of the number of temporary public parking spaces in the district. In the future, when Chai Wan Kok was changed from industrial area to industrial and commercial zone, a corresponding amount of parking spaces would be provided under the new developments, and relevant problem was expected to be resolved;
- (5) regarding the planning applications, the PD had to consult public opinions in accordance with the Town Planning Ordinance, so as to achieve an understanding of various analyses and concerns. The TPB on the other hand would assess the situation in accordance with the Guidelines and it would carefully assess objections. The TPB was an independent statutory body and would handle applications in accordance with relevant legislations without being influenced by opinions of individuals or departments;
- (6) regarding the handling of future applications, in accordance with the planning system, Members' opinions were very useful, whereas the PD, TD and HKPF would inspect and discuss the situation of relevant locations and make deliberations. The approach of handling applications was decided by the TPB independently; and
- (7) the TPB had made decision in accordance with relevant legislations and there was no corresponding provisions in the legislations which could repudiate the decision. In making the decision, the TPB had considered all relevant contents in the application and opinions of the public including those of district councillors. The opinions given by Members, such as traffic congestion, and whether the retention of parking spaces in

Discovery Park would be beneficial to Tsuen Wan residents' using relevant parking spaces, had all been contained in papers submitted to the TPB, which had made deliberations in this regard.

32. Engr (Tsuen Wan) 1 of the TD reiterated that in its consideration of new development projects, the TD would, under the condition that traffic nearby would not be affected and apart from requirements of the Guidelines, request the developers to increase the number of public parking spaces.

33. The views, suggestions and enquiries of the Vice Chairman, Mr KOO Yeung-pong, Ms LAM, Lam Nixie, Mr CHAN Han-pan, Ben, Mr CHOW Ping-tim, Mr LO Siu-kit and Ms WONG Pui-chi were summarised as follows:

- (1) the problem of parking spaces had been followed up for a long time, and many discussions had been conducted in the past. It was enquired whether the PD, District Lands Office, Tsuen Wan and Kwai Tsing (DLO) and TD similarly opined that there was a shortage of parking spaces in Tsuen Wan district. If the departments concerned all opined that there was a shortage of parking spaces in Tsuen Wan district, it was enquired why the parking spaces were not increased during the planning;
- (2) according to the TD, the increase on parking spaces would be given a green light. However, the developers intended to increase parking spaces currently had to make application to the TPB and apply for the change of terms in the land lease to the DLO. The change of terms in land lease would take long and there was no successful precedent. Thus, it was believed that the problem of traffic congestion would persist;
- (3) enquiry was raised on the number of parking spaces to be increased in Tsuen Wan town centre in the future. More than 1 000 parking spaces would be removed from the Transport Building and the open space at the location concerned. The departments concerned could only provide the additional 300 to 400 parking spaces for public use. Enquiry was raised on the forecast of the situation in Tsuen Wan by the departments concerned, and whether other people would be forbidden to drive to Tsuen Wan or the Police would take enforcement action when there was illegal parking;
- (4) at present, the developer of TWTL393 chose to change the original planning of construction of hotel. Originally, the developer intended to build a hotel with ten parking spaces. More than 100 parking spaces would be provided for the twenty-storey mall originally built. At present, there were a three-storey shopping mall and 80 parking spaces at Citywalk 2, but there were still many vehicles on the queue for parking spaces every day. Enquiry was raised on how the departments concerned calculated the number of parking spaces. Currently, the parking spaces of small housing units and those with plot ratio of five times were even fewer. Enquiry was raised on whether the departments concerned could construct multi-storey car park in peripheral areas. It was hoped that the departments concerned would provide solutions to this problem;

