

TOWN PLANNING BOARD

Minutes of 381st Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 10.10.2008

Present

Director of Planning
Mrs. Ava S.Y. Ng

Chairperson

Mr. Alfred Donald Yap

Vice-chairman

Mr. David W.M. Chan

Mr. Tony C.N. Kan

Mr. Edmund K.H. Leung

Dr. C.N. Ng

Mr. B.W. Chan

Mr. Y.K. Cheng

Dr. James C. W. Lau

Professor Edwin H.W. Chan

Mr. Rock C.N. Chen

Mr. Timothy K.W. Ma

Chief Traffic Engineer/New Territories West,
Transport Department
Mr. Y.M. Lee

Assistant Director (Environmental Assessment),
Environmental Protection Department
Mr. C.W. Tse

Assistant Director/New Territories, Lands Department
Mr. C.S. Mills

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

Secretary

Absent with Apologies

Ms. Maggie M.K. Chan

Ms. Anna S.Y. Kwong

Professor David Dudgeon

Professor Paul K.S. Lam

Assistant Director (2), Home Affairs Department
Ms. Margaret Hsia

In Attendance

Assistant Director of Planning/Board
Mr. Lau Sing

Chief Town Planner/Town Planning Board
Ms. Christine K.C. Tse

Town Planner/Town Planning Board
Mr. Terence Leung

Agenda Item 1

Confirmation of the Draft Minutes of the 380th RNTPC Meeting held on 19.9.2008

[Open Meeting]

1. The draft minutes of the 380th RNTPC meeting held on 19.9.2008 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

2. The Secretary reported that there were no matters arising.

[Dr. James Lau arrived to join the meeting at this point.]

3. The Chairperson, on behalf of the Committee, expressed condolences to the family of Dr. Chan Wai Kwan who passed away in Spain on 8.10.2008. Dr. Chan served on the Town Planning Board from 1996 to 2004 and was the Vice-Chairman of the Metro Planning Committee from 2002 to 2004. Dr. Chan devoted a lot of his time serving the community through his active participation in many planning-related activities, including the planning of Kai Tak area and the harbour areas.

Sai Kung and Islands District

[Ms. Ann O.Y. Wong, Senior Town Planner/Sai Kung and Islands (STP/SKIs), was invited to the meeting at this point.]

Agenda Item 3

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-CWBS/7 Proposed House (New Territories Exempted House - Small House)
in “Green Belt” and “Village Type Development” zones,
Lot 4RP in D.D. 230, Sheung Sze Wan, Sai Kung
(RNTPC Paper No. A/SK-CWBS/7)

Presentation and Question Sessions

4. Ms. Ann O.Y. Wong, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House - Small House);

[Mr. B.W. Chan left the meeting temporarily at this point.]

- (c) departmental comments – the Director of Agriculture, Fisheries and Conservation (DAFC) had no strong view against the application and advised that damage to the nearby trees should be avoided during construction. The Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application and an approval condition on landscape was recommended to address the landscaping concerns;
- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments given in paragraph 13 of the Paper. Favourable consideration could be given to the application as about 71% of the proposed Small House’s footprint fell within the “Village Type

Development” zone and the entire application site fell within the village ‘environs’ of Sheung Sze Wan. Sympathetic consideration could be given to the application as it was compatible in terms of land use, design and layout with the surrounding area/developments and the proposed development would not encroach onto the planned road network. The concerns of CTP/UD&L, PlanD could be addressed by imposing an approval condition on landscape.

5. Members had no question on the application.

Deliberation Session

6. The Chairperson said that the application was in line with the “Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories”.

7. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 10.10.2012, 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 a landscape proposal including treatment to man-made slope forming part of the development to the satisfaction of the Director of Planning or of the TPB; and
- (b) the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.

8. The Committee also agreed to advise the applicant :

- (a) to note the District Lands Officer/Sai Kung’s comment to minimize the area of site formation level;

- (b) to note the Director of Agriculture, Fisheries and Conservation's comment and avoid damage to the nearby trees during construction; and
- (c) to liaise with the Chief Engineer/Development (2), Water Supplies Department (WSD) for the provision of water supply to the development. The applicant might need to extend his/her inside services to the nearest suitable government water mains for connection. The applicants should resolve any land matter (such as private lots) associated with the provision of water supply and should be responsible for construction, operation and maintenance of the inside services within the private lots to WSD's standards.

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-TMT/21 Proposed Minor Relaxation of Building Height Restriction
(from 9m to 10m) in "Residential (Group C) 3" zone,
Lots 285 S.A ss.1 & 285 RP in D.D. 252, Sai Kung
(RNTPC Paper No. A/SK-TMT/21)

9. The Secretary said that SLN & Associates Ltd. (SLN) was a consultant of the application. Dr. James C.W. Lau, having current business dealings with SLN, had declared interests in this item.

[Dr. James C.W. Lau left the meeting temporarily at this point.]

Presentation and Question Sessions

10. Ms. Ann O.Y. Wong, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) the proposed minor relaxation of building height restriction from 9m to 10m in the “Residential (Group C)3” zone;
- (c) departmental comments – the Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) considered the visual impact resulted from the proposed building height relaxation from 9m to 10m was unlikely to be significant;
- (d) during the statutory publication period, one public comment was received. The commenter was mainly concerned about the setting of an undesirable precedent and the adverse visual impact; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments given in paragraph 10 of the Paper. The proposed 3-storey residential house was in line with the planning intention of the “R(C)3” zone. The proposed minor relaxation of 1m was mainly to meet the minimum height requirement for the basement carport stipulated by the Transport Department and to provide a reasonably comfortable headroom with a marginally higher ceiling. The proposed relaxation would unlikely cause any adverse impacts in terms of landscape character, visual quality, traffic and infrastructural provision in the area. Regarding the public concerns on adverse visual impact and the setting of an undesirable precedent, the CTP/UD&L, PlanD was of the view that the visual impact resulted from the proposed building height relaxation was unlikely to be significant.

11. Members had no question on the application.

Deliberation Session

12. The Chairperson commented that the proposed relaxation of building height restriction of 1m was minor and acceptable.

