

TOWN PLANNING BOARD

**Minutes of 316th Meeting of the
Rural and New Town Planning Committee held at 3:15 p.m. on 25.11.2005**

Present

Director of Planning
Mr. Bosco C.K. Fung

Chairman

Mr. Michael K.C. Lai

Vice-chairman

Mr. Alex C.W. Lui

Mr. C.K. Wong

Ms. Carmen K.M. Chan

Mr. David W.M. Chan

Mr. Alfred Donald Yap

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

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

Deputy Director of Planning/District
Miss Ophelia Y.S. Wong

Secretary

Absent with Apologies

Professor K.C. Ho

Mr. Francis Y.T. Lui

Professor Nora F.Y. Tam

Dr. Lily Chiang

Professor David Dudgeon

Professor Peter R. Hills

Mr. Tony C.N. Kan

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
Ms. Margaret Hsia

In Attendance

Assistant Director of Planning/Board
Mr. P.Y. Tam

Chief Town Planner/Town Planning Board
Mr. C.T. Ling

Town Planner/Town Planning Board
Miss Jessica K.T. Lee

Agenda Item 1

Confirmation of the Draft Minutes of the 315th RNTPC Meeting held on 11.11.2005

[Open Meeting]

1. The draft minutes of the 315th RNTPC meeting held on 11.11.2005 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

(i) Town Planning Appeal Received

Town Planning Appeal No. 22 of 2005 (22/05)
Temporary Outward Bound Training Centre for a Period of 3 Years
in “Conservation Area” and “Agriculture” zones
Lots 1303 (Part), 1305 (Part), 1308(Part), 1311 (Part),
1317 (Part), 1318(Part), 1319 (Part), 1320 (Part) and
Adjoining Government Land in DD 107, Kam Tin, Yuen Long
(Application No. A/YL-KTN/223)

2. The Secretary reported that the Town Planning Appeal Board (TPAB) on 31.10.2005 received an appeal against the decision of Town Planning Board (the Board) on 19.8.2005 to reject on review an application (No. A/YL-KTN/223) for a temporary outward bound training center for a period of 3 years at a site zoned “Conservation Area” and “Agriculture” on the Kam Tin North Outline Zoning Plan No. S/YL-KTN/5. The hearing date was yet to be fixed.

(ii) Appeal Statistics

3. The Secretary also reported that as at 25.11.2005, 25 cases were yet to be heard by the TPAB. Details of the appeal statistics were as follows:

Allowed	:	14
Dismissed	:	81
Abandoned/Withdrawn/Invalid	:	111
Yet to be Heard	:	25
Decision Outstanding	:	1
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Total	:	232

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 Applications

[Open Meeting (Presentation and Question Sessions Only)]

- (i) A/TM/339 Temporary Shop and Services
for a Period of 5 Years
in “Industrial” zone,
Workshop D (Part),
1/F, Delya Industrial Centre,
7 Shek Pai Tau Road,
Tuen Mun
(RNTPC Paper No. A/TM/339)

Presentation and Question Sessions

4. 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) temporary shop and services for a period of 5 years;
- (c) departmental comments – no adverse comments from concerned Government departments were received;
- (d) no public comment and no local objection was received; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons given in paragraph 11.1 of the Paper.

5. In response to the Chairman's enquiry, Mr. Wilson Y.L. So, DPO/TMYL, said that the Director of Fire Services (D of FS) had no objection to the application.

Deliberation Session

6. Noting that there were similar applications for shop and services use approved within the subject industrial building, the Chairman asked whether the cumulative commercial floor area was within D of FS' permissible limit. Mr. Wilson So replied that the cumulative floor area for commercial uses was still within the permissible limit of 460m² in sprinklered industrial building as per the advice from D of FS.

7. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years up to 25.11.2010, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the condition that the submission and provision of fire service installations of the application premises to the satisfaction of the Director of Fire Services or of the TPB.

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

- (a) the District Lands Officer/Tuen Mun's comments that the applicant should be advised to apply for a waiver which, if approved, would be subject to such terms and conditions to be imposed;
- (b) the Chief Building Surveyor/New Territories West, Buildings Department's comment that the separating wall between the application premises and the

remaining part of Workshop D would have a fire resisting period of not less than 2 hours; and

- (c) the Director of Fire Services' comment that his 'no objection' did not preclude the need for approval from Buildings Department under Cap. 123 for any proposed building works.

[Open Meeting (Presentation and Question Sessions Only)]

- (ii) A/TM/340 Renewal of Planning Approval for Temporary Retail Shop for Selling Construction and/or Wooden Materials under Application No. A/TM/273 for a Period of 5 Years until 25.11.2010 in "Industrial" zone, Workshop 2 (Part), G/F, Ming Fat Industrial Centre, 1 Kin Fat Street, Tuen Mun (TMTL 205) (RNTPC Paper No. A/TM/340)
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Presentation and Question Sessions

9. 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) renewal of planning approval for temporary retail shop for selling construction and/or wooden materials under Application No. A/TM/273 for a period of 5 years until 25.11.2010;
- (c) departmental comments – no adverse comments from concerned Government departments were received;

- (d) one public comment - objecting to the application mainly on building management problem in the subject building. No local objection was received; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons given in paragraphs 11.1 to 11.3 of the Paper.

