

TOWN PLANNING BOARD

**Minutes of 310th Meeting of the
Rural and New Town Planning Committee held on 26.8.2005**

Present

Director of Planning
Miss Ophelia Y.S. Wong

Chairperson

Mr. Michael K.C. Lai

Vice-chairman

Mr. C.K. Wong

Professor Nora F.Y. Tam

Mr. Edmund K.H. Leung

Dr. C.N. Ng

Assistant Commissioner for Transport/New Territories,
Transport Department
Miss Cindy Law

Assistant Director (2), Home Affairs Department
Mr. Patrick Li

Assistant Director (Environmental Assessment and Noise),
Environmental Protection Department
Mr. Elvis W.K. Au

Assistant Director/New Territories, Lands Department
Mr. Francis Ng

Deputy Director of Planning/District
Mr. Raymond T.L. Chiu

Secretary

Absent with Apologies

Professor K.C. Ho

Mr. Alex C.W. Lui

Mr. Francis Y.T. Lui

Ms. Carmen K.M. Chan

Mr. David W.M. Chan

Dr. Lily Chiang

Professor David Dudgeon

Professor Peter R. Hills

Mr. Tony C.N. Kan

Mr. Alfred Donald Yap

In Attendance

Assistant Director of Planning/Board

Mr. P.Y. Tam

Chief Town Planner/Town Planning Board

Miss Fiona S.Y. Lung

Town Planner/Town Planning Board

Mr. Philip K.S. Chang

Agenda Item 1

Confirmation of the Draft Minutes of the 309th RNTPC Meeting held on 12.8.2005

[Open Meeting]

1. The draft minutes of the 309th RNTPC meeting held on 12.8.2005 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

2. There were no matters arising.

[Mr. Patrick Li arrived to join the meeting at this point.]

Tuen Mun and Yuen Long District

[Mr. Wilson Y.L. So, District Planning Officer/Tuen Mun and Yuen Long (DPO/TMYL), and Mr. Frederick S.T. Ng, Senior Town Planner/Tuen Mun and Yuen Long (STP/TMYL), were invited to the meeting at this point.]

Agenda Item 3

Section 16/16A Applications

[Open Meeting (Presentation and Question Session Only)]

- (i) A/YL-KTN/235 Temporary Barbecue Spot with Structures
for a Period of 3 Years
in “Agriculture” zone,
Lots 630(Part), 636, 637(Part) and 638(Part) in DD 109,
Kam Tin, Yuen Long

(RNTPC Paper No. A/YL-KTN/235)

Presentation and Question Session

[Dr. C.N. NG arrived to join the meeting during the presentation session.]

3. Mr. Frederick S.T. Ng, STP/TMYL, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary barbecue spot with structures;
- (c) departmental comments - no adverse comments from concerned Government departments were received;
- (d) no local objection whilst one public comment raising concern on the nuisances generated from the barbeque activities was received; and
- (e) the Planning Department views – Planning Department had no objection to the application for reasons given in paragraph 11.1 of the Paper.

[Messrs. Francis Ng and Elvis W.K. Au arrived to join the meeting at this point.]

4. In response to a Member's enquiry about the access arrangement, Mr. Y.L. So, DPO/TMYL, pointed out that application site was accessible via a local track to its west, however, no local concern was raised on this access arrangement. The only public comment received was on the nuisances generated from the barbeque activities.

Deliberation Session

5. The Chairperson stated that previous planning permission was granted and the applicant had complied with all approval conditions from the last application. The Chairman also noted that although there was a public comment regarding environmental nuisances, relevant departments including the Environmental Protection Department had no

adverse comments on the application.

6. Noting that there were unauthorized structures on the application site, Mr. Francis Ng suggested that should the application be approved, the applicant should be advised to apply for a short-term waiver for these temporary structures.

7. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years up to 26.8.2008, on the terms of the application as submitted to the Town Planning Board and subject to the following conditions :

- (a) the maintenance of the drainage facilities on site at all time during the approval period;
- (b) if the above planning condition (a) was not complied with at any time during the approval period, the approval hereby given should cease to have effect and should be revoked immediately without further notice; and
- (c) upon the expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the Town Planning Board.