- (5) the TWDC had discussed the shortage of parking spaces in Tsuen Wan district for many years. It was enquired why the TWDC's views were not taken into account in the planning of Discovery Park. Members expressed their disappointment at the application which could not be repudiated and they opined that it was unacceptable;
- (6) regarding the parking spaces and planning, it was opined that under the existing high property prices, the price of vehicles was lower than that of housing units. At present, tenants of small housing units were of greater desire of buying vehicles more than they were in the past. For example, residents of Primrose Hill which was a newly constructed housing estate often complained that parking spaces in the housing estate and the nearby open-air car park were inadequate. Consequently, serious illegal parking and even traffic accidents were resulted. Hence, it was opined that the current planning practice was not reasonable. In the past, the price of small housing units was lower and their owners might not be able to afford the expenses incurred by a vehicle. Nowadays, owners of small housing units might change to buy a vehicle for self-use after they found that it was difficult to purchase a bigger flat for replacement of the smaller flat. That would aggravate the problem of shortage of parking spaces. Hence, it was opined that the planning practice and mode of thinking of the departments concerned should change. In addition, members of the public who bought bigger housing units might possess more than one car. Thus, the departments concerned should consider increasing the ratio of parking spaces;
- (7) the population in Tsuen Wan was more than 300 000 and there were more than 20 shopping malls. According to the departments concerned, there were more than 1 000 temporary parking spaces in Tsuen Wan and it was a relatively large number of parking spaces. It was opined that such a comment revealed that the department concerned were irresponsible and that the departments concerned should take into consideration of the base figures;
- (8) it was pleased to learn that the HKPF objected to the application. It was enquired how many times the HKPF deployed officers to conduct inspections in the vicinity of Mei Wan Road. It was opined that if there was only one inspection, relevant information should not be sufficient for the departments concerned to take as reference. The HKPF had issued 74 000 tickets, reflecting that serious traffic issues in Tsuen Wan such as illegal parking had imposed huge workload and pressure on law enforcement by the Police. The Police was advised to express its objection to the project in writing to show its standpoint. It could avoid other departments make use of it as excuse, as some people had said that the approval was given to A/TW/474 because the Police had not raised objection to it;
- (9) astonishment was expressed at the amendment to parking spaces as required in the Guidelines. It was opined that a flat accommodated a family, regardless of its size. People bought smaller housing units because the housing prices were high. The Government encouraged

developers to build small housing units and yet it imposed restrictions on parking spaces. At present, the shortage of parking spaces was widely recognised, so the Link had received many complaints. It started to adopt the floating allocation system in the current month. According to the departments concerned, the general public should take public transport as a major commuting mode but the number of compartments of the trains of the West Rail Line should be increased due to the overcrowdedness. There was similar situation in Light Rail and MTR trains. The bus interchange concessions were not provided and it took long to queue and wait for the buses. Also, the number of seats of the mini-buses should be increased and taxi ride service was provided by “Uber”. It was enquired how the public could take public transport as a major commuting mode;

- (10) at present, the population in Hong Kong had increased from 7 million to about 8 million. The number of vehicles would also increase correspondingly. Newly constructed residential buildings were mostly located in remote areas. It was enquired how people could go to work. It was hoped that the PD would take into account the parking issue in reviewing the Guidelines and the parking spaces removed in Tsuen Wan would be compensated. It was enquired how the departments concerned would handle the situation of removal of about 500 parking spaces in multi-storey car park and the traffic congestion that might occur after the in-take of residents of the newly constructed buildings along the seaside. It was expected that the departments concerned would review the situation and why the remaining parking spaces of A/TW/474 could be used as second-hand vehicle showroom. According to the Owners’ Corporation of the building at where the showroom was, the parking spaces of the building were the most expensive to rent in Tsuen Wan. As the building was situated in a remote area with a pricey car parking spot, the motorist did not park their cars there. Instead, they parked their cars in the town centre or committed illegal parking;
- (11) the TWDC had discovered in early years that there were inadequate parking spaces in TW5, TW6 and TW7. However, according to the departments concerned, the public transport service was mainly provided through railway service. The number of parking spaces originally planned in accordance with the new Guidelines was thus reduced. Under relevant amendments, the PD would have to handle new development projects in accordance with the latest criteria;
- (12) the demand for public parking spaces in Tsuen Wan district was on the rise. It was opined that relevant criteria should be changed. The private developers should be allowed to provide public parking spaces. If the relevant criteria were not changed, the issue could not be resolved. At present, developers put parking spaces for sale to gain profits. It was proposed that planning terms should be stipulated that developers could not sell assets at will. The developers should be requested to shoulder responsibility for social services and provide public parking spaces. If restrictions were imposed on developers, parking spaces would be increased. At present, there were not many remaining sites in Tsuen