10. In response to a Member's enquiry on the approval period of the application, the Chairman said that should the application be approved by the Committee, the application would be approved on the terms of the application as submitted to the Town Planning Board, i.e. on a temporary basis for a period of 5 years.

Deliberation Session

11. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years up to 25.11.2010, on the terms of the application as submitted to the Town Planning Board.

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

- (a) the Director of Fire Services' comment that the fire services installations therein as required by his department should be maintained in an efficient working order at all time;
- (b) the Chief Building Surveyor/New Territories West, Buildings Department's comments that the premises was to be separated from the remaining part of Workshop No. 2 with walls having fire resisting period of not less than 2 hours and that his 'no objection' should not be construed as condonation of any unauthorised building works carried out on site which were liable to enforcement action under Section 24 of the Buildings Ordinance; and
- (c) to note the concern of the Incorporated Owners of Tuen Mun Ming Fat Industrial Centre as detailed in Appendix V of the Paper.

[Open Meeting (Presentation and Question Sessions Only)]

- (iii) A/TM-LTYT/129 Temporary Vehicle Park for Goods Vehicles, Coaches and Container Vehicles for a Period of 3 Years in “Green Belt” zone, Lots 867A, 867B, 867CRP, 2507ARP, 2507B in DD 130, Lo Fu Hang, Tuen Mun
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- (RNTPC Paper No. A/TM-LTYT/129)

Presentation and Question Sessions

13. 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) temporary vehicle park for goods vehicles, coaches and container vehicles for a period of 3 years;
- (c) departmental comments – the Director of Environmental Protection did not support the application due to the adverse environmental impact on the nearby sensitive uses. The Assistant Commissioner for Transport/New Territories, Transport Department raised concern on the adverse traffic impact generated from the proposal;
- (d) two public comments – supporting the application for the benefits generated by the proposal. No local objection was received; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application for reasons given in paragraph 11.1 of the Paper in that the development was not in line with the planning intention of the “Green Belt” (“GB”) zone; the development was not compatible with the residential dwellings in the vicinity; there was no information in the submission to demonstrate that the development would not have adverse traffic, drainage and environmental impacts on the surrounding areas; and the approval of

the application would set an undesirable precedent for similar applications within the “GB” zone.

14. Members had no question on the application.

Deliberation Session

15. After deliberation, the Committee decided to reject the application and the reasons were:

- (a) the development was not in line with the planning intention of the “Green Belt” (“GB”) zone which was to define the limits of urban and suburban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There was a general presumption against development within this zone. There was no justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the development was not compatible with the residential dwellings in the vicinity;
- (c) there was no information in the submission to demonstrate that the development would not have adverse traffic, drainage and environmental impacts on the surrounding areas; and
- (d) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “GB” zone, the cumulative effect of approving such applications would result in the encroachment on the “GB” zone by developments and a general degradation of the natural environment.

[Open Meeting (Presentation and Question Sessions Only)]

- (iv) A/YL-HT/422 Temporary Public Vehicle Park
for Private Cars, Light and Heavy Goods Vehicles
and Container Trailers for a Period of 3 Years
in “Comprehensive Development Area” zone,
Lots 805BRP, 807RP, 808RP,
809RP, 815 and 816BRP in DD 125,
Ha Tsuen,
Yuen Long

(RNTPC Paper No. A/YL-HT/422)

Presentation and Question Sessions

16. 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) temporary public vehicle park for private cars, light and heavy goods vehicles and container trailers for a period of 3 years;
- (c) departmental comments – the Director of Environmental Protection (DEP) did not support the application on the noise nuisance to the nearby sensitive receivers;
- (d) no public comment and no local objection was received; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for reasons given in paragraphs 12.1 to 12.3 of the Paper. To address DEP’s concern, approval conditions were recommended in paragraph 12.3(a) and (b) of the Paper to minimize the possible noise impact.

17. Members had no question on the application.

Deliberation Session

18. The Chairman remarked that the site fell within Category 1 areas under the Town Planning Board Guidelines No. 13D under which favourable consideration would normally be given to the application provided that the environmental concern could be addressed by imposition of appropriate approval conditions.

19. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years up to 25.11.2008, on the terms of the application as submitted to the Town Planning Board and subject to the following conditions:

- (a) no night-time operation between 11:00 p.m. to 7:00 a.m. should be permitted at the site during the planning approval period;
- (b) no operation on Sundays and public holidays should be permitted at the site during the planning approval period;
- (c) no workshop activities including dismantling, repairing and cleaning were allowed to be carried out at the site during the planning approval period;
- (d) the landscape planting implemented under application No. A/YL-HT/270 on the site should be maintained at all times during the planning approval period;
- (e) the drainage facilities implemented under application No. A/YL-HT/270 on the site should be maintained at all times during the planning approval period;
- (f) the provision of vehicular access to the site within 9 months from the date of the planning approval to the satisfaction of the Chief Highways Engineer/New Territories West, Highways Department or of the Town Planning Board by 25.8.2006;
- (g) if any of the above planning conditions (a), (b), (c), (d) or (e) 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;

- (h) if the planning condition (f) was not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice; and
- (i) upon 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.