8. The Committee also agreed to advise the applicant of the following :

- (a) to obtain the necessary licences from the Director of Food and Environmental Hygiene for the operation of barbecue spot;
- (b) the Chief Engineer/Development(2), Water Supplies Department's (WSD's) comment that the applicant should be responsible for the laying, operation and maintenance of any sub-mains laid within private lots in connection with the supply of water to the lot to WSD's standards and should resolve any land matters (such as private lots) associated with the provision of water supply;
- (c) the Chief Town Planner/Urban Design and Landscape's comment that the

applicant should preserve the existing trees on site;

- (d) the Chief Building Surveyor/New Territories West, Buildings Department's comment that the granting of this planning approval should not be construed as condoning to any structures existing on the site under the Buildings Ordinance and the allied regulations. Actions appropriate under the said Ordinance or other enactment might be taken if contravention was found. Formal submission of the proposed new works and new buildings/structures by an Authorized Person for approval under the Buildings Ordinance was required; and
- (e) to obtain short-term waiver from the District Lands Officer/Yuen Long for any unauthorized temporary structures on the application site.

[Open Meeting (Presentation and Question Session Only)]

- (ii) A/YL-PH/504 Land Filling for the Development of a New Territories Exempted House (NTEH) in "Village Type Development" zone, Lot 2724C in DD 111, Wang Toi Shan, Pat Heung, Yuen Long

(RNTPC Paper No. A/YL-PH/504)

Presentation and Question Session

9. Mr. Frederick S.T. Ng, STP/TMYL, reported that pages 5 (paragraph 9.1.5) and 8 (paragraph 11.3(d)) of the Paper had been revised and the replacement pages were tabled at the meeting. The revision was to incorporate the additional comments from the Drainage Services Department (DSD) regarding the requirement for precautionary measures to prevent damage of the existing drainage facilities in the vicinity of the application site.

10. Mr. Frederick S.T. Ng presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed land filling for the development of a NTEH;
- (c) departmental comments - no adverse comments from concerned Government departments were received;
- (d) no public comments and no local objection were received; and
- (e) the Planning Department's views - Planning Department had no objection to the application for reasons given in paragraph 11.1 of the Paper

11. Members had no question on the application.

Deliberation Session

12. The Chairman said that DSD had no objection to the proposed land filling. Should the application be approved, relevant clauses on drainage and landscaping requirements would be imposed as approval conditions.

13. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 26.8.2009, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the submission of a tree survey report to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the submission and implementation of a landscaping proposal incorporating a tree preservation scheme to the satisfaction of the Director of Planning or of the Town Planning Board; and

- (c) the submission and provision of drainage facilities to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

14. The Committee also agreed to advise the applicant of the following :

- (a) the District Lands Officer/Yuen Long's (DLO/YL's) comments that no structure was allowed to be erected without prior approval from his office;
- (b) the Chief Building Surveyor/New Territories West, Buildings Department's comments that all non-exempted ancillary site formation and/or communal drainage works were subject to compliance with Buildings Ordinance, and Authorized Person must be appointed for the site formation and communal drainage works;
- (c) the Chief Geotechnical Engineer/Mainland West, Civil Engineering and Development Department's comments that geotechnical submission would be required upon receipt of the application of NTEH to DLO/YL;
- (d) the Chief Engineer/Mainland North, Drainage Services Department's comments that free flow condition of the adjacent public drains, sewers, channels and watercourses should be maintained at all time during and after works of the development; all precautionary measures should be taken to prevent damage to the existing drainage facilities in the vicinity; and in the event of any damage to the existing drainage facilities, the applicant should be held responsible for the cost of all necessary repair works, compensation and any other consequence arising therefrom;
- (e) the Assistant Commissioner for Transport/New Territories, Transport Department's comments that the lands status of the road/path/track leading to the site from Kam Tin Road should be checked. The provision, management and maintenance responsibilities of the same road/path/track should be clarified and the relevant lands and maintenance authorities should also be consulted accordingly;

- (f) the Director of Fire Services' comments that fire services requirements in accordance with the "Guidelines Regarding the Delineation of 'Large' Development of NTEHs for the Purpose of Implementing Emergency Vehicular Access Requirements" would be imposed upon the receipt of the referral by DLO/YL; and
- (g) the Chief Engineer/Development(2), Water Supplies Department's (WSD's) comments that for provision of water supply to the development, the applicant might need to extend the inside services to the nearest Government water mains for connection. The applicant should resolve any land matter (such as private lots) associated with the provision of water supply and responsible for the construction, operation and maintenance of the inside services within private lots to WSD's standards.