Wan. In the past, the relevant measures were not adopted for development projects such as TWTL393, TW5, TW6 and TW7. At present, the car parks could only be set up at the Gunzetal factory, the factory zone and the open space behind the Cable TV Tower. Regret was expressed at it. Currently, the Tsuen Wan West Rail failed to meet the demand of the district. In the future, the traffic problem would become more serious after the in-take of residents of TW5, TW6 and TW7;

- (13) it was opined that the case of showroom should not be targeted and support was given to the showroom. It was opined that the showroom would not have impact on parking spaces in Tsuen Wan district. An inspection was conducted at the area around Mei Wan Street. It was found that there was no traffic congestion on holidays;
- (14) it was opined that a study should be conducted in respect of inadequate government car parks. The DLO was requested to give opinions. The departments concerned were enquired whether they had short-term plans. The PD was enquired whether it could take a leaf from nearby countries to build two-storey car parks underneath flyovers, as that could double the number of parking spaces. In addition, it was opined that the existing issue of insufficient parking spaces had its source in the PD. Enquiry was made to the PD on the number of years planning was intended for;
- (15) it was opined that as for the provision of parking space for smaller housing units, there was an improper standard on provision of one parking space for every four housing units which was changed to the provision of one parking space for every 100 housing units, whereas one parking space was provided for one bigger housing units. It failed to take care of the needs of residents of smaller housing units. It would further make the rich richer, the poor poorer;
- (16) it was agreed that private developers should provide public parking spaces. At present, the price of a parking space in Vision City at Tsuen Wan town centre had risen from \$1 million to \$2 million. It was opined that speculation on parking spaces occurred due to insufficient parking spaces. It was suggested that the departments concerned should increase the number of public car parks. Tsuen Wan's geographical location was unique as it was situated at the foot of hills and reclamation had been conducted all along. The issue was serious and the PD should take it into consideration. In addition, the project of Discovery Park had already completed and regret was expressed;
- (17) enquiry was raised on the utilisation rate of more than 1 000 parking spaces in Tsuen Wan. It was opined that the utilisation rate could reflect whether parking spaces were sufficient. It was anticipated that 80% to 90 % of the parking spaces had a high utilisation rate in the long run;
- (18) it was opined that the example of Discovery Park reflected that the departments concerned had ignored the request of the TWDC and dissatisfaction at the PD was expressed. If the opinions of the TD or HKPF were positive, the PD would consider that they supported the application. As when the HKPF did not support the project, the PD would take the HKPF's opinions as one of the factors for consideration

- and reference only. Hence, it was opined that the PD had double standards. Disappointment and regret were expressed in this regard; and
- (19) it was opined that the departments concerned should improve communication among them. The PD was requested to internally circulate the strong request of the TWDC on the increase of parking spaces in the district. In addition, it was hoped that the PD would take a holistic view in considering the parking spaces, instead of taking into account the situation of individual shopping mall such as Discovery Park. The number of traffic assessment and the validity of the assessment should also be taken into account.

(Note: The Hon CHAN Han-pan, Ben left the meeting at 4:15 p.m.)

34. The Chairman reminded Members that the HKPF had clearly stated its objection to the project. He requested the departments concerned to give response to Members' enquiries.