13. After deliberation, the Committee decided to approve the application, on the

terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 10.10.2012, 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 and tree preservation proposals to the satisfaction of the Director of Planning or of the TPB; and
- (b) the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.

14. The Committee also agreed to advise the applicant :

- (a) to apply to the District Lands Officer/Sai Kung regarding the land exchange for the proposed development; and
- (b) to liaise with the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department regarding the submission of site formation plan covering the investigation of stability of any man-made slopes/retaining walls and natural slopes within or near the proposed development to the Building Authority for approval.

[The Chairperson thanked Ms. Ann O.Y. Wong, STP/SKIs, for her attendance to answer Members' enquires. Ms. Wong left the meeting at this point.]

[Dr. C.N. Ng arrived to join the meeting at this point.]

[Mr. B.W. Chan and Dr. James Lau returned to join the meeting at this point.]

Sha Tin, Tai Po and North District

[Mr. W.W. Chan and Ms. Lisa L.S. Cheng, Senior Town Planners/Shu Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

Agenda Item 5

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/DPA/NE-SC/1 Application for Amendment to the Approved Sham Chung Development Permission Area Plan No. DPA/NE-SC/3, to rezone the application site from “Agriculture”, “Village Type Development”, “Green Belt” and “Conservation Area” to “Other Specified Uses” annotated “Ecological Enhancement and Eco-tourism Development”, “Village Type Development”, “Green Belt” and “Conservation Area”, Various Lots in D.D. 190 and D.D. 203 and Adjoining Government Land, Sham Chung
(RNTPC Paper No. Y/DPA/NE-SC/1)

15. The Secretary reported that the application was submitted by two subsidiaries of Sun Hung Kai Properties Ltd. (SHKP). Messrs. Donald Yap and Y.K. Cheng had declared interests in this item as they had current business dealings with SHKP. As the applicants had requested to defer consideration of the application, they could be allowed to stay at the meeting.

Presentation and Question Sessions

16. The Committee noted that on 2.10.2008, the applicants requested for deferment of the consideration of the application for two months in order to allow sufficient time for the applicant to prepare further supplementary information to address the departmental comments.

Deliberation Session

17. 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 three months from the date of receipt of additional

information from the applicant. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 6

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/NE-KTS/1 Application for Amendment to the Draft Kwu Tung South Outline Zoning Plan No. S/NE-KTS/11 (in force at the time of submission) and Approved Kwu Tung South Outline Zoning Plan No. S/NE-KTS/12 (in force at the time of consideration) from “Agriculture” to “Government, Institution or Community (1)”, Various Lots in D.D. 100 and Adjoining Government Land, Lin Tong Mei, Kwu Tung South, Sheung Shui (RNTPC Paper No. Y/NE-KTS/1)

Presentation and Question Sessions

18. The Committee noted that on 24.9.2008, the applicants requested for deferment of the consideration of the application for three months in order to allow sufficient time for the applicant to prepare further supplementary information to address the departmental comments, solicit policy support and address the specific concerns raised by the Secretary for Education.

Deliberation Session

19. After deliberation, the Committee decided to defer a decision on the application 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 three months from the date of receipt of additional information from the applicant. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/DPA/NE-SC/1 Proposed Temporary Ecological Enhancement Works For a Period of
3 Years in “Agriculture” and “Coastal Protection Area” zones, Various
Lots in D.D. 190 and D.D. 203 and Adjoining Government Land,
Sham Chung
(RNTPC Paper No. A/DPA/NE-SC/1)

20. The Secretary reported that the application was submitted by two subsidiaries of Sun Hung Kai Properties Ltd. (SHKP). Messrs. Donald Yap and Y.K. Cheng had declared interests in this item as they had current business dealings with SHKP. As the applicants had requested to defer consideration of the application, they could be allowed to stay at the meeting.

Presentation and Question Sessions

21. The Committee noted that on 2.10.2008, the applicants requested for deferment of the consideration of the application for two months in order to allow sufficient time for the applicant to prepare further supplementary information to address the departmental comments.

Deliberation Session

22. 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 were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/MOS/72 Proposed House (New Territories Exempted House - Small House)
in “Green Belt” and “Village Type Development” zones,
Government Land in D.D. 167, Cheung Muk Tau Tsuen,
Ma On Shan
(RNTPC Paper No. A/MOS/72)

Presentation and Question Sessions

23. Mr. W.W. Chan, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments given in paragraph 12 of the Paper. The proposed NTEH(Small House) complied with the “Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories” in that the footprint of the proposed Small House fell entirely within the ‘VE’. Sympathetic consideration might be given as not less than 50% of the proposed NTEH/Small House footprint fell within the ‘VE’ of a recognized village and there was a general

shortage of land in meeting the demand for Small House development in the “V” zone of the village.

24. Members had no question on the application.

Deliberation Session

25. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 10.10.2012, 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.

26. The Committee also agreed to advise the applicant that :

- (a) there were no existing public stormwater drains available for connection in the area. The proposed development should have its own stormwater collection and discharge system to cater for the runoff generated within the site as well as overland flow from the surrounding areas;
- (b) the site was in an area where no public sewerage connection was available. The applicant should consult the Environmental Protection Department regarding the sewage treatment/disposal aspects of the proposed development and the provision of septic tank;
- (c) the existing water mains would be affected. The developer should bear the cost of necessary diversion works affected by the proposed development;
- (d) there were mature native trees in close proximity to the site. Construction of Small House should avoid interface problem with the trees; and
- (e) the permission was only given to the development under application. If provision of an access road was required for the proposed development, the

applicant should ensure that such access road (including any necessary filling/excavation of land) complied with the provisions of the relevant statutory plan and obtain planning permission from the TPB where required before carrying out the road works.

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-FTA/89 Proposed 3 Houses (New Territories Exempted House - Small House) with Ancillary Access Road in “Agriculture” zone,
Lots 191 S.A, 191 S.B, 191 S.C and 191 RP in D.D. 52, Fu Tei Au,
Sheung Shui
(RNTPC Paper No. A/NE-FTA/89)

Presentation and Question Sessions

27. Mr. W.W. Chan, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed 3 houses (New Territories Exempted House - Small House) with an ancillary access road;
- (c) departmental comments – the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD) had reservation on the application and considered that the proposed NTEHs should be confined within the “V” zone as far as possible. The Director of Agriculture, Fisheries and Conservation (DAFC) commented that as the potential for agricultural rehabilitation of the application site was low, he had no strong view against the application.
- (d) during the statutory publication period, one public comment stating “no

comment” was received. An objection had been received by the District Officer (North) from the village representatives of Wa Shan Village on the ground that the land of Wa Shan Village should only be developed for Small Houses by the villagers of Wa Shan Village; and

- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments given in paragraph 12 of the Paper. The proposed Small Houses complied with the “Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories” in that the majority of both the application site and the footprints of the proposed Small Houses fell within the ‘VE’ of Wa Shan Village and there was a general shortage of land in meeting the demand for Small House development in the “V” zone of the same village.

28. Members had no question on the application.

Deliberation Session

29. The Chairperson commented that the proposed developments complied with the “Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories”.

30. After further deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 10.10.2012, 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 drainage proposals to the satisfaction of the Director of Drainage Services or of the TPB;
- (b) the provision of firefighting access, water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB; and

- (c) the submission and implementation of tree preservation and landscaping proposals to the satisfaction of the Director of Planning or of the TPB.

31. The Committee also agreed to advise the applicant :

- (a) to note the Chief Engineer/Development(2), Water Supplies Department's (WSD) comments that:
 - (i) the application site was located within flood pumping gathering ground associated with River Indus and River Ganges pumping stations; and
 - (ii) for provision of water supply to the proposed development, the applicants might need to extend their inside services to the nearest suitable Government water mains for connection. The applicants 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; and
- (b) to note the Director of Agriculture, Fisheries and Conservation's comment that the application site was located next to an abandoned meander which was a mitigation area established under the Main Drainage Channels for Fanling, Sheung Shui and Hinterland which was currently managed by his Department. Should the application be approved, the applicants should be reminded to take good site practice to avoid any possible impact to the mitigation area.

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/375 Proposed House (New Territories Exempted House - Small House)
in “Agriculture” and “Village Type Development” zones,
Lot 433 S.A s.s.6 in D.D. 9, Yuen Leng Village, Tai Po
(RNTPC Paper No. A/NE-KLH/375)

Presentation and Question Sessions

32. Ms. Lisa Cheng, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments given in paragraph 11 of the Paper. The proposed NTEH/Small House development complied with the assessment criteria for NTEH/Small House development in that the application site was entirely within the ‘VE’ of Yuen Leng Village. There was a general shortage of land in meeting the demand for Small House development in the “V” zone of Yuen Leng, Kau Lung Hang San Wai and Kau Lung Hang Lo Wai Villages.

33. Members had no question on the application.

Deliberation Session

34. The Chairperson commented that the application complied with the “Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories”.

35. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 10.10.2012, 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 proposal to the satisfaction of the Director of Planning or of the TPB;
- (b) the provision of fire fighting access, water supplies and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (c) the submission and implementation of drainage facilities to the satisfaction of the Director of Drainage Services or of the TPB;
- (d) the connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Water Supplies or of the TPB; and
- (e) the provision of protective measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or of the TPB.

36. The Committee also agreed to advise the applicant :

- (a) that the actual construction of the proposed Small Houses should only begin after the completion of the public sewerage network;

- (b) that adequate space should be provided for the proposed Small Houses to be connected to the public sewerage network;
- (c) to note the Drainage Services Department's comments in paragraph 3 of Appendix IV of the Paper;
- (d) that the water mains in the vicinity of the site could not provide the standard fire-fighting flow;
- (e) to implement adequate measures to avoid causing disturbance to the partially-modified stream nearby during construction works;
- (f) that the "Code of Practice on Working near Electricity Supply Lines" established under the Electricity Supply Lines (Protection) Regulation (Cap. 406H) should be observed by the applicant and his contractors when carrying out works in the vicinity of the electricity supply lines. Prior to establishing any structure within the site, the applicant and his contractors should liaise with CLP Power Hong Kong Limited to divert the existing low voltage underground cables from the vicinity of the proposed development; and
- (g) to note that the permission was only given to the development under application. If provision of an access road was required for the proposed development, the applicant should ensure that such access road (including any necessary filling/excavation of land) complied with the provisions of the relevant statutory plan and obtain planning permission from the TPB where required before carrying out the road works.

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/266 Proposed Utility Installation for Private Project (Electricity Package Transformer) in “Village Type Development” zone,
Lots 1303 S.A and 1303 S.L ss. 1 in D.D. 92, Kam Tsin Village,
Sheung Shui
(RNTPC Paper No. A/NE-KTS/266)

Presentation and Question Sessions

37. The Committee noted that on 29.9.2008, the applicants requested for deferment of the consideration of the application for two months in order to allow sufficient time for the applicant to prepare further supplementary information to address the comments of the Transport Department.

Deliberation Session

38. 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 were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/267 Proposed Comprehensive Residential Development in “Comprehensive Development Area”, “Government, Institution or Community”, “Recreation” and areas shown as ‘Road’, Various Lots in D.D. 92 and Adjoining Government Land, Kwu Tung South, Sheung Shui
(RNTPC Paper No. A/NE-KTS/267)

39. The Secretary reported that the application was submitted by a subsidiary of Sun Hung Kai Properties Ltd. (SHKP). Messrs. Donald Yap and Y.K. Cheng had declared interests in this item as they had current business dealings with SHKP. As the applicant had requested to defer consideration of the application, they could be allowed to stay at the meeting.

Presentation and Question Sessions

40. The Committee noted that on 25.9.2008, the applicant requested for deferment of the consideration of the application for two months in order to allow sufficient time for the applicant to prepare further supplementary information to address the departmental comments.

Deliberation Session

41. 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 were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/390 Proposed House (New Territories Exempted House - Small House)
in “Agriculture” and “Village Type Development” zones,
Lot 818 R.P. in D.D. 10, Chai Kek Village, Tai Po
(RNTPC Paper No. A/NE-LT/390)

Presentation and Question Sessions

42. Ms. Lisa Cheng, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House) and the applicant’s request for not imposing any approval conditions to the planning permission;
- (c) departmental comments – no objection from concerned Government departments was received. Regarding the applicant’s request for not imposing approval conditions, the Director of Water Supplies considered that any granting of exemption of approval conditions would set an unfavourable precedent and open the floodgates to the construction of septic tanks in association with Small House developments on land lots within the Water Gathering Grounds (WGGs) and partly within the “Village Type Development” (“V”) zone. He advised that such request would not be supported;
- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments given in paragraph 12 of the Paper.

The proposed NTEH/Small House development complied with the assessment criteria for NTEH/Small House development in that more than 50% of the footprint of the Small House and 92% of the application site fell within the “V” zone, and there was a general shortage of land in meeting the demand for Small House development in the “V” zone of Chai Kek Village. However, given the fact that the site fell within WGGs and the proposed Small House could be connected to the planned sewerage system in the area, PlanD did not support the applicant’s request for not imposing approval conditions on sewerage connection so as to ensure that the proposed Small House would dispose of the effluent directly to the public sewers and to prevent further deterioration of the water quality within the WGGs.

43. Members had no question on the application.

Deliberation Session

44. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 10.10.2012, 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 proposal to the satisfaction of the Director of Planning or of the TPB;
- (b) the provision of fire fighting access, water supplies and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (c) the submission and implementation of drainage facilities to the satisfaction of the Director of Drainage Services or of the TPB;
- (d) the connection of the foul water drainage system to the public sewers to the

satisfaction of the Director of Water Supplies or of the TPB; and

- (e) the provision of protective measures to ensure no pollution or siltation would occur to the water gathering grounds to the satisfaction of the Director of Water Supplies or of the TPB.

45. The Committee also agreed to advise the applicant :

- (a) that the actual construction of the proposed Small Houses should only begin after the completion of the public sewerage network;
- (b) that adequate space should be provided for the proposed Small Houses to be connected to the public sewerage network;
- (c) that the public sewers would be laid in the vicinity of Lot No. 824 in D.D. 10 under the project 4332DS “Lam Tsuen Valley Sewerage”. The applicant could extend his sewer, at his own cost, to pass through other private lots to the nearest connection points of the planned sewerage system;
- (d) to note the Drainage Services Department’s comments in paragraph 3 of Appendix V of the Paper;
- (e) that for provision of water supply to the proposed development, the applicant might need to extend his inside services to the nearest suitable 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 Water Supplies Department’s standards;
- (f) that the water mains in the vicinity of the site could not provide the standard fire-fighting flow; and

- (g) to note that the permission was only given to the development under application. If provision of an access road was required for the proposed development, the applicant should ensure that such access road (including any necessary filling/excavation of land) complied with the provisions of the relevant statutory plan and obtain planning permission from the TPB where required before carrying out the road works.

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/672 Proposed Shop and Services (Fast Food Counter) in “Industrial” zone,
Unit 51, G/F, Wah Luen Industrial Centre,
15-21 Wong Chuk Yeung Street, Fo Tan, Sha Tin
(RNTPC Paper No. A/ST/672)

Presentation and Question Sessions

46. Mr. W.W. Chan, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services (fast food counter);
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) during the statutory publication period, three public comments against the application were received. They were concerned that the proposed development would lead to more air, traffic and environmental hygiene problems, and an over-provision of eating facilities in the area; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the

application based on the assessments given in paragraph 11 of the Paper. The use of the premises as a fast food counter was in line with the Town Planning Board Guidelines No. 25D as the applied use would not adversely affect the traffic conditions in the local road network. The proposed fast food counter was small in scale with direct discharge to the street. No objection from the concerned Government departments was received. Regarding the local concerns that the proposed fast food counter would lead to traffic, environmental, air pollution and hygienic problems, the relevant Government departments had no adverse comments on the application. However, in order not to jeopardize the long term planning intention of industrial use for the subject premises, the application could be approved on a temporary basis for a period of three years.

47. Members had no question on the application.

Deliberation Session

48. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.10.2011, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- (a) the submission of the fire safety measures within 6 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 10.4.2009;
- (b) the implementation of the fire safety measures within 9 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 10.7.2009; and
- (c) if the above planning conditions (a) or (b) 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.

49. The Committee also agreed to advise the applicant :

- (a) that a temporary approval of three years was given in order to allow the Committee to monitor the compliance of the approval conditions and the supply and demand of industrial floor space in the area to ensure that the long term planning intention of industrial use for the subject premises would not be jeopardized;
- (b) to apply to the District Lands Officer/Shia Tin, Lands Department for a temporary waiver for the applied use;
- (c) to note the comments of the Chief Building Surveyor/New Territories East, Buildings Department regarding the fire resistance of the walls and doors separating the application premises and adjacent units. Besides, some unauthorized building works had been carried out at the application premises which might be subject to enforcement actions under the Buildings Ordinance;
- (d) to note the comments of the Assistant Commissioner for Transport/New Territories, Transport Department that customers should only queue up inside the subject premises and should not obstruct pedestrian flow on the public footpaths;
- (e) to note the comments of the Director of Fire Services that the proposed fast food counter should only be licensed as a 'food factory' or as a 'factory canteen', and detailed fire service requirements would be formulated upon receipt of formal submission of general building plans or referral from the licensing authority; and
- (f) that refer to the 'Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises', which was promulgated by the TPB in September 2007, for the information on the steps required to be followed in order to comply with the approval condition on the provision of fire service installations.

[The Chairperson thanked Mr. W.W. Chan and Ms. Lisa L.S. Cheng, STPs/STN, for their attendance to answer Members' enquires. Mr. Chan and Ms. Cheng left the meeting at this point.]

Tuen Mun and Yuen Long District

[Mr. W.M. Lam, Miss Paulina Y.L. Kwan and Mr. Anthony C.Y. Lee, Senior Town Planners/Tuen Mun and Yuen Long (STPs/TMYL), were invited to the meeting at this point.]

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTYYY/170 Temporary Office (Ancillary Car Park for Private Cars and Light Goods Vehicles) for a Period of 3 Years
in "Residential (Group C)" zone,
Lots 1132 (Part), 1133 (Part), 1134 and 1135 s.B in DD 130,
Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTYYY/170)

Presentation and Question Sessions

50. The Committee noted that on 17.9.2008, the applicants requested for deferment of the consideration of the application for two months in order to allow sufficient time for the applicant to prepare further supplementary information to address the outstanding traffic and drainage issues in relation to the application.

Deliberation Session

51. 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 were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/173 Proposed Temporary Public Vehicle Park (Private Car) and Open Storage of Private Car Parts for a Period of 2 Years in “Green Belt” and “Residential (Group D)” zones, Lots 1212, 1214, 1243S.B and 1247 RP in DD130, Fuk Hang Tsuen Road, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/173)

Presentation and Question Sessions

52. The Committee noted that on 29.9.2008, the applicants requested for deferment of the consideration of the application in order to allow sufficient time for the applicant to prepare further supplementary information to address the departmental comments.

Deliberation Session

53. 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 were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/287 Proposed Temporary Open Storage of Building Materials and
Machineries for a Period of 3 Years in “Recreation” zone,
Lots 114(Part), 115RP(Part) and 203(Part) in D.D. 126, Ping Shan,
Yuen Long
(RNTPC Paper No. A/YL-PS/287)

Presentation and Question Sessions

54. Mr. W.M. Lam, STP/TMYL, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary open storage of building materials and machineries;
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) during the statutory publication period, one public comment from a Member of the Yuen Long District Council was received. He objected to the application on the grounds that the applied use was not in line with the “Recreation” (“REC”) zone; the proposed development would affect future recreational development in the locality; and the site was in proximity to residential developments and would affect residents’ living environment; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary development could be tolerated for a period of three years, based on the assessments given in paragraph 12 of the Paper. Although the proposed temporary development was not in line with the planning

intention of the “REC” zone, it was only temporary in nature and would not frustrate the implementation of the long-term planning intention of the zone. The site fell within Category 3 areas under TPB PG-No. 13D. Sympathetic consideration might be given to the application as there were previous planning approvals and the approval conditions under the previous permission (No. A/YL-PS/205) had all been complied with. There were no adverse comments from the concerned Government departments, and approval conditions could be imposed to address any potential environmental impacts.

55. Members had no question on the application.

Deliberation Session

56. The Chairperson commented that this was essentially an application for the continuation of temporary development at the application site. It could be tolerated before the implementation of the permanent use at the site.

57. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.10.2011, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- (a) no night-time operation between 7:00 p.m. and 7:00 a.m., as proposed by the applicant, was allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays was allowed on the site during the planning approval period;
- (c) no handling (including loading, unloading, storage and open storage) of electrical appliances including computer parts and television sets was allowed on the site at any time during the planning approval period;
- (d) no dismantling, repairing and other workshop activities were allowed on the site at any time during the planning approval period;

- (e) no goods vehicles exceeding 24 tonnes, container vehicles, container tractors and trailers, heavy cranes were allowed to be stored/operated on the site at any time during the planning approval period;
- (f) no vehicles without valid licences issued under the Road Traffic Ordinance were allowed to be parked/stored on site at any time during the planning approval period;
- (g) the submission of a landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 10.4.2009;
- (h) in relation to (g) above, the implementation of the landscape and tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 10.7.2009;
- (i) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.4.2009;
- (j) in relation to (i) above, the provision of drainage facilities as proposed within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.7.2009;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) was not complied with during the planning approval period, the approval hereby given should cease to have effect and should be revoked immediately without further notice;
- (l) if any of the above planning conditions (g), (h), (i) or (j) 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

- (m) 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 TPB.

58. The Committee also agreed to advise the applicant :

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the application site;
- (b) that the permission was given to the use/development under application. It did not condone any other use/development which currently existed on the site but not covered by the application. The applicant should be requested to take immediate action to discontinue such use/development not covered by the permission;
- (c) to note the District Lands Officer/Yuen Long, Lands Department's comments that Government land within the site was occupied without approval from his office and the applicant should apply for Short Term Tenancy to regularise the irregularities on the site;
- (d) to note the Assistant Commissioner for Transport/New Territories, Transport Department's comment that the land status of the road/path/track leading to the site should be checked with the lands authority and that the management and maintenance responsibilities of the same road/path/track should be clarified and the relevant lands and maintenance authorities should be consulted accordingly; and
- (e) to adopt the "Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the Environmental Protection Department.

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/279 Proposed Residential Development with Commercial Facilities and Government, Institution or Community Site in “Undetermined” zone, Lot 2099 in D.D. 109 and Adjoining Government Land, Ha Ko Po Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/279)

59. The Secretary reported that the application was submitted by a subsidiary of Sun Hung Kai Properties Ltd. (SHKP). Messrs. Donald Yap and Y.K. Cheng had declared interests in this item as they had current business dealings with SHKP.

[Messrs. Donald Yap and Y. K. Cheng left the meeting temporarily at this point.]

Presentation and Question Sessions

60. Miss Paulina Y.L. Kwan, STP/TMYL, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed residential development with commercial facilities and a government, institution or community site;
- (c) departmental comments – the Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) considered that the building height profile had been reduced and the overall visual impact was less dominant than before. The Chief Architect, Advisory and Statutory Compliance Division, Architectural Services Department (CA/ASC, ArchSD) commented that there was scope for further improvement to the layout and design of the proposed development. The Director of Agriculture, Fisheries and Conservation (DAFC) commented that the applicant should note the potential ecological impact arising from the

formation work of the Government, Institution/Community (GIC) site in the vicinity of the Tung Shing Lei egrettry;

- (d) during the statutory publication periods, a total of nine public comments were received. Three of them were from three Yuen Long District Council Members. The others came from village representatives of Shui Tau Tsuen and Ko Po Tsuen. They objected to the application on the grounds of excessive building height and development intensity. There were concerns that the development would cause adverse traffic, drainage, landscape, environmental and fung shui impacts to the surrounding areas. There were also concerns about the adverse impacts on community and recreational facilities, landing/taking off of aircrafts using Shek Kong Barrack, structural safety of the nearby village houses and the change of D.D. numbers without proper announcement/consultation; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments given in paragraph 11 of the Paper. The application was the subject of a previously approved scheme (No. A/YL-KTN/221). Compared to the approved scheme, the proposed use and major development parameters including domestic and non-domestic GFA/plot ratio and maximum building height remained unchanged. The current scheme which introduced stepped height profile, lower and more diverse building heights, wider building gaps and plazas would enhance the visual interest of the development, improve air ventilation and communal green space, and was considered more compatible with the surrounding rural setting. The Environmental Assessment, the Drainage Impact Assessment and the Traffic Impact Assessment (TIA) had demonstrated that the proposed development would not generate adverse impacts on the surrounding areas. Relevant Government departments had no adverse comment on the application. Most of the public comments had been raised before in the previous applications and had been duly considered by the Committee. Appropriate approval conditions were recommended in response to some of the public comments.

61. In response to a question from a Member, Miss Paulina Kwan replied that the Director of Environmental Protection (DEP)'s comments under paragraph 9.1.3(d)(ii) that "3m high boundary wall at G/F of towers DD11-20 are also missing" merely pointed out that there were some missing information in the revised traffic noise impact assessment. DEP had in fact no in-principle objection to the application and considered that the imposition of approval condition relating to environmental mitigation measures was not required. Mr. C.W. Tse supplemented that the missing information would not affect the view of DEP on the application. In response to the same Member's query on why a revised TIA was required, Mr. Y.M. Lee replied that it was required as there were changes in the car parking provisions in the revised development scheme.

62. In response to a question from another Member, Miss Paulina Kwan pointed out that the Tung Shing Lei egretty was situated to the northwest of the application site. According to the information of AFCD, the egretty was recorded in the ecological impact assessment associated with the MTR West Rail project.

63. In response to a question from the same Member on the GIC site within the proposed scheme, Miss Paulina Kwan indicated that the site was originally reserved for two secondary schools. However, in 2005-2006, the former Secretary for Education and Manpower confirmed that the two schools were no longer required. The site would therefore be reserved to meet other long-term demand for GIC uses in the surrounding areas. Under the lease conditions, the developer would be required to form, maintain and provide access for a GIC site until such time that possession of the area should be redelivered to the Government. The same Member asked if the development of the two schools was regarded as a planning gain when the comprehensive development was originally approved. Miss Kwan confirmed that in the original approved scheme, the developer was only required to reserve and form the GIC site. The developer was not required to build the two schools. Referring to the paper and minutes of the Committee meeting on 3.1.2003 when the development scheme was first approved (Application No. A/YL-KTN/127), the Secretary confirmed that the reservation of the GIC site was not regarded as a "planning gain". In the current proposal, the GIC site could be retained for long-term use.

64. Another Member asked if the development of 23-storey building blocks was considered compatible with the surrounding development. Miss Paulina Kwan replied that

while the areas to the south and east of the application site were generally village houses of low building heights, there was a proposed residential development at Sha Po with a minor relaxation of building height restriction from 14 storeys to 16 storeys on the other side of Kam Tin River which was approved by the Committee in 2001 (No. A/YL-KTN/118). The Secretary supplemented that when the proposed residential scheme at Sha Po was considered by the Committee, Members raised concerns on the building height of the proposed scheme. As the proposed minor relaxation of building height restriction would allow a better design with a reduction of building blocks, the application at Sha Po was approved including a condition on the submission on a revised visual impact assessment.

65. Another Member asked if there was any existing building over 20 storeys in height in the locality. Miss Paulina Kwan said that there was currently no existing building in the surrounding areas with a building height of more than 20 storeys. In response to the same Member's question on the height of the West Rail viaduct nearby, Miss Paulina Kwan said that she did not have any information at hand and she estimated that the West Rail viaduct was about 30m in height.

66. In response to a query from another Member, Miss Paulina Kwan replied that a noise impact assessment had been conducted and DEP considered it satisfactory.

Deliberation Session

67. The Chairperson said that there were several previous planning permissions at the application site for the proposed residential development. As compared with the previously approved scheme, the number of high-rise towers of 23 storeys in height had been reduced from 17 to 5 blocks, and there was an addition of low-rise towers and houses. The changes in the current scheme represented an improvement to the development scheme previously approved.

68. After further deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 10.10.2012, 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 design and layout for the proposed development to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission of Landscape Master Plan including a comprehensive tree felling/transplanting proposal and compensatory planting proposal, and the implementation of the approved Landscape Master Plan and tree felling/transplanting proposal and compensatory planting proposal to the satisfaction of the Director of Planning or of the TPB;
- (c) the implementation of ecological mitigation measures as proposed by the applicant to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;
- (d) the submission of a revised Drainage Impact Assessment and implementation and maintenance of flood mitigation measures identified therein and provision of any other stormwater drainage facilities to the satisfaction of the Director of Drainage Services or of the TPB;
- (e) the design and provision of emergency vehicular access (EVA), water supply for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (f) the submission of a revised traffic impact assessment to the satisfaction of the Commissioner for Transport or of the TPB;
- (g) the design and implementation of the vehicular access road to the southeast of the application site, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (h) the formation of a reserved Government, Institution or Community (GIC) site as proposed by the applicant to the satisfaction of the Director of Lands or of the TPB.

69. The Committee also agreed to advise the applicant to note :
- (a) the District Lands Officer/Yuen Long, Lands Department's comments that the applicant should be advised to submit appropriate lease modification for his consideration. His comments on the detailed design and disposition of the proposed residential development would be reserved until the formal submission of building plans. The applicant was also advised to seek his formal approval under lease regarding the Drainage Impact Assessment, tree felling application etc.;
 - (b) the Director of Environmental Protection's comments on the revised Traffic Noise Impact Assessment;
 - (c) the Chief Building Surveyor/New Territories West, Buildings Department's comments that the proposed access road of not less than 4.5m wide should be completed prior to the application of the Occupation Permit. The domestic and non-domestic site coverage of the proposed development should not exceed the permissible figures stipulated in the First Schedule of the Building (Planning) Regulation (B(P)R). The provision of open space should not be less than the requirement as stipulated in the Second Schedule of the B(P)R. Besides, the proposed noise barriers, unless exempted, were accountable for Gross Floor Area (GFA) and site coverage calculation under the Buildings Ordinance (BO). The prescribed windows for habitable rooms and kitchens must be provided with effectual means of glazing areas and openable portions satisfying the criteria laid down in the B(P)R. In addition, the proposed site would be developed into the residential development and the alternative GIC facilities. If these two portions of site would be completed and occupied separately, each portion should be self-sustainable under the BO and the corresponding phasing plans should be submitted on its own entity for consideration under the BO. Any internal streets required under BO S.16(1)(p), and any right of way required under the lease within the lot boundary leading to the GIC site and adjacent private lots should be deducted from site area for the purpose of PR and site coverage calculations under the BO. Furthermore, the area for

recreational facilities was accountable for GFA calculation under the BO, unless otherwise exempted;

- (d) the Chief Architect/Advisory & Statutory Compliance, Architectural Services Department's comments on the layout, disposition and open space provision of the proposed development to minimize the possible visual impact;
- (e) the Chief Engineer/Development (2), Water Supplies Department's (WSD) comments that existing water mains would be affected. The developer should protect the affected water mains and bear the cost of any necessary diversion works affected by the proposed development. In case it was not feasible to divert the affected water mains, a waterworks reserve within 1.5m from the centreline of the water mains should be provided to WSD. No structure should be erected over this waterworks reserve and such area should not be used for storage purposes. The Water Authority and his officers and contractors, his or their workmen should have free access at all times to the area with necessary plant and vehicles for the purpose of laying, repairing and maintenance of water mains and all other services across, through or under it which the Water Authority might require or authorize. Besides, the water mains in the vicinity of the site could not provide the standard fire-fighting flow;
- (f) the Chief Town Planner/Urban Design and Landscape, Planning Department's comments that the building façade of the single aspect buildings and the noise barriers along the southwestern boundary should be designed to minimize adverse visual impact to the townscape. Besides, the tree survey report should be updated and section drawing should be provided to show the edge treatment along the southwestern boundary in particular the relationship of the 3m periphery planting strip and podium. Moreover, podium tree planting should be provided to balance the limited landscape buffer at the ground level;
- (g) the Director of Fire Services' comments that detailed fire safety

requirements would be formulated upon receipt of formal submission of general building plans. Furthermore, the EVA in the site should comply with the standard as stipulated in Part VI of the Code of Practice for Means of Access for Firefighting and Rescue under the B(P)R 41D;

- (h) the Director of Electrical and Mechanical Services' comments that based on the information provided by CLP Power Hong Kong Limited (CLPP), there were high voltage (132kV and 11kV) underground cables, high voltage (11kV) overhead lines, low voltage underground cables and low voltage overhead lines within and in the vicinity of the site. Prior to establishing any structure within the site, the applicant and his contractors should liaise with CLPP in respect of the safety clearances required for activities near the overhead lines. In the circumstance that the safety clearances of the concerned overhead lines were insufficient or electrical danger might arise due to their proximity to the subject development, the applicant and his contractors should liaise directly with CLPP to divert the concerned section of the overhead lines or have them replaced by underground cables. The "Code of Practice on Working near Electricity Supply Lines" established under the Electricity Supply Lines (Protection) Regulation should be observed by the applicant and his contractors when carrying out works in the vicinity of the electricity supply lines;
- (i) the Chief Engineer/Railway Development (2-2), Railway Development Office, Highways Department's comments that part of the site was located within the railway protection zone of West Rail. The applicant was advised to contact Mass Transit Railway Corporation Limited for any railway protection requirements;
- (j) the Director of Agriculture, Fisheries and Conservation's comments that the Tung Shing Lei egretty had been recorded as one of the major nesting colonies of Little Egret and Chinese Pond Heron in Hong Kong. This should be taken into account in evaluating the potential ecological impacts caused by the site formation works in the area proposed for GIC use located in the vicinity of the egretty; and

- (k) the Secretary for Security's comments that the development should comply with the air height restrictions of Shek Kong Airfield.

[Mr. Tony Kan left the meeting temporarily at this point.]

[Messrs. Donald Yap and Y.K. Cheng returned to join the meeting at this point.]

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/569 Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 1 Year in "Village Type Development" zone, Lots 95 (Part), 96 S.A (Part), 96 S.B (Part), 97 S.A, 97 S.B (Part), 97 RP (Part), 98 S.A (Part), 98 S.B (Part), 98 S.C, 98 S.D and 98 RP (Part) in D.D. 111 and Adjoining Government Land, Fan Kam Road, Shui Kan Shek, Yuen Long
(RNTPC Paper No. A/YL-PH/569)

Presentation and Question Sessions

70. Miss Paulina Y.L. Kwan, STP/TMYL, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary public vehicle park (excluding container vehicle) for a period of 1 year;
- (c) departmental comments – the Director of Environmental Protection (DEP) did not support the application as there were sensitive uses including residential dwellings located immediately to the east and southeast of the site, and environmental nuisances were expected. Two environmental

complaints were also received in 2007 on air and wastes problems. The Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD) considered that the existing track connecting Fan Kam Road and the site was about 3m wide and was not sufficient for two-way traffic of goods vehicles. The Director of Agriculture, Fisheries and Conservation (DAFC) commented that precautionary measures should be undertaken to avoid any potential disturbance, particularly in terms of surface runoff, to the surrounding areas;

- (d) during the statutory publication period, one public comment was received from the local villagers. They objected to the application claiming that the applied use was not genuine and the actual operation would be different; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments as detailed in Paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “V” zone and was incompatible with the surrounding residential dwellings located to the east and southeast of the application site. No strong justifications had been given in the submission to warrant a departure from the planning intention, even on a temporary basis. There was generally no change in site circumstances since the rejection of the five previous planning applications for open car park and storage uses at the site. There were also adverse departmental and public comments on the application. There was insufficient information in the submission to demonstrate that the proposed development would not generate adverse environmental, traffic, drainage and landscape impacts on the surrounding areas.

71. Members had no question on the application.

Deliberation Session

72. 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 “Village Type Development” zone on the Outline Zoning Plan, which was to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. No strong justification had been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) there was no previous planning approval granted for the site and there were adverse public and departmental comments on the potential adverse impacts of the proposed development; and
- (c) there was insufficient information in the submission to demonstrate that the proposed development would not cause adverse environmental, traffic, drainage, and landscape impacts on the surrounding areas.

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/230 Proposed Temporary Animal Boarding Establishment (Kennel)
with Ancillary Dog Recreational Facilities for a Period of 3 Years
in “Village Type Development” zone, Lots 24 RP (Part), 26 RP (Part)
and 28 RP (Part) in D.D. 118 and Adjoining Government Land,
Tai Tong Road, Hung Tso Tin Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TT/230)

Presentation and Question Sessions

73. Miss Paulina Y.L. Kwan, STP/TMYL, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary animal boarding establishment (kennel) with ancillary dog recreational facilities for a period of 3 years;
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments as detailed in Paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “V” zone and was considered incompatible with the surrounding residential developments. There was insufficient technical assessment in the submission to demonstrate that the applied use would not generate adverse drainage impact on the surrounding areas. There was no previous and similar application in the subject “V” zone and the site was being converted into a kennel without a valid planning permission. Approval of the application would set an undesirable precedent and encourage other similar applications for similar developments within the subject “V” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment in the area.

74. Members had no question on the application.

Deliberation Session

75. 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, which was to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within the zone was primarily intended for development of Small Houses by indigenous villagers. It was also intended to concentrate village type development within the zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. The proposed development was also considered incompatible with the surrounding residential developments in the “V” zone. No strong justification had been given in the submission on the demand for the proposed animal boarding establishment on site in the vicinity that warrants a departure from the planning intention, even on a temporary basis;
- (b) there was insufficient technical assessment in the submission to demonstrate that the applied use would not generate adverse drainage impact on the surrounding areas; and
- (c) the approval of the application would set an undesirable precedent and encourage other similar applications for similar development within the subject “V” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.

[Mr. Tony Kan returned to join the meeting at this point.]

[Mr. Rock Chen left the meeting temporarily at this point.]

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/232 Temporary Warehouse (Excluding Dangerous Goods Godown)
for a Period of 3 Years
in “Other Specified Uses” annotated “Rural Use” zone,
Lots 3596 RP (Part), 3619 RP (Part) and 3633 RP in D.D. 116 and
Adjoining Government Land, Yau Cha Po, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/232)

Presentation and Question Sessions

76. Miss Paulina Y.L. Kwan, STP/TMYL, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary warehouse (excluding dangerous goods godown) for a period of 3 years;
- (c) departmental comments – the Director of Environmental Protection (DEP) reported that there was no environmental complaint regarding the application site in the past three and a half years. However, he did not support the application as there were sensitive receivers including residential dwellings immediately next to the application site. The Director of Fire Services was unable to offer his comment as the applicant had not provided sufficient details on the submitted drawings;
- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments as detailed in Paragraph 12 of the Paper. The application did not comply with the TPB PG-No. 38 as the

development was not in line with the planning intention of the “Other Specified Uses” annotated “Rural Use” (“OU(RU)”) zone. The development was considered not compatible with the surrounding rural land uses with residential dwellings located immediately next to the application site. In view of this, DEP did not support the application. There was also insufficient information in the submission to demonstrate that the development would not cause adverse environmental, traffic and drainage impacts to the surrounding areas. No previous approval for similar warehouse use had been approved within the same “OU(RU)” zone. There was no information in the submission to justify the need for allowing the warehouse development in the “OU(RU)” zone and why the proposed storage of refrigerators could not be accommodated in industrial buildings.

[Mr. Rock Chen returned to join the meeting at this point.]

77. Members had no question on the application.

Deliberation Session

78. The Chairperson commented that the application site, being so close to residential dwellings, was not suitable for use as a warehouse.

79. 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 “Other Specified Uses” annotated “Rural Use” zone which was primarily for the preservation of the character of the rural area. Uses or developments compatible with the rural landscape, such as passive recreation uses and a selected range of rural uses, might be allowed on application to the Board, with a view to upgrading or improving the area or providing support to the local communities. No strong justification had been given in the submission for a departure from the planning intention, even on a temporary basis;

- (b) the development was considered not compatible with the surrounding rural land uses with residential dwellings located immediately next to the site at the east and south, and to the further north, northeast, west and northwest across the nullahs. No previous approval had been granted at the site for warehouse use and there were adverse departmental comments against the application;
- (c) there was insufficient information in the submission to demonstrate that the development would not cause environmental, traffic and drainage impacts on the surrounding areas;
- (d) there was no information to support why the proposed storage of refrigerators could not be accommodated in purpose-built industrial buildings; and
- (e) the approval of the application would set an undesirable precedent for similar uses to proliferate into the zone. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/564 Temporary Warehouse of Electronic Parts, Paper Products and Non-flammable Materials and Ancillary Tyre Repair Workshop for a Period of 3 Years in “Comprehensive Development Area” zone, Lots 3305 RP (Part), 3306 (Part), 3307 RP, 3310 S.A RP (Part), 3310 S.B (Part), 3311 RP, 3312 S.A (Part), 3312 S.B, 3313 (Part) and 3314 (Part) in D.D. 129, Ha Tsuen, Yuen Long

(RNTPC Paper No. A/YL-HT/564)

80. The Secretary informed the meeting that replacement page 9 of the Paper

rectifying a typo in para. 13.2 was tabled at the meeting for Members' reference.

Presentation and Question Sessions

81. Mr. Anthony C.Y. Lee, STP/TMYL, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary warehouse of electronic parts, paper products and non-flammable materials and ancillary tyre repair workshop for a period of 3 years;
- (c) departmental comments – the Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity of the application site and the access road (Ping Ha Road);
- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary warehouse could be tolerated for a period of three years, based on the assessments given in paