

(Translation)

Minutes of the 5th Meeting of
Community Building, Planning and Development Committee (3/16-17)

Date: 13 September 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 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 Member

Mr HOU An-che

Government Representatives

Mr CHONG Kong Sang, Patrick	Assistant District Officer (Tsuen Wan), Tsuen Wan District Office
Mr KWONG Wang-ngai, Walter	Senior Town Planner/Tsuen Wan, Planning Department
Mr TSE Hing Chit	Administrative Assistant /Lands (District Lands Office, Tsuen Wan and Kwai Tsing), Lands Department
Mr LI Pui-sang	Contract Project Coordinator/2 (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
Mr LEE Nelson (Secretary)	Executive Officer (District Council)1, Tsuen Wan District Office

Attendance by Invitation:

For discussion of items 3 and 4

Mr CHAU Yat Cheung, Lawrence

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

Mr KWONG Wang-ngai, Walter

Senior Town Planner/Tsuen Wan,
Planning Department

Absent:

Member

Mr CHAN Sung-ip, MH

Co-opted Member

Ms WONG Pui-chi

The Meeting

I Opening Remarks and Introduction

The Chairman welcomed the Members and representatives from the government departments to the 5th 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 might 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 could speak and make supplementary remarks once for each agenda item at the meeting. Each Member could speak up to three minutes each time.

II Item 1: Confirmation of Minutes of the Meeting held on 20.7.2016

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

(Note: Mr TAM Hoi-pong joined the meeting at 2:41 p.m. Mr CHOW Ping-tim joined the meeting at 2:42 p.m.)

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

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

(Note: Ms LAM, Lam Nixie and Mr CHAN Chun-chung, Jones joined the meeting at 2:44 p.m. The Hon CHAN Han-pan, Ben joined the meeting at 2:47 p.m.)

IV Item 3: Planning Applications (as at 26.8.2016)

(CBPDC Paper No. 11/16-17)

5. Senior Town Planner/Tsuen Wan (STP(TW)) of the Planning Department (PD) introduced the paper and added that the Town Planning Board (TPB) had recently received two new planning applications, i.e. A/TW/481 and A/TW/482. The applicant of A/TW/481 applied for slight relaxation of maximum plot ratio for the

mall of Tsuen Wan Plaza for always permitted commercial development. The application was available for public inspection until 17 September 2016 and the date of the TPB's meeting was 14 October 2016. In addition, the applicant of A/TW/482 applied for the proposed use of shop and services for street shop on the G/F of Lucida Industrial Building, Wang Lung Street, Tsuen Wan. The application was available for public inspection until 14 October 2016 and the date of the TPB's meeting was 28 October 2016. The papers of these two applications had been sent to Members.

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

- (1) regarding A/DPA/TW-CLHFS/3, the location concerned had been used to operate a golf course and a club under the nature of "use which is accessible to the public", i.e. the location concerned was a place for entry by members of the public. The entry requirement of the location was low and the entry fees were affordable to the general public. On the other hand, the outsiders were in general not allowed to enter into the residence with a higher level of privacy due to security reasons. It was therefore opined that the District Council, the residents and the PD should consider the positioning and future development of Chuen Lung;
- (2) it was opined that urban spaces could be interpreted from the public's perspective objectively. Interviews could also be conducted to learn about the public's impression of the city. Chuen Lung had all along been a famous tourist spot and there was a scenic trail and restaurant nearby. Thus, it was enquired whether Chuen Lung should be zoned as a brownfield site which was meaningless to the public, or zoned as a beautiful garden accessible to the general public of Tsuen Wan;
- (3) regarding the application for construction of detached houses, it was opined that the PD should consider requiring the applicant to install facilities at the location which facilitated the accessibility of the general public, so as to tie in with the existing and future planned use. The PD should also prudently consider whether the development of detached houses met the public's expectation of Chuen Lung;
- (4) it was pointed out that the district councillors, Members of the Area Committees, village representatives and stakeholders of the community had many views and worries. They had previously raised objection and given their views on reservations. Thus, enquiry was raised on the newly-added items for this application on top of the paper submitted last month, so that Member could consider whether they would support the application;
- (5) regarding the change of the site from recreational use to private residential use, a Member had raised objection in the capacity of the district councillor of the constituency concerned because the Member opined that Chuen Lung was suitable for recreational use and serving as the "back garden of Tsuen Wan". The Member also hoped that the right of the use of Chuen Lung by the residents of Cheun Lung Village and Tsuen Wan would be retained;
- (6) the application for building small houses lodged by residents of Cheun Lung Village on "Village Type Development" site over the forty years had never been approved. If the land for recreational use nearby was to be

- developed into residential use, it would be unfair to the villagers; and
- (7) the unsuccessful applications were not allowed to be re-submitted within four years upon TPB's rejection. However, the applicant had re-submitted applications of this case time and again. It was hoped that the TPB would not accept similar applications in relation to the site in question within four years upon its rejection to this application, with a view to preserving Cheun Lung as the "back garden of Tsuen Wan".