35. Dist Planning Officer/Tsuen Wan & West Kln of the PD responded as follows:

- (1) the parking matters were jointly handled by departments such as the PD, TD and DLO, whereas the matters about the Guidelines were taken up by the headquarters of the PD and the TD would participate in amending the chapters related to traffic. In the previous year, amendments were made to the Guidelines due to the demand study on parking spaces conducted by the TD. He requested the representative of the TD to make supplementary remarks on the utilisation rate of temporary car parks;
- (2) regarding the planning system, the PD would relay the views from the district councillors, the TD and other departments to the TPB for its overall consideration;
- (3) the planning application in question was a temporary application for a three-year term. Half year had already passed. The PD understood that the TWDC might not be satisfied with the result but the PD had attached great importance to the views of the district councillors; and
- (4) regarding the long term planning, the PD would closely liaise with the TD in handling the planning of Chai Wan Kok or other areas.

(Note: Mr KOT Siu-yuen left the meeting at 4:33 p.m.)

36. Engr (Tsuen Wan) 1 of the TD responded as follows:

- (1) he reiterated that in considering development projects, the TD would, under condition that traffic in the vicinity would not be affected, request that public parking spaces be incorporated into the project. The THB and TD would conduct review on the relevant policies such as the Guidelines in the 2016-17 financial year. The TD noted Members' views and would take their views into consideration; and

- (2) regarding the utilisation rate of temporary car parks, the TD had conducted a survey at the end of 2015. The utilisation rate of 1 000 open-air temporary car parks was 100% and some were 40%. The TD could provide relevant information if necessary.

37. CIP(OPS2) (Tsuen Wan) (Atg.) of the HKPF responded that at the end of 2015, the HKPF had written to Director of Planning in the name of Commissioner of Police to raise objection to the application concerned.

38. Administrative Assistant/Lands (District Lands Office, Tsuen Wan and Kwai Tsing) (Adm Asst/Lands (District Lands Office, Tsuen Wan and Kwai Tsing)) of the DLO responded as follows:

- (1) the DLO attached great importance to Members' views, in particular, the parking issue in Tsuen Wan district. As the DLO was not the professional department dedicated to designing traffic and transport facilities, it would maintain close contact with relevant bureaux and professional departments, so as to tie in with their traffic and transport policies and plans;
- (2) in selling government lands in Tsuen Wan district or amending private land leases, professional departments such as the PD and TD would be consulted beforehand, for the consideration of the incorporation of public parking spaces; and
- (3) regarding the car park for short-term lease, if the DLO affirmed that there was such need but there was no suitable land in the district for such purpose, it would explore other alternative solutions, such as adding clause in the land lease requiring developers to provide more parking spaces in projects concerned.

39. The Chairman requested Ms LAM, Lam Nixie who submitted the paper to make a conclusion on this agenda item.

40. Ms LAM, Lam Nixie concluded as follows:

- (1) she strongly requested the departments concerned to deal with the issue squarely, instead of shifting the pressure to the law enforcement departments. If there were constraints in planning, the law enforcement departments would find it difficult to handle the issue. It was expected that more parking spaces would be provided for the new development projects in Chai Wan Kok in future; and
- (2) she opined that mistake had been made at the initial planning stage. As a result, several district councillors of Tsuen Wan West area had to deal with complaints relating to illegal parking on a long-term basis. At present, several thousand housing units had yet been completed. Upon their completion, it was expected that the number of vehicles would increase. It was hoped that the departments concerned would deal with the issue squarely and resolve the problem.