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

- (a) the permission was only given to the use/development under application. It did not condone any other use/development existing on the site that was not covered by the application. The applicant should take immediate action to discontinue such use/development not covered by the permission;
- (b) submit record of the existing drainage on site to the satisfaction of the Director of Drainage Services;
- (c) follow the environmental mitigation measures as recommended in the “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” in order to minimize the potential environmental impact on the adjacent area; and
- (d) note the comments of the Assistant Commissioner for Transport/New Territories, Transport Department to clarify the land status and management/maintenance responsibilities of the access road leading to the site and to consult the relevant lands/maintenance authorities.

[Open Meeting (Presentation and Question Sessions Only)]

- (v) A/YL-KTN/240 Temporary Open Storage of Private Vehicles and Vehicle Parts for a Period of 3 Years in “Residential (Group D)” zone, Lots 629Q, 630B15 and 653BRP(Part) in DD 110, Kam Tin Road, Kam Tin, Yuen Long
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- (RNTPC Paper No. A/YL-KTN/240)

Presentation and Question Sessions

21. 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) temporary open storage of private vehicles and vehicle parts for a period of 3 years;
- (c) departmental comments – the Director of Environmental Protection (DEP) did not support the application on the environmental nuisance to the surrounding residential uses;
- (d) no public comment and no local objection was received; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the temporary use could be tolerated for reasons given in paragraphs 12.1 and 12.2 of the Paper. Approval condition was recommended in paragraph 12.3(b) of the Paper to address DEP’s concern.

22. Members had no question on the application.

Deliberation Session

23. The Chairman remarked that the application could be approved subject to approval conditions, in particular no vehicle repairing and workshop activities should be undertaken on site.

24. Referring to the previous approved application No. A/YL-KTN/157, Mr. Wilson Y.L. So, DPO/TMYL, drew Member's attention that an approval condition on 'no heavy goods vehicles or container vehicles should be parked/stored on the site' was imposed to address the Assistant Commissioner for Transport/New Territories of Transport Department's comments during consideration by the Committee in 2002. Mr. So proposed to add the same approval condition in the current application. Members agreed.

25. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years up to 25.11.2008, on the terms of the application as submitted to the Town Planning Board and subject to the following conditions:

- (a) the setting back of the southern boundary of the application site by 25m from Kam Tin Road, as proposed by the applicant, at any time during the planning approval period;
- (b) no vehicle repairing and workshop activities should be undertaken on site at all time during the approval period;
- (c) no heavy goods vehicles or container vehicles should be parked/stored on the site at all time during the approval period;
- (d) the existing trees should be preserved and the landscaping planting on the site should be maintained at all times during the planning approval period;
- (e) the drainage facilities on the application site should be maintained as under Application No. A/YL-KTN/157 at any time during the planning approval period;
- (f) the provision of a 9-litre water type/3kg dry powder fire extinguisher in the site office within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board

by 25.5.2006;

- (g) if any of the above planning conditions (a), (b), (c), (d) or (e) was not complied with at any time during the planning approval period, the approval hereby given should cease to have effect and should be revoked immediately without further notice;
- (h) if the above planning condition (f) was not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice; and
- (i) upon 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.

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

- (a) the permission was only given to the use/development under application. It did not condone any other use/development existing on the site that was not covered by the application. The applicant should take immediate action to discontinue such use/development not covered by the permission;
- (b) the District Lands Officer/Yuen Long's comment that the applicant should apply for relaxing the built-over area in respect of the Short Term Waiver No. 2461 if the application was approved;
- (c) the Assistant Commissioner for Transport/New Territories, Transport Department's comment that the land status of the strip of land between Kam Tin Road and the site and the management and maintenance responsibilities of the strip of land should be checked and the relevant lands authorities should be consulted;
- (d) the Chief Highway Engineer/New Territories West, Highways Department's comment that the proposed use should not affect the road improvement project of "Kam Tin Road Improvement Stage 2";

- (e) environmental mitigation measures as set out in the “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” should be used to minimize any possible environmental nuisances;
- (f) the Chief Building Surveyor/New Territories West, Buildings Department’s comment that all unauthorised building works/structures should be removed. All building works were subject to compliance with Buildings Ordinance. Authorised Person had to be appointed to coordinate all building works. The granting of planning approval should not be construed as an acceptance of the unauthorised structures on site under the Buildings Ordinance. Enforcement action might be taken to effect the removal of all unauthorised works in the future; and
- (g) the Commissioner of Police (District Commander, Pat Heung Division)’s comment that security arrangements of the location was of paramount importance and should be given due concern.

[Open Meeting (Presentation and Question Sessions Only)]

- (vi) A/YL-PH/508 Temporary Open Storage of Vehicles
for a Period of 3 Years
in “Village Type Development” zone,
Lots 2251(Part) and 2254(Part) in DD 111,
Wang Toi Shan
Yau Uk Tsuen,
Pat Heung,
Yuen Long

(RNTPC Paper No. A/YL-PH/508)

Presentation and Question Sessions

27. 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) temporary open storage of vehicles for a period of 3 years;
- (c) departmental comments – the Director of Environmental Protection did not support the application and advised that the proposed use was not environmentally desirable in a residential zone;
- (d) one public comment - objecting to the application mainly on drainage ground. No local objection was received by the District Officer/Yuen Long; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application for reasons given in paragraphs 12.1 to 12.3 of the Paper in that the development was not in line with the planning intention of the “Village Type Development” zone; the development was not compatible with the surrounding land uses; and there was insufficient information in the submission to demonstrate that the development would not have adverse environmental, landscape and drainage impacts on the surrounding areas.

28. Members had no question on the application.

Deliberation Session

29. The Chairman remarked that with village settlements located in close proximity to the site, the application should not be approved.

30. After deliberation, the Committee decided to reject the application and the reasons were:

- (a) the development was not in line with the planning intention of the “Village Type Development” zone on the Outline Zoning Plan, which was to designate both existing recognized villages and areas of land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. There was no strong justification in the submission for a departure from such planning intention;

- (b) the development did not comply with Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses in that there was no exceptional circumstances to merit approval, there was no previous approval on the site, the applied use was not compatible with the surrounding land uses which were generally residential in character with village settlements and there were adverse comments received from relevant Government departments; and
- (c) there was insufficient information in the submission to demonstrate that the development would not have adverse environmental, landscape and drainage impacts on the surrounding areas.

[Open Meeting (Presentation and Question Sessions Only)]

- (vii) A/YL-PH/509 Temporary Private Car Repair Workshop
for a Period of 3 Years
in “Village Type Development” zone,
Lot 216B(Part) in DD 111,
Sheung Che,
Pat Heung,
Yuen Long

(RNTPC Paper No. A/YL-PH/509)

Presentation and Question Sessions

31. 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) temporary private car repair workshop for a period of 3 years;
- (c) departmental comments – the Director of Environmental Protection did not support the application and advised that the proposed use was not

environmentally desirable in a residential zone;

- (d) no public comment and no local objection was received; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application for reasons given in paragraph 11.1 of the Paper in that the development was not in line with the planning intention of the “Village Type Development”; the development was considered not compatible with the residential developments in the vicinity; there was insufficient information in the submission to demonstrate that the development would not have adverse environmental, traffic and drainage impacts on the surrounding areas; and approval of the application would set an undesirable precedent.

32. Members had no question on the application.

Deliberation Session

33. The Chairman remarked that as the site was surrounded by village settlements, it was considered not suitable for car repairing activities.

34. After deliberation, the Committee decided to reject the application and the reasons were:

- (a) the development was not in line with the planning intention of the “Village Type Development” (“V”) zone on the Outline Zoning Plan, which was to designate both existing recognized villages and areas of land considered suitable for village expansion and re-provisioning of village houses affected by Government projects. There was no strong justification in the submission for a departure from such planning intention;
- (b) the site was located in an area which was generally residential in character with village settlements in the vicinity. The proposed development was considered not compatible with the residential developments in the vicinity;

- (c) there was insufficient information in the submission to demonstrate that the development would not have adverse environmental, traffic and drainage impacts on the surrounding areas; and
- (d) approval of the application would set an undesirable precedent for other similar uses to proliferate into this “V” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.

[Open Meeting (Presentation and Question Sessions Only)]

(viii) A/YL-PS/232 Proposed Temporary Open Storage of
Construction Materials and Metal for a Period of 3 Years
in “Green Belt” zone,
Lots 914, 915, 916, 917(Part) and 919 in DD 122,
Wing Ning Tsuen,
Ping Shan,
Yuen Long

(RNTPC Paper No. A/YL-PS/232)

Presentation and Question Sessions

35. 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) proposed temporary open storage of construction materials and metal for a period of 3 years;
- (c) departmental comments - the Director of Environmental Protection did not support the application on the grounds that the applied use would likely cause dust and noise nuisance to the nearby sensitive receivers;
- (d) two public comments were received objecting to the application mainly on

adverse environmental impact on the nearby residents. No local objection was received from the District Officer/Yuen Long; and

- (e) the Planning Department (PlanD)'s views - PlanD did not support the application for reasons given in paragraphs 12.1 to 12.3 of the Paper in that the development was not in line with the planning intention of the "Green Belt" ("GB") zone; the development was not compatible with the residential dwellings in the immediate vicinity; no information was submitted to demonstrate that the use would not generate adverse drainage, traffic and environmental impacts on the surrounding areas; and the approval of the application would set an undesirable precedent.

36. Members had no question on the application.

Deliberation Session

37. The Chairman remarked that given the Town Planning Board had rejected two previous and two similar applications in the "GB" zone, the application should not be approved.

38. After deliberation, the Committee decided to reject the application and the reasons were:

- (a) the proposed development was not in line with the planning intention of the "Green Belt" ("GB") zone which was to define the limits of urban development areas by natural features and to contain urban sprawl. There was a general presumption against development;
- (b) the proposed development was not compatible with the residential dwellings in the immediate vicinity;
- (c) the application was not in line with the general intention of Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses in that the site did not have any previous planning approvals, adverse departmental comments and local objection were received and no relevant

technical assessment/proposal was submitted to demonstrate that the use would not generate adverse drainage, traffic and environmental impacts on the surrounding areas; and

- (d) no similar application was previously approved in the “GB” zone. The approval of the application would set an undesirable precedent, the cumulative impact of approving the application in the area would lead to a general degradation of the environment in the area.

[Open Meeting (Presentation and Question Sessions Only)]

- (ix) A/YL-TT/187 Proposed Removable Fibre Glass Refuse Collection Point in “Village Type Development” zone, Government Land Adjacent to Lot 93RP in DD 118, Nam Hang Tsuen, Shap Pat Heung, Yuen Long

(RNTPC Paper No. A/YL-TT/187)

Presentation and Question Sessions

39. 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) proposed removable fibre glass refuse collection point;
- (c) departmental comments – no adverse comments from concerned Government departments were received;
- (d) no public comment and no local objection was received; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for reasons given in paragraph 11.1 of the Paper.

40. A Member asked whether the local community was consulted on the proposed use. Mr. Wilson Y.L. So, DPO/TMYL, said that the local community was informed of the application through posting site notice. During the public inspection period of the subject application, no public comment was received.

Deliberation Session

41. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the condition that the submission and implementation of landscape proposals to the satisfaction of the Director of Planning or of the TPB. The permission should be valid until 25.11.2009, 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.

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

- (a) note the Assistant Commissioner for Transport/New Territories, Transport Department's comments that the land status of the road/path/track leading to the site should be checked. The 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. The applicant might have to liaise with relevant parties where appropriate as the site fell within land resumption limit;
- (b) note the Chief Engineer/Mainland North, Drainage Services Department's comment that the provision of the refuse collection point should not adversely affect any existing village drain or ditch; and
- (c) liaise with the District Lands Officer/Yuen Long in securing the necessary Government land to be included in fulfilling the landscape planting requirement.

46. 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 25.11.2009, 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 landscape and tree preservation proposals to the satisfaction of the Director of Planning or of the Town Planning Board; and
- (b) the submission and implementation of drainage proposals to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

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

- (a) note the Chief Engineer/Development(2) Division, Water Supplies Department (WSD)'s comments that for provision of water supply to the development, the applicant might need to extend his/her 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 should be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards;
- (b) note the Director of Fire Services' comments that detailed fire service requirements would be proffered in accordance with the 'Guidelines Regarding the Delineation of Large Development of NTEHs for the Purpose of Implementing Emergency Vehicular Access Requirements' upon the receipt of formal referral from the District Lands Officer/Yuen Long;
- (c) note the Assistant Commissioner for Transport/New Territories, Transport Department's comments that the land status of the road/path/track leading to the site should be checked with the lands authority. The 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; and

- (d) note 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 the Buildings Ordinance. Authorized Person had to be appointed for the site formation and communal drainage works above.

Agenda Item 4

Section 16A Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/162-1 Application for Amendment to an Approved Residential Development in "Residential (Group C)2", "Residential (Group D)", "Village Type Development" and "Open Space" zones in Lot 2081 in DD 109,
Kam Tin,
Yuen Long
(RNTPC Paper No. A/YL-KTN/162-1)

48. The Secretary explained that the current application involved Class B amendments to an approved development proposal under s.16A of the Town Planning Ordinance. The annotation '-1' represented the first application for Class B amendment to the previously approved application No. A/YL-KTN/162.

49. The application was submitted by a subsidiary of Cheung Kong (Holdings) Ltd. (CKH). Dr. Lily Chiang and Mr. Francis Y.T. Lui, having current business dealings with CKH, declared interests in this item. The Committee noted that both Dr. Chiang and Mr. Lui had sent their apologies for being unable to attend the meeting.

Presentation and Question Sessions

50. 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) amendment to an approved scheme under application No. A/YL-KTN/162;
- (c) departmental comments – no adverse comments from concerned Government departments were received;
- (d) local objections – mainly on traffic, environmental, drainage and fung shui grounds; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons given in paragraphs 7.1 and 7.2 of the Paper in that concerned Government departments had no objection to the current scheme from traffic, environmental and drainage perspectives.

51. Members had no question on the application.

Deliberation Session

52. Referring to the approval condition in paragraph 7.3(a) of the Paper, Mr. Francis Ng said that as there was no provision under the executed lease governing the proposed 'Park and Garden', there might be problem in the future implementation of this 'Park and Garden'. The Secretary said that the current amendments were considered minor and technical in nature, and the subject approval condition was the same as that imposed under the last approved Application No. A/YL-KTN/209. The Chairman remarked that the proposed 'Park and Garden' fell within the area zoned "Open Space" which was intended primarily for the provision of outdoor open-air public space. The issue on implementation of the approval condition could be further deliberated amongst concerned Government departments.

53. 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 18.2.2009, 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 proposed 'Park and Garden' area with an area of not less than 924m² should be open to the public at reasonable hours to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the submission of a comprehensive tree survey report, and submission and implementation of a landscape proposal including tree preservation scheme to the satisfaction of the Director of Planning or of the Town Planning Board; and
- (c) the provision of emergency vehicular access, water supplies for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services.

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

- (a) the Director of Fire Services' comment that detailed fire safety requirements would be formulated upon receipt of formal submission of general building plans;
- (b) the Chief Engineer/Development (2), Water Supplies Department's comment that the developer should bear the cost of any necessary diversion works affected by the proposed development; and
- (c) the Chief Building Surveyor/New Territories West, Buildings Department (BD)'s comments that any right-of-ways required within the site for access to the adjoining lots should be excluded from site area for the purpose of plot ratio and site coverage calculations under the Buildings Ordinance and that corresponding general building plans of the amendment proposal should be submitted to BD for approval prior to commencement of works.

[The Chairman thanked Mr. Wilson Y.L. So, DPO/TMYL, and Mr. Frederick S.T. Ng, STP/TMYL, for their attendance to answer Members' enquiries. Messrs. So and Ng left the meeting at this point.]

Sai Kung and Sha Tin District

[Mr. Michael C.F. Chan, District Planning Officer/Sai Kung and Sha Tin (DPO/SK&ST), and Mr. Philip Y.L. Chum, Senior Town Planner/Sai Kung and Sha Tin (STP/SK&ST), were invited to the meeting at this point.]

Agenda Item 5

[Open Meeting (Presentation and Question Sessions Only)]

Proposed Amendments to the

Approved Sha Tin Outline Zoning Plan No. S/ST/20

(RNTPC Paper No. 35/05)

55. The proposed amendments (Items D1 and D2) were related to land vested to the Kowloon-Canton Railway Corporation (KCRC) East Rail. Miss Cindy Law, being an alternate member for the Deputy Secretary for Environment, Transport and Works (Transport)¹ who was a member of the Board of KCRC, declared interest in this item. The Committee noted that Miss Law had sent her apologies for being unable to attend the meeting.

Presentation and Question Sessions

56. Mr. Michael C.F. Chan, DPO/SK&ST, presented the proposed amendments and covered the following aspects as detailed in the Paper:

- (a) background to the proposed amendments;
- (b) proposed amendments to the Outline Zoning Plan (OZP) – rezoning of a site from “Residential (Group B)” (“R(B)”) to “Government, Institution or Community” (“G/IC”) for a high level fresh water service reservoir (Item A); rezoning of four school sites from “R(B)” to “G/IC” (Item B); rezoning of a telephone exchange site from “Industrial” to “G/IC” (Item C); and adjustment of zoning boundaries to reflect the as-built situation of the completed developments (Items D1 to D4);

- (c) Notes of the OZP - amending to reflect the latest Master Schedule of Notes to Statutory Plans endorsed by the Town Planning Board; and
- (d) departmental comments – no adverse comments from concerned Government departments were received.

57. A Member asked about the change in site area of the “Village Type Development” (“V”) zone in Items D1 and D3, and whether the Sha Tin District Council (STDC) had been consulted on the proposed amendments. Mr. Philip Y.L. Chum, STP/SK&ST, responded that, for Item D1, it was proposed to rezone an area, currently occupied by the East Rail, from “V” (about 0.29 ha) and “Commercial” (about 0.04 ha) to “Other Specified Uses” annotated “Railway Station Development”. For Item D3, it was proposed to rezone an area, currently occupied by some village houses, from “Industrial” to “V” (about 0.17 ha). Both of the above proposed amendments were to reflect the existing land uses. While the proposed amendments were technical in nature, the STDC would be consulted before or shortly after the exhibition of the draft OZP.

Deliberation Session

58. After deliberation, the Committee decided to:

- (a) agree to the proposed amendments to the approved Sha Tin Outline Zoning Plan (OZP) No. S/ST/20 and that the Amendment Plan No. S/ST/20A (to be re-numbered to S/ST/21 upon gazetting) and the Notes of the Amendment Plan were suitable for gazetting under section 5 of the Ordinance;
- (b) adopt the Explanatory Statement (ES) as an expression of the planning intention and objectives of the Town Planning Board for various land-use zonings on the draft Sha Tin OZP; and
- (c) agree that the revised ES was suitable for exhibition for public inspection together with the draft OZP No. S/ST/20A (to be re-numbered to S/ST/21 upon gazetting).

Agenda Item 6

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

- (i) A/SK-CWBN/2 Proposed Minor Relaxation of Plot Ratio and Site Coverage for a House Development in “Residential (Group C)3” zone, Lot 1447 in DD 243, Mang Kung Uk, Sai Kung
-
- (RNTPC Paper No. A/SK-CWBN/2)

Presentation and Question Sessions

59. Mr. Michael C.F. Chan, DPO/SK&ST, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed minor relaxation of plot ratio and site coverage for a house development;
- (c) departmental comments – no adverse comments from concerned Government departments were received;
- (d) no public comment and no local objection was received; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for reasons given in paragraph 11.1 of the Paper.

60. In response to the Chairman’s enquiry on the justification for the relaxation of plot ratio, Mr. Michael Chan said that the proposed minor relaxation of the permissible plot ratio from 0.6 to 0.632 was to reflect the entitlements under the lease. Mr. Francis Ng supplemented that according to the lease, the site was restricted for domestic purpose with structures not exceeding 25ft above mean formation level and built-over area not more than

2,400ft² which was equivalent to plot ratio of 0.632. The Chairman remarked that the Town Planning Board had all along adopted a cautious approach in considering applications for relaxation of plot ratio and required sufficient justifications for approval.

Deliberation Session

61. 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 25.11.2009, 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.

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

- (a) liaise with the Director of Lands regarding the proposed lease modification;
and
- (b) liaise with the Director of Water Supplies regarding the extension of the applicant's inside service to the nearest Government water mains for connection.

[Open Meeting (Presentation and Question Sessions Only)]

- (ii) A/ST/630 Proposed Comprehensive Development
with Government, Institution or Community Facilities
and Public Transport Interchange
in "Comprehensive Development Area (1)" zone,
East Rail Fo Tan Station and its adjoining area
at Au Pui Wan Street and Lok King Street,
Sha Tin

(RNTPC Paper No. A/ST/630)

63. The application was related to the Kowloon-Canton Railway Corporation (KCRC) vested land covering the East Rail Fo Tan Station and submitted by Parsons Brinckerhoff (Asia) Ltd. (PBA) being one of the consultants. Miss Cindy Law, being an alternate

member for the Deputy Secretary for Environment, Transport and Works (Transport)¹ who was a member of the Board of KCRC, declared interest in this item. Mr. Edmund K.H. Leung, having current business dealings with PBA, also declared interest in this item. The Committee noted that both Miss Law and Mr. Leung had sent their apologies for being unable to attend the meeting.

Presentation and Question Sessions

64. Mr. Michael C.F. Chan, DPO/SK&ST, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed comprehensive development with Government, institution or community facilities and public transport interchange;
- (c) departmental comments - the Assistant Commissioner for Transport/New Territories of Transport Department did not support the pedestrian crossings across the future roundabout at Lok King Street. In view of the worsening road traffic noise performance, the Director of Environmental Protection considered that the current scheme was not desirable;
- (d) six public comments including the KCRC - raising objection to/concerns on the proposed development. KCRC's comments were mainly on the implementation problem; impact on the operation of East Rail Fo Tan Station/railway tracks/freight yard; vehicular access arrangement; and environmental impact. The other commenters raised concerns on the traffic, environmental, and visual impacts on the surroundings as well as the provision of public facilities and open space. No local objection was received; and
- (e) the Planning Department (PlanD)'s views - PlanD did not support the application for reasons given in paragraphs 12.1 to 12.3 of the Paper mainly in that there was inadequate information in the submission to demonstrate that the proposed phased development was technically feasible and would

not undermine the original planning intention to develop the whole site in a comprehensive manner; and there was insufficient information in the submission to demonstrate that adverse traffic, environmental and visual impacts on the proposed development could be mitigated.

65. Members had no question on the application.

Deliberation Session

66. Mr. Francis Ng remarked that the Lands Department did not agree to include the Government land (i.e. S2 portion) in the proposed comprehensive development/redevelopment of the whole area.

67. After deliberation, the Committee decided to reject the application and the reasons were:

- (a) the planning intention of the “Comprehensive Development Area(1)” was for comprehensive development/redevelopment of the whole area. There was inadequate information in the submission to demonstrate that the proposed phased development was technically feasible, and would not undermine the original planning intention to develop the whole site in a comprehensive manner;
- (b) the layout and dispositions of the residential towers were undesirable and the development constraints (particularly traffic noise and industrial/residential interface problem) had not been addressed properly;
- (c) the proposed development might adversely affect the operation of the East Rail Fo Tan Station and the adjoining rail tracks and freight yard;
- (d) the proposed scheme had excessive provision of residents’ car parking spaces and the proposed ingress/egress points at Au Pui Wan Street and Lok King Street were unsatisfactory in location/design. The application failed to provide an effective pedestrian circulation system to facilitate safe and convenient pedestrian movements within different portions of the site

and in connection to the surrounding developments;

- (e) the subject site was subject to adverse traffic noise impact and there was insufficient information in the submission to demonstrate that adverse environmental impact on the proposed development was mitigated;
- (f) there was insufficient information in the submission to demonstrate that the proposed development would not generate any adverse visual impact on the surrounding development; and
- (g) the design, construction, funding, operation and maintenance responsibilities of the proposed Government, institution or community and public transport interchange facilities had not been confirmed. There was concern on the need and timely implementation of the Government, institution or community and public transport facilities within or in associated with the development scheme.

[The Chairman thanked Mr. Michael C.F. Chan, DPO/SK&ST, and Mr. Philip Y.L. Chum, STP/SK&ST, for their attendance to answer Members' enquiries. Messrs. Chan and Chum left the meeting at this point.]

[Ms. Carmen K.M. Chan left the meeting temporarily at this point.]

Tai Po and North District

[Mr. W.K. Hui, District Planning Officer/Tai Po and North (DPO/TPN), was invited to the meeting at this point.]

Agenda Item 7

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

(i) A/NE-LT/344 Proposed House (New Territories Exempted House)
(NTEH) (Small House)
in “Agriculture” and “Village Type Development” zones,
Lot 1569A2 in DD 19,
Ha Tin Liu Ha Tsuen,
Lam Tsuen,
Tai Po

(RNTPC Paper No. A/NE-LT/344)

(ii) A/NE-LT/345 Proposed House (New Territories Exempted House)
(NTEH) (Small House)
in “Agriculture” and “Village Type Development” zones,
Lots 1598ARP and 1598A2RP in DD 19,
Ha Tin Liu Ha Tsuen,
Lam Tsuen,
Tai Po

(RNTPC Paper No. A/NE-LT/345)

68. Noting that Applications No. A/NE-LT/344 and 345 were similar in nature and the application sites were located in close proximity of each other, the Committee agreed to consider the two applications together.

[Ms. Carmen K.M. Chan returned to join the meeting at this point.]

Presentation and Question Sessions

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

- (a) background to the two applications;
- (b) the proposed houses (New Territories Exempted House) (NTEH) (Small House);
- (c) departmental comments – the Director of Agriculture, Fisheries and

Conservation did not favour the two applications as there were agricultural activities in the vicinity of the site and the potential for agricultural rehabilitation was high;

- (d) no public comment and no local objection was received; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications for reasons given in paragraph 11.1 of the Papers in that the application sites were currently abandoned field and other relevant Government departments had no adverse comments on the applications.

70. Members had no question on the application.

Deliberation Session

71. The Chairman remarked that although the two application sites fell within the water gathering ground, the proposed Small Houses were able to be connected to the planned sewerage system in the area.

72. After deliberation, the Committee decided to approve the applications No. A/NE-LT/344 and 345, on the terms of the applications as submitted to the Town Planning Board. The permission should be valid until 25.11.2009, 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;
- (b) the submission and provision of drainage facilities to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (c) the connection of the foul water drainage system to public sewers to the satisfaction of the Director of Water Supplies or of the Town Planning Board; and

- (d) the provision of protective measures to ensure no siltation occurs or no pollution to the water gathering grounds to the satisfaction of the Director of Water Supplies or of the Town Planning Board.

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

- (a) the actual construction of the proposed Small House should only begin after the completion of the public sewerage network;
- (b) adequate space should be provided for the proposed Small House to be connected to the public sewerage network; and
- (c) the Director of Fire Services would request a plan for fire fighting access and water supplies to the area, should the aggregate number of NTEHs in the vicinity escalate to 10 or more.

[Open Meeting (Presentation and Question Sessions Only)]

- (iii) A/NE-LT/346 Proposed House (New Territories Exempted House)
(NTEH) (Small House)
in "Agriculture" zone,
Lots 1598A2A, 1598A3
and Adjoining Government Land in DD 19,
Ha Tin Liu Ha Tsuen,
Lam Tsuen,
Tai Po

(RNTPC Paper No. A/NE-LT/346)

Presentation and Question Sessions

74. The Committee note that the applicant submitted a letter on 18.11.2005 requesting to defer the consideration of the application for two months in order to allow more time for preparation of supplementary information.

Deliberation Session

75. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of additional information from the applicant. The Committee also agreed that the application should be submitted to the Committee for consideration within two months from the date of receipt of additional information from the applicant. The Committee also agreed to advise the applicant that two months (from the said meeting) were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

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

[Mr. Alex C.W. Lui left the meeting at this point.]

Lantau and Islands District

[Ms. Phyllis C.M. Li, District Planning Officer/Lantau and Islands (DPO/L & Is), and Miss Helen L.M. So, Senior Town Planner/Lantau and Islands (STP/L & Is), were invited to the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/I-LI/6 Proposed Helicopter Landing Pad
in "Government, Institution or Community" zone
and an area outside the planning scheme boundary,
Kam Lo Hom (North),
Yung Shue Wan,
Lamma Island
(RNTPC Paper No. A/I-LI/6)

76. The application was submitted by Home Affairs Department (HAD). Ms.

Margaret Hsia, being a representative of HAD, declared interest in this item. The Committee noted that Miss Hsia had sent her apologies for being unable to attend the meeting.

Presentation and Question Sessions

77. Miss Helen L.M. So, STP/L & Is, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed helicopter landing pad;
- (c) departmental comments – no adverse comments from concerned Government departments were received;
- (d) one public comment – mainly related to the lack of comprehensive planning adopted on the existing land, the lack of visual and noise impact assessments, the cost of reclamation, the possible environmental impact, and the lack of public consultation for the proposed helicopter landing pad. No local objection was received; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons given in paragraphs 10.1 to 10.3 of the Paper.

[Mr. C. K. Wong left the meeting at this point.]

78. In response to a Member's enquiry on the public consultation for the proposed helicopter landing pad, Miss Helen So said that the Islands District Council, the Lamma (North) Rural Committee and Lamma Area Committee were consulted on the proposed helicopter landing pad in February, April and May 2005 respectively. All of them reiterated their support and urged for early implementation of the proposed helicopter landing pad.

Deliberation Session

79. The Chairman remarked that the proposed helicopter landing pad was an essential facility to provide emergency helicopter services to the local community. The possible environmental impact of the proposed development and the necessary mitigation measures would be addressed under the Environment Impact Assessment Ordinance.

80. 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 25.11.2009, 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.

81. The Committee also agreed to advise the applicant that subject to the approval of the Environment Impact Assessment (EIA) report and the granting of an Environmental Permit (EP), the project should be constructed and operated in accordance with the information and recommendations described in the EIA report and the conditions stipulated in the EP.

Agenda Item 9

[Open Meeting (Presentation and Question Sessions Only)]

Deletion of an Approval Condition to Application No. A/SLT/51

Proposed House

in “Green Belt” zone,

Lot 108 in DD 333,

Shap Long,

Lantau Island

Presentation and Question Sessions

82. Miss Helen L.M. So, STP/L & Is, presented the case and covered the following aspects as detailed in the Paper:

- (a) background to the case;

- (b) proposed deletion of an approval condition of application No. A/SLT/51;
and
- (c) the Planning Department (PlanD)'s views – PlanD had no objection to the proposed deletion of the landscaping condition.

83. Members had no question on the application.

Deliberation Session

84. The Chairman remarked that as the application site was too small for provision of landscaping at the application site, the applicant's request was considered reasonable.

85. After deliberation, the Committee decided to agree to the request. The permission should be valid until 24.10.2008, 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 Chairman thanked Ms. Phyllis C.M. Li, DPO/L & Is, and Miss Helen L.M. So, STP/L & Is, for their attendance to answer Members' enquiries. Ms. Li and Miss So left the meeting at this point.]

Remarks

86. The Chairman said that the remaining items in the Agenda would not be open for public viewing since they were in respect of applications submitted before the commencement of the Town Planning (Amendment) Ordinance 2004.