[Open Meeting (Presentation and Question Session Only)]

- (iii) A/YL-PH/505 Land Filling for the Development of a New Territories Exempted House (NTEH) in "Village Type Development" zone, Lot 2724D in DD 111, Wang Toi Shan, Pat Heung, Yuen Long

(RNTPC Paper No. A/YL-PH/505)

Presentation and Question Session

15. Mr. Frederick S.T. Ng, STP/TMYL, reported that pages 5 (paragraph 9.1.5) and 8 (paragraph 11.3(d)) of the Paper had been revised and the replacement pages were tabled at the meeting. The revision was to incorporate the additional comments from the Drainage Services Department (DSD) regarding the requirement for precautionary measures to prevent damage of the existing drainage facilities in the vicinity of the application site.

16. Mr. Frederick S.T. Ng presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed land filling for the development of a NTEH;
- (c) departmental comments - that no adverse comments from concerned Government departments were received;
- (d) no public comments and no local objection were received; and
- (e) the Planning Department's views - Planning Department had no objection to the application for reasons given in paragraph 11.1 of the Paper.

17. A Member enquired about the overall extent of pond filling that would be involved for Small House developments in the area. Referring to Plans A-1 and A-2 of the Paper, Mr. Y.L. So, DPO/TMYL, pointed out that the subject application and application No. A/YL-PH/504 formerly considered by the Committee at the same meeting, was very similar to an application (No. A/YL-PH/500) previously approved by the Committee in July 2005. These application sites, adjoining each other, were situated at a low-lying area close to an existing stream. The proposed land filling was to fill the site to a higher level to match with the level of the children playground and basketball court located to its immediate north. No pond filling would be involved.

Deliberation Session

18. In response to a Member's enquiry regarding submission of technical details such as site plan, extent of land filling and drainage measures, the Chairperson said that a number of drawings clarifying the extent of land filling, proposed locations for retaining walls, etc. were attached to the application. For a planning application involving small-scale land filling, such information might suffice. In processing a planning application, if the information submitted by the applicant was considered not sufficient by the relevant departments, the applicant would be requested to submit further information.

19. A Member noted that the application site was close to an existing stream and said

that it would be useful if relevant Government departments would provide information on the existing condition of the stream and explain how the proposed land filling would affect it. Mr. Y.L. So pointed out that the existing stream near the application site, as confirmed by the Drainage Services Department, was part of the existing drainage facilities. Hence, paragraph 9.1.5(d) was subsequently revised and replacement pages 5 and 8 were issued to Members to provide supplementary information on the drainage aspect. The Chairperson suggested that when processing similar applications in future, relevant Government departments should be reminded to provide such information.

20. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 26.8.2009, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the submission of a tree survey report to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the submission and implementation of a landscaping proposal incorporating a tree preservation scheme to the satisfaction of the Director of Planning or of the Town Planning Board; and
- (c) the submission and provision of drainage facilities to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

21. The Committee also agreed to advise the applicant of the following :

- (a) the District Lands Officer/Yuen Long's (DLO/YL's) comments that no structure was allowed to be erected without prior approval from his office;
- (b) the Chief Building Surveyor/New Territories West, Buildings Department's comments that all non-exempted ancillary site formation and/or communal drainage works were subject to compliance with Buildings Ordinance and Authorized Person must be appointed for the site

formation and communal drainage works;

- (c) the Chief Geotechnical Engineer/Mainland West, Civil Engineering and Development Department's comments that geotechnical submission would be required upon receipt of the application of NTEH to DLO/YL;
- (d) the Chief Engineer/Mainland North, Drainage Services Department's comments that free flow condition of the adjacent public drains, sewers, channels and watercourses should be maintained at all time during and after works of the development; all precautionary measures should be taken to prevent damage to the existing drainage facilities in the vicinity; and in the event of any damage to the existing drainage facilities, the applicant should be held responsible for the cost of all necessary repair works, compensation and any other consequence arising therefrom;
- (e) the Assistant Commissioner for Transport/New Territories, Transport Department's comments that the lands status of the road/path/track leading to the site from Kam Tin Road should be checked. The provision, management and maintenance responsibilities of the same road/path/track should be clarified and the relevant lands and maintenance authorities should also be consulted accordingly;
- (f) the Director of Fire Services' comments that fire services requirements in accordance with the "Guidelines Regarding the Delineation of 'Large' Development of NTEHs for the Purpose of Implementing Emergency Vehicular Access Requirements" would be imposed upon the receipt of the referral by DLO/YL; and
- (g) the Chief Engineer/Development(2), Water Supplies Department's (WSD's) comments that for provision of water supply to the development, the applicant might need to extend the inside services to the nearest Government water mains for connection. The applicant should resolve any land matter (such as private lots) associated with the provision of water supply and responsible for the construction, operation and

maintenance of the inside services within private lots to WSD's standards.

[Open Meeting (Presentation and Question Session Only)]

- (iv) A/YL-TYST/112-1 Extension of Time for Commencement of the Approved Concrete Batching Plant under Application No. A/YL-TYST/112 for a Period of 6 Months until 8.3.2006 in "Industrial (Group D)" zone, Lot 1842ERP and Adjoining Government Land in DD 121, Tong Yan San Tsuen, Yuen Long
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- (RNTPC Paper No. A/YL-TYST/112-1)

Presentation and Question Session

22. Mr. Frederick S.T. Ng, STP/TMYL, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed extension of time limit for commencement of the approved concrete batching plant;
- (c) departmental comments - no adverse comments from concerned Government departments were received;
- (d) local objections on the environmental and traffic impacts of the proposed development were received, noting that they had been previously considered by the Committee in approving the original planning application; and
- (e) the Planning Department's views- Planning Department had no objection to the application for reasons given in paragraph 8.1 of the Paper.

23. Members had no question on the application.

Deliberation Session

24. Noting that previous applications for extension of time limit had been previously approved, the Chairperson remarked that whilst there were local objections, relevant Government departments had no adverse comments on the current application. Moreover, there was also no significant change in planning circumstances since the granting of the planning permission. As the site was zoned “Industrial (Group D)” on the Outline Zoning Plan and was far away from the major residential developments, its location was considered to be appropriate for the subject development.

25. After deliberation, the Committee decided to approve the application for extending the time for commencement of the approved development for 6 months until 8.3.2006, on the terms of the application as submitted to the Town Planning Board and subject to the following conditions :

- (a) the submission and implementation of landscaping proposals to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the provision of vehicle parking spaces to the satisfaction of the Commissioner for Transport or of the Town Planning Board; and
- (c) the provision of drainage facilities to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

26. The Committee also agreed to advise the applicant of the following :

- (a) a total of 30 months of extensions had been given for commencement of development since the granting of the planning permission with the original duration of 3 years (or 36 months) for commencement of development. Should the applicant wish to seek any further extension of time, submission could be made under section 16A(2) of the Town

Planning Ordinance, provided that the aggregate of all the extension periods would not exceed the original duration for commencement. For extension beyond that period, the applicant would have to submit a fresh application under section 16 of the Ordinance. Reference could be made to Town Planning Board Guidelines No. 35 and 36 for details;

- (b) the District Lands Officer/Yuen Long, Lands Department's comments that the applicant should seek approval on short term tenancy and short term waiver from his office before carrying out any works on site for the development;
- (c) the Director of Environment Protection's comments that the applicant should observe the requirements of environmental pollution control ordinances, in particular the Air Pollution Control Ordinance (APCO). If the total silo capacity of the proposed concrete batching plant exceeded 50 tonnes, a Specified Process Licence under the APCO was required for its operation. The applicant should approach the Regional Office (North) of his Department on the licensing issue;
- (d) the Director of Fire Services' comments that the applicant should provide satisfactory emergency vehicular access, water supplies for fire fighting and fire service installations to the proposed development and detailed fire safety requirements would be formulated upon receipt of formal submission of general building plans; and
- (e) the Chief Building Surveyor/New Territories West, Buildings Department's comments that the granting of approval should not be construed as condoning to any structures existing on the site under the Buildings Ordinance and the allied regulations. Actions appropriate under the Buildings Ordinance or other enactment might be taken if contravention was found. The applicant should follow the requirements as stipulated in the Practice Note for Authorized Persons and Registered Structural Engineers (PNAP) 255 on the concrete batching plant. Formal submission of any proposed new works including any temporary structure

provision of the Town Planning (Amendment) Ordinance 2004.

28. Mr. W.K. Hui, DPO/TPN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed Small House development;
- (c) departmental comments - no adverse comments from concerned Government departments were received;
- (d) no public comments and no local objection were received; and
- (e) the Planning Department's views - Planning Department had no objection to the application for reasons given in paragraph 12.1 of the Paper.

29. Members had no question on the application.

Deliberation Session

30. The Chairperson remarked that the proposed Small House development was generally in line with the interim criteria for assessing planning application for NTEH/Small house development. The application site was within the village 'environs' and there was insufficient land in the "Village Type Development" zone to satisfy the Small House demand.

31. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 26.8.2009, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the condition that the submission and provision of drainage facilities to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

32. The Committee also agreed to advise the applicant of the following :

- (a) a site formation plan should be submitted to the Buildings Department in accordance with the provision of the Buildings Ordinance;
- (b) water mains in the vicinity of the application site could not provide the standard fire-fighting flow;
- (c) any disturbance to the existing vegetation on or in the vicinity of the application site should be minimized. The applicant should seek prior approval from the Director of Planning should tree felling be required during the Small House construction stage; and
- (d) the “Code of Practice on Working near Electricity Supply Lines” should be observed when carrying out works in the vicinity of electricity supply lines. Prior to establishing any structure within the application site, the applicant should consult CLP Power Hong Kong Ltd. to divert the existing low voltage underground cables away from the vicinity of the proposed Small House development.

[Open Meeting (Presentation and Question Session Only)]

- (ii) A/NE-TK/194 Proposed House (New Territories Exempted House)
(NTEH) (Small House)
in “Agriculture” and “Village Type Development” zones,
Lot 221C in DD 23,
Wai Ha Village,
Ting Kok,
Tai Po

(RNTPC Paper No. A/NE-TK/194)

Presentation and Question Session

33. Mr. W.K. Hui, DPO/TPN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed Small House development;
- (c) departmental comments - the Drainage Services Department (DSD) did not support the application as the site was within a flood plain;
- (d) no public comments, but there was a local objection raising concern on the indigenous inhabitant status of the applicant; and
- (e) the Planning Department's views – Planning Department had no objection to the application in considering that the drainage concern could be addressed by an approval condition, and the Lands Department's confirmation of the applicant's indigenous inhabitant status.

34. In response to a Member's enquiry as to whether the required drainage measures to mitigate the potential flood impact would include any construction of road connecting to the proposed development, Mr. W.K. Hui said that the DSD had not indicated its detailed requirement at this stage. Nevertheless, should the application be approved, an approval condition would be imposed to require the provision of drainage facilities to the satisfaction of the DSD.

Deliberation Session

35. The Chairperson stated that the proposed Small House development was generally in line with the interim criteria for assessing planning application for NTEH/Small house development.

36. Referring to the local objection, Mr. Francis Ng remarked that the applicant was

an indigenous inhabitant of Tai Om, not Wai Ha Village where the application site was located. According to the land administration policy, an indigenous inhabitant of a recognised village was eligible to apply for a Small House in a village within the same “Heung”.

37. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 26.8.2009, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the submission and implementation of landscaping proposals to the satisfaction of the Director of Planning or of the Town Planning Board; and
- (b) the submission and provision of drainage facilities to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

38. The Committee also agreed to advise the applicant of the following :

- (a) the application site was located within a flood plain, which was subject to overland flow and inundation during heavy rainstorms; and
- (b) the applicant should assess the need to extend his inside services to the nearest Government water mains for connection, and to sort out the land matters related to the construction, operation and maintenance of the inside services within the private lots.

[The Chairman thanked Mr. W.K. Hui, DPO/TPN, for his attendance to answer Members’ enquiries. Mr. Hui left the meeting at this point.]

Lantau and Islands District

[Ms. Teresa L.Y. Chu, District Planning Officer/Lantau and Islands (DPO/L & Is) and Mr. Lawrence Y.C. Chau, STP/L & Is, were invited to the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Session Only)]

A/I-CLK/4 Proposed Marker Rope and Related Anchorage Structure
 for Tung Chung Cable Car
 in “Green Belt” and ‘Road’ zones,
 an Area at Scenic Hill,
 Chek Lap Kok Lot 1RP and Extension,
 Airport Island,
 Lantau
 (RNTPC Paper No. A/I-CLK/4)

39. The application was submitted by the Mass Transit Railway Corporation Ltd. (MTRCL). Miss Cindy Law, Assistant Commissioner for Transport (New Territories), being an Alternate Member in the Committee for the Deputy Secretary for Environment, Transport and Works who was an Alternate Member of the Board of MTRCL, declared an interest in this item. Mr. Edmund K.H. Leung, being a non-executive director of the Airport Authority Hong Kong (AAHK), also declared an interest in this item since AAHK had been consulted in identifying the type of marker system and the location for the anchorage structures for the proposed development.

[Miss Cindy Law, Mr. Edmund Leung left the meeting temporarily at this point.]

Presentation and Question Session

[Mr. Francis Ng left the meeting temporarily during the presentation session.]

40. Mr. Lawrence Y.C. Chau, STP/L & Is, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed marker rope and the related anchorage structure;
- (c) departmental comments - no adverse comments from concerned Government departments were received;
- (d) no local objections but one public comment mainly on Fung Shui ground was received; and
- (e) the Planning Department's views - Planning Department had no objection to the application for reasons given in paragraph 11.1 of the Paper.

41. Members had the following questions:

- (a) whether the coloured fireballs/lights for the proposed marker rope system would create adverse visual impact especially when viewed from Tung Chung;
- (b) apart from the Islands District Council, whether the Tung Chung residents had been consulted; and
- (c) whether new road would have to be constructed for the installation of the proposed marker rope system.

42. Mr. Lawrence Y.C. Chau made the following points in response:

- (a) the proposed marker ropeway was an essential aviation safety measure for pilots as required by the Civil Aviation Department and Government Flying Services. The size and colour of the fireballs would have to comply with relevant safety standards. The level of illumination

generated from the marker lights at night-time was only half the intensity of the street light. The visual impacts arising from the marker lights as shown in the photo-montage in figure 3.6 of Appendix Ia of the Paper seemed to be not significant;

- (b) the local residents in Tung Chung had been consulted. Notice of the application was published in newspapers and posted on signboards in the district office and local community centre, and views from the District Office (Islands) had been sought; and
- (c) according to the applicant, helicopters would be used to carry out installation and maintenance work of the proposed development.

Deliberation Session

43. A Member remarked that provided that the applicant had produced the best possible design for the marker rope system, and had taken into account the views of the Tung Chung residents, the application should be supported as the marker ropeway was an essential aviation safety requirement.

44. The Chairperson said that the application was submitted after the commencement of the Town Planning (Amendment) Ordinance 2004, and public view was sought in accordance with the procedures set out in the Ordinance, and views of the local residents were also sought through District Officer/Islands. Concerns from relevant Government departments as reflected in the Paper were mainly technical and could be addressed by imposition of appropriate approval conditions.

45. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 26.8.2009, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the provision of marking and lighting (steady lights) of the marker rope to

the satisfaction of the Director-General of Civil Aviation or of the Town Planning Board;

- (b) the submission of detailed design including colour scheme and finishing materials of the proposed anchorage structure to the satisfaction of the Director of Planning or of the Town Planning Board;
- (c) the submission and implementation of tree preservation and landscaping proposals of the site for the anchorage structure to the satisfaction of the Director of Planning or of the Town Planning Board;
- (d) the submission of a detailed search report for the Romer's Tree Frog and the collection and translocation of all Romer's Tree Frogs that would be found to suitable habitats prior to commencement of the construction works to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board; and
- (e) the design and provision of site security system, lightning protection system and protection measures for the marker rope and anchorage structure to the satisfaction of the Director of Electrical and Mechanical Services or of the Town Planning Board.

46. The Committee also agreed to advise the applicant to :

- (a) submit building plans on the building works to the Director of Buildings to demonstrate compliance with the Buildings Ordinance;
- (b) consult the Project Manager/Hong Kong–Zhuhai–Macao Bridge Hong Kong of Highways Department in formulating any restrictions on the future tunneling works of the Hong Kong–Zhuhai–Macao Bridge;
- (c) submit a detailed calculation of the net vertical clearance of the marker rope to Marine Department during the detailed design stage;

- (d) submit a detailed method statements with the mitigation measures on marine impact for the proposed marine works to Marine Department. Through marine traffic should be maintained at all times during the proposed marine works;
- (e) submit application to Marine Department for the promulgation of Marine Department Notices at least 30 days before the commencement date of the marine works;
- (f) comply with any future directions and requirements from the Airport Authority Hong Kong during and after the construction; and
- (g) address the fung shui concern, mainly relating to the additional excavation works generated from the proposed marker rope and anchorage structure, raised by the villagers of San Tau Village and the arrangement of god-worshipping ceremony for the villagers.

[The Chairman thanked Mr. Lawrence Y.C. Chau, STP/L & Is, for his attendance to answer Members' enquiries. Mr. Chau left the meeting at this point.]

[Miss Cindy Law, Messrs. Francis Ng and Edmund Leung returned to join the meeting at this point.]

[Mr. Patrick Li left the meeting at this point.]

Remarks

47. The Chairman said that the remaining items in the Agenda would not be open for public viewing since they involved a rezoning request and an application which were submitted before the commencement of the Town Planning (Amendment) Ordinance 2004.