41. The Chairman concluded as follows:
- (1) the captioned matter was derived from the insufficiency of the parking spaces in the district. It was revealed in the information that when the planning application A/TW/474 Discovery Park was approved, there were 1 000 parking spaces at Discovery Park. According to the Guidelines, only 800 of those parking spaces would be occupied and about 200 would be unoccupied; of which 150 would be used for the showroom of second-hand vehicles in the planning application in question. As a result, only a small amount of parking space was left for public use. The captioned matter was derived from such a planning application which attracted Members' attention;
 - (2) after the PD's issuance of relevant paper, most Members had, during the terms of office of the TWDC or during the election period, showed their concern or raised objection to the application. Thus, he could not understand why the application was still approved;
 - (3) even though the use of the location for second-hand vehicles showroom was welcome by a Member, the departments concerned should conduct a full study on whether the location was appropriate, and whether there were more suitable places that could be used as the showroom for second-hand vehicles;
 - (4) at present, the Government had been aware of the overall shortage of parking spaces in Tsuen Wan. In the future, when new projects or new housing estates were completed, it was hoped that the departments concerned would proactively conduct assessment and provide additional parking spaces, such as whether improvement could be made in respect of the parking spaces for TWTL393;
 - (5) the captioned matter was derived from the design of old buildings in Tsuen Wan, such as no provision of car parks in single-block buildings. It was hoped that the PD and DLO would prioritise the issue when considering relevant projects in the future; and
 - (6) Members attached great importance to the shortage of parking spaces.

VIII Item 7: Request to Discuss the Use of Land at the Junction of Texaco Road and Ma Tau Pa Road

(CBPDC Paper No. 5/16-17)

42. Mr TAM Hoi-pong introduced the paper.

(Note: Mr NG Hin-lung, Norris left the meeting at 4:43 p.m.)

43. Dist Planning Officer/Tsuen Wan & West Kln of the PD responded as follows:
- (1) the location concerned was currently a "Government, Institution or Community (9)" site, whereas the proposed transformer station would also occupy certain area of the site. As far as planning was concerned, it was not necessary to make application on the use of temporary garden plot to the TPB. In fact, any land could be used as garden plot without application to the TPB; and

- (2) at present, there was no timetable for the implementation of the transformer station. The location was currently used as a temporary public car park. Hence, the matter was merely a competition of land use arising from different temporary uses, i.e. whether the land would be used as garden plot or car park.

44. Engr (Tsuen Wan) 1 of the TD responded that regarding the proposal on whether the temporary car park underneath flyover could be used as a two-storey car park, the location in question was under a short-term tenancy (STT) and was operated by a contractor. Should the contractor be willing to set up a two-storey car park, and if the road safety requirements such as gradient and height formulated by the TD were met, the TD did not object to the proposal of setting up a two-storey car park in principle.

45. Adm Asst/Lands (District Lands Office, Tsuen Wan and Kwai Tsing) of the DLO responded as follows:

- (1) the DLO had provided a written reply;
- (2) the location concerned involved four STTs and one government land allocation. Three months' prior notification to the tenant would be required if the STT was cancelled. If the STTs were cancelled and the relevant policy bureaux and professional departments had new plans in traffic and transport and car park, the DLO would tie in with such initiatives; and
- (3) submission of layout plan for construction of a two-storey or three-storey car park to the relevant professional departments might be required. It was proposed that the professional departments such as the TD or Buildings Department should give response accordingly.

46. The views, suggestions and enquiries of Mr CHOW Ping-tim and Mr LO Siu-kit were summarised as follows:

- (1) advanced and electronic temporary car parks had been set up in a number of regions, such as the Mainland China. Users needed only to input the telephone number upon parking and use the telephone to input the car number upon collecting vehicle, and the car park would deliver the car onto the road surface for collection. Nowadays, the space under flyovers would be used for various purposes in many countries and places. In Hong Kong, some of these places had been used as the sites for organisations. At present, the term of the STT was usually two to three years, whereas the levelling of land and submission of layout might take six to nine months' time. The term for operation might be only one to two years. Upon expiration of operation, the car park had to be demolished and the building materials upon demolition might not be recycled. Thus the existing method might be costly. Under the present shortage of parking spaces, it was hoped that the DLO or PD would consider extending the term of the STTs to ten years. The applicant should be required to provide a certain number of parking spaces so that a two-storey or three-storey car park would be set up. It facilitated the

better use of the existing resources under the situation of scarcity of land with a large number of people and cars; and

- (2) it was opined that there were too many restrictions imposed by the Government, causing difficulties to operators. Enquiry was raised on the utilisation rate of the temporary car park at the location. It was opined that if the utilisation rate had not reached 100%, the operator would not set up a multi-storey car park.