(Note: Mr CHENG Chit-pun joined the meeting at 2:51 p.m.)

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

- (1) regarding A/DPA/TW-CLHFS/3, the applicant submitted supplementary information on 29 July 2016, including the traffic and environmental impact assessment report and proposal on the renewed landscape design. However, some departments still made comments on the contents of the application. Thus, the applicant had made an application for postponement to the TPB to facilitate the submission of further information. The applicant had previously applied for postponement for a number of times and had submitted the supplementary information thereafter. The PD would consider the application in accordance with the progress of the application;
- (2) any persons, including the landowner or members of the public, could submit planning applications. The TPB would give consideration according to the information provided for the planning application, but it would not forbid anyone from making planning applications;
- (3) the general planning intention for the area was "to protect the natural environment and rural landscape, and to appropriately encourage recreational or other uses that were compatible with the natural environment." Reference could be drawn from the proposed details in "Draft Chuen Lung and Ha Fa Shan Outline Zoning Plan S/TW-CLHFS/B" (the "OZP") (CBPDC Paper No. 12/16-17);
- (4) the PD noted the Members' views on the public space and would relay their views to the TPB for consideration; and
- (5) regarding Members' concern on application for building small houses, there was no application for building small house in Chuen Lung in recent years according to the information of the Lands Department (Lands D) and the location of the A/DPA/TW-CLHFS/3 under application was outside the boundary of Chuen Lung Village. The application should still be in compliance with the planning and technical requirements even though the construction of detached housing was included. The PD noted Members' views and would relay their views to the TPB for consideration.

8. The views, suggestions and enquiries of Mr LO Siu-kit, Mr WONG Ka-wa and Mr MAN Yu-ming were summarised as follows:

- (1) regarding A/TW/480, if the car park entrance in the paper was on the road surface, Ma Tau Pa Road would be blocked during holidays when the vehicles were queuing to enter the car park. Hence, it was hoped that the

gate entrance would be inside the car park but not on the road surface, so that the vehicles could queue in the shopping mall and the entrance of taxis and goods loading area could be separated from that of the car park;

- (2) it was hoped that the PD could add a clause which required the applicant to manage the traffic at the car park entrance;
- (3) regarding A/TW/481, it was enquired whether the increase of plot ratio only included the increase of the floor area or number of the shops in the shopping mall without affecting the fire escape, the outside area of the shopping mall and the residential portion;
- (4) regarding A/DPA/TW-CLHFS/3 and A/DPA/TW-CLHFS/4, as the traffic in the vicinity of Tai Mo Shan was busy, it was hoped that the PD would explain whether the traffic flow nearby had reached saturation before making decision to agree to or disagree with the planning application with the aim to minimise the impact on people's livelihood. Furthermore, if the traffic flow had reached saturation, the PD should also inform the applicant of this, so that the applicant could amend the planning application, including the proposed floor area, projected population and ancillary facilities for the community;
- (5) regarding Y/TW/9 and Y/TW/10, as the sites of both applications were located at Lo Wai area, serious traffic congestion would occur during the spring and autumn ancestral offering ceremonies and the ancillary car parks might not be able to meet the demand. It was enquired about the reason for the PD to provide such facilities and whether the PD had sought the views from the local stakeholders and villagers;
- (6) regarding Y/TW/10, it was enquired whether the change of land use to "extend columbarium" as indicated in the paper would only involve the existing columbarium; and
- (7) it was opined that this agenda item was related to agenda item 4 and it was enquired whether agenda item 4 should be discussed first.

9. The Chairman said that the department had submitted papers respectively for this agenda item and agenda item 4. The content of the papers of these two agenda items did not overlap.

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

- (1) regarding A/TW/480, the entrance of the car park was inside the basement according to the information provided by the applicant. The PD had requested the applicant to ensure that the traffic condition in the vicinity of the access to Ma Tau Pa Road would not get deteriorated due to the development. The TPB would only consider granting approval to the application after the Transport Department (TD) agreed to the traffic assessment report submitted by the applicant. The PD would relay Members' views to the TPB for consideration;
- (2) regarding A/TW/481, the application would only involve a slight relaxation of about 1 400 square metre non-residential floor area of the pedestrian walkway opening 24 hours a day and the garden portion in Tsuen Wan Plaza for commercial development. The non-residential plot ratio of the

overall development would increase from 4.799 times to 4.916 times in the OZP. The PD had sought the TD's comments on the application to ensure that the traffic in the vicinity would not get deteriorated due to the development;

- (3) regarding A/DPA/TW-CLHFS/3, the applicant must submit a traffic assessment report to prove that the traffic in the vicinity would not be adversely affected due to the development project. The report would be sent to the TD for making comments and submitted to the TPB for consideration;
- (4) regarding Y/TW/9, the applicant proposed regularisation of the niches in the existing building. The number of niches had been reduced from over 8 000 niches in Y/TW/8 to over 3 000 niches. The applicant had also proposed a series of traffic measures to mitigate the traffic impact brought by the development of columbarium; and
- (5) regarding Y/TW/10, the applicant proposed to rezone the site in the application from "Village Type Development" zone to "Government, Institution or Community" zone. It was also proposed to regularise the approximately 4 000 existing niches in Tung Po Tor Monastery and provide some additional 500 niches. If the application was approved, there would be a total of 5 118 niches at the site. The development would also include improvement works such as widening of road and enhancement of fire services facilities and sewage treatment. Similarly, the applicant had to prove that the traffic nearby, in particular the traffic at Lo Wai Road, and the environment would not be adversely affected due to the application concerned.

11. The views, suggestions and enquiries of Mr TAM Hoi-pong, Mr CHAN Chun-chung, Jones, Mr HOU An-che, Mr WONG Wai-kit and Mr WONG Ka-wa were summarised as follows:

- (1) regarding A/TW/480, it was enquired whether the increased floor area was on the top or at the basement of the building. It was opined that the increase in building bulk might generate the wall effect;
- (2) currently, the vehicles were queuing on the carriageway at Citywalk to enter the car park during holidays. The traffic load of Yeung Uk Road would be increased if the application was approved. Thus, it was enquired how the PD resolved the problem of traffic congestion;
- (3) regarding the 486 parking spaces for private vehicles in the paper, it was enquired whether the ratio of hourly parking spaces was stipulated in the land lease. The problem of shortage of parking spaces in Tsuen Wan town centre would get deteriorated if the hourly parking spaces were inadequate;
- (4) regarding A/DPA/TW-CLHFS/4, it was enquired about the details and use of "13 buildings" as mentioned in the paper;
- (5) regarding Y/TW/9 and Y/TW/10, as serious traffic congestion would occur during the spring and autumn ancestral offering ceremonies, the cumulative traffic impact on existing carriageways such as Lo Wai Road and facilities brought by various planning applications should be taken into consideration when the surrounding areas of the site in the Y/TW/9 and Y/TW/10 were

under development. In addition, the views of the stakeholders of the areas concerned should be sought;

- (6) a large number of taxis would carry passengers to the site concerned during the spring and autumn ancestral offering ceremonies, the second day and the third day of the Chinese New Year, which led to serious traffic congestion in the areas nearby. The processing of the application should be suspended when traffic improvement measures were not readily available and the existing road capacity was not enhanced;
- (7) it was enquired whether the two applications were submitted by charitable organisations. If yes, the PD should take into account the background and financial condition of the organisations, and whether it was one of the signature project schemes of the 18 districts;
- (8) the views of residents nearby were ambivalent. It was reasonable for the residents to be concerned about the seasonal traffic congestion during the spring and autumn ancestral offering ceremonies. Hence, it was hoped that the PD should enhance communication with the stakeholders in order to alleviate the concerns of the public, given that traffic congestion could be resolved; and
- (9) regarding Y/TW/10, Members agreed to the regularisation of the existing niches but they raised an objection to increasing the number of niches. Members had frequently reflected over the years the matter of traffic congestion in the vicinity of the site in the application. The PD should inform Members and the applicant clearly whether the application would be approved and should not waste the time of both CBPDC and the applicant. If the application was approved, the PD should request the applicant to carry out the improvement initiatives on the relevant aspects such as traffic matters.

(Note: Mr CHOW Ping-tim left the meeting at 3:11 p.m. Mr KOT Siu-yuen left the meeting at 3:15 p.m. The Hon CHAN Han-pan, Ben left the meeting at 3:19 p.m.)

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

- (1) regarding A/TW/480, all applications of the site should be in compliance with the requirements in the planning brief, including the provision of the car park in the basement. The reason for increasing the height of the commercial buildings by six metres was to build a sky garden. The increased gross floor area in the application was primarily for compliance with the requirements in the planning brief that a pedestrian walkway opening 24 hours a day and connected to the footbridges concerned should be provided. The PD would also urge the TD to review the traffic assessment of the application in detail;
- (2) the 486 parking spaces for private vehicles in the paper was the number of ancillary parking spaces for commercial and residential project stipulated in the "Hong Kong Planning Standards and Guidelines", of which 148 would be used by residents and their visitors and the remaining parking spaces would be used by commercial tenants and their visitors. In general, no

restriction on the number of hourly/monthly parking spaces of the car park was set in the land lease;

- (3) regarding A/DPA/TW-CLHFS/4, the “13 buildings” as mentioned in the paper referred to the 13 buildings that would be used as activity room, toilets and storage room of the holiday camp. These buildings were situated at various locations in the site in the application;
- (4) the PD noted Members’ views and pointed out that any person might apply for making amendments to the statutory plans as stipulated by section 12A of the Town Planning Ordinance. The PD would consider the applications according to the planning factors and impacts induced therefrom; and
- (5) in handling Y/TW/9 and Y/TW/10, the PD would definitely take the cumulative traffic impact into account. The latest development of the planned projects and projects underway nearby should also be taken into account in the traffic assessment report submitted by the applicant. The application of the columbarium was a private project and it was not one of the columbarium projects of the 18 districts.

13. The views, suggestions and enquiries of Mr KOO Yeung-pong, Mr WONG Ka-wa and Mr TAM Hoi-pong were summarised as follows:

- (1) it was opined that the papers submitted by the PD did not provide comprehensive details for Members’ consideration;
- (2) regarding Y/TW/9 and Y/TW/10, the road closures were implemented one week before the spring and autumn ancestral offering ceremonies at present. There were serious traffic gridlocks over the years and no improvement had been made. If the two applications were approved, it would bring a serious impact on the traffic;
- (3) regarding A/DPA/TW-CLHFS/3, the residents of squatters nearby worried that they might be affected during the implementation of works. It was hoped that the PD would seek views from the residents nearby more frequently;
- (4) the large vehicles could enter Tai Mo Shan road section after obtaining permission. The effect of the traffic sign giving the order that long vehicles were prohibited from entering was largely useless and it was proposed that such a traffic sign should be removed;
- (5) regarding A/TW/480, if the hourly parking spaces were amounted to only a small portion of the total number of parking spaces, the speculation activities on parking spaces would be generated and the shortage of parking spaces in the Tsuen Wan town centre would not be improved. Hence, it was proposed that a clause should be added to stipulate the number of hourly parking spaces to be provided in the car park;
- (6) regarding A/TW/481, if this application was approved, the intent of the policy would be contravened and double benefits would be gained through this application when additional floor area had already been granted to offset the effect brought by the pedestrian walkway previously constructed; and
- (7) it was enquired whether new building was involved in the increased floor area.

14. The Chairman said that regarding Y/TW/9 and Y/TW/10, the traffic problem in the vicinity of Lo Wai Road had persisted for over ten years. Members and local community had put forth various measures or resolutions. The PD should enhance the study, so as to mitigate the impact on traffic and cater for the needs of funerals and burials. The PD should also conduct detailed traffic assessment and co-operate with other government departments, including the TD. The PD could even add an additional clause to ensure that the traffic in the area concerned would not be seriously affected during the spring and autumn ancestral offering ceremonies. He hoped that the PD would re-conduct a consultation regarding A/DPA/TW-CLHFS/3 and provide the supplementary information submitted by the applying organisation for Members' reference in future. In addition, he also agreed that Ha Fa Shan and Chuen Lung were the "back garden of Tsuen Wan" and the PD should be prudent when considering the applications concerned. The PD should also not blindly approve the application without conducting a clear planning that would affect the benefits of indigenous residents.

IV Item 4: Draft Chuen Lung and Ha Fa Shan Outline Zoning Plan No. S/TW-CLHFS/B

(CBPDC Paper No. 12/16-17)

15. District Planning Officer/Tsuen Wan and West Kowloon of the PD introduced the paper.

(Note: Mr LO Siu-kit left the meeting at 3:49 p.m. Mr TAM Hoi-pong and Mr WONG Ka-wa left the meeting at 3:55 p.m.)

16. The views, enquiries and suggestions of Mr WONG Wai-kit and Ms LAM Yuen-pun, Phyllis were summarised as follows:

- (1) the residents of Ha Fa Shan were very concerned about the draft OZP. As 7% of the land there was privately owned, the landowner's right to use the land would be restricted when the PD proposed to re-zone the land as the Green Belt. Thus, they raised objection to the OZP;
- (2) it was proposed that the PD should also learn about the worries of other residents apart from liaising with the village representatives. The PD should also explain the planning details to them and accept their views;
- (3) it was pointed out that the residents did not submit applications for building small houses because some of their applications had been repeatedly rejected due to the untold and unknown reasons over the years, which, in turn, the Lands D did not receive any application for building small houses in recent years. Although the planning concerned would be able to meet 43% of the demand for small houses in the next ten years, the overall housing demand was no be met. It would only bring about social tension and unfairness. The re-zoning of land into Green Belt would also restrict villagers' means to resolve their housing needs by building houses. Hence, it was hoped that the PD would include 90% or even 100% of the demand for the "Village Type Development" zone in the OZP; and

- (4) although the PD had stipulated the area of “Village Type Development” zone, the residents’ applications for building houses were rejected by the Lands D or Buildings Department. Hence, it was hoped that the PD would relay the Tsuen Wan District Council’s (TWDC) views to the Lands D and other departments concerned, so that they would handle the applications for small houses in accordance with the OZP of the area and villagers would be able to build houses on the “Village Type Development” zone.

17. The Chairman welcomed the PD’s formulation of the draft OZP for Chuen Lung and Ha Fa Shan. However, he opined that the planning was too brief and the PD should concretely elaborate on the distribution of different land uses in order to satisfy the needs of the public. As a large amount of private land was involved in the plan, it might jeopardise residents’ rights. The PD should explain the relevant compensation plans to the stakeholders. As the draft OZP was not detailed enough, Members requested the PD to seek the CBPDC’s views after soliciting views from the rural committee and other stakeholders. Before a more satisfactory planning was available, Members objected to the draft OZP.

18. Mr NG Hin-lung, Norris said that the PD did not provide the updated information regarding the draft OZP after the last TWDC meeting. He questioned that the PD were making use of TWDC on endorsement of the draft OZP. In addition, he enquired the PD whether there was any agriculture-related dispute in the draft OZP. He also enquired in case of the land in use non-compliance with planning was surrounded by the Green Belt, whether such illegal land use would be legalised. As the PD formulated the draft OZP according to the legislation, he had reservation about the draft OZP.

19. The Chairman said that the Members’ views would be recorded.

VI Item 5: Work Progress Report by Working Groups under the Committee and Sponsored Organisations

(A) Working Group on Community Building Activities

20. Mr CHAN Chun-chung reported that the Working Group would co-organise the “Cricket Training Programme for South Asian Teenagers 2016” with Hong Kong Children and Youth Services Jockey Club Belvedere Garden Integrated Children and Youth Services Centre from October 2016 to January 2017. The aim was to provide a platform for South Asian youths to develop their talents. The Working Group would also co-organise “Family Fun Programme” with Spores Care from November 2016 to December 2016. The activities would include one day’s family ecological outing and parent-child activities. The destinations for the one day’s family ecological outing included Hong Kong Museum of Coastal Defence, Victoria Peak and Police Museum.

(B) Working Group on Community Development and Planning

21. Mr CHENG Chit-pun reported that the Working Group would hold its second meeting to follow up on activities for the current year.

(C) Working Group on Industrial and Commercial Development

22. Mr KOO Yeung-pong reported that Tsuen Wan Trade Association had turned down the invitation of organising activities jointly with the Working Group. Meanwhile, the Working Group had contacted Hong Kong Industrial and Commercial Association Limited Tsuen Wan Branch to organise the talks on industry and commerce. The second meeting would be held on 26 September 2016 to discuss the plan for it.

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

23. Mr LO Siu-kit reported that the Lightings Committee would soon hold its fifth general meeting to follow up on the fund-raising, lightings and the New Year’ s Eve countdown activities. In addition, the Working Groups under the Lightings Committee would hold meetings one after the other in due course.

VII Item 6: Any Other Business

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

- (1) Financial Statement of the Community Building, Planning and Development Committee as at 29 August 2016
(CBPDC Paper No. 13/16-17).

VIII Adjournment of the Meeting

23. The Chairman reminded Members that the next meeting was scheduled at 2:30 p.m. on 8 November 2016 (Tuesday) and the deadline for submission of paper was 24 October 2017.

24. There being no other business, the meeting was adjourned at 4:15 p.m.

Tsuen Wan District Council Secretariat
23 September 2016