47. Engr (Tsuen Wan) 1 of the TD responded that it was revealed in the information of the TD that as at December 2015, the utilisation rate of the location concerned and the several temporary car parks nearby was 60% to 90%.

48. Adm Asst/Lands (District Lands Office, Tsuen Wan and Kwai Tsing) of the DLO responded that the DLO kept an open mind towards the construction of two-storey or three-storey car park.

49. The views, suggestions and enquiries of Mr TAM Hoi-pong were summarised as follows:

- (1) the surface area of the transformer station would affect the future planning of the land concerned, which in turn could be helpful in solving the lack of parking space for private seaside projects in the future. Hence, it was suggested that multi-storey car park should be set up on the land concerned. Although he agreed that the utilisation rate of existing parking spaces should be considered, feasible land uses of the land concerned in the future should also be taken into account if currently, it was anticipated that there would be an increase in demand for parking spaces in the future; and
- (2) the PD was enquired of the time of completion of the transformer station, and whether China Light and Power Company Limited (CLP) and the departments concerned had given opinions on the use of the land concerned. It was opined that if a piece of land was repeatedly put to temporary uses, it might not be put to good use.

50. Dist Planning Officer/Tsuen Wan & West Kln of the PD responded that there was no schedule of implementation of the transformer station. The PD would follow up on the matter with the CLP and the departments concerned after the meeting. However, the establishment of the transformer station was subject to the consideration of the development of Tsuen Wan and its use of electricity.

51. The Chairman said that the PD could consider providing supplementary information, if necessary.

IX Item 8: Work Progress Report by Working Groups under the Committee and Sponsored Organisations

(A) Working Group on Community Building Activities

52. Mr CHAN Chun-chung, Jones reported that the Working Group had held its first meeting in the morning on 10 May 2016 to discuss the activity plan and financial

arrangement for the current year. The Working Group planned to organise two activities for the current year, which were inclusive activities for the South Asians and new arrivals.

(B) Working Group on Community Development and Planning

53. Mr CHAN Chun-chung, Jones reported that the Working Group had held its first meeting on 4 May 2016 to discuss the activity plan and financial arrangement for the current year.

(C) Working Group on Industrial and Commercial Development

54. The Chairman reported that the Working Group had held its first meeting on 4 May 2016 to discuss the activity plan and financial arrangement for the current year. The Working Group was currently negotiating with relevant co-organisers of the activities.

(D) Tsuen Wan Festival Lightings Organizing Committee (“Lightings Committee”)
(Sponsored Organisation)

55. Mr LO Siu-kit reported that the Lightings Committee had held its fourth meeting on 20 April 2016 to discuss the financial budget and preliminarily discuss the matters on fund-raising, lightings and the countdown activity on the New Year’s Eve. The meetings of various working groups would be convened one after another in due course.

VII Item 9: Any Other Business

(A) Information Paper

56. Members noted the contents of the following information paper:

- (1) Financial Statement of Community Building, Planning and Development Committee Funds 2015-16
(CBPDC Paper No. 6/16-17).

VII Adjournment of the Meeting

57. The Chairman reminded Members that the next meeting was scheduled at 2:30 p.m. on 12 July 2016 (Tuesday) and the deadline for submission of paper was 24 June 2016.

58. There being no other business, the meeting was adjourned at 4:58 p.m.

Tsuen Wan District Council Secretariat

30 June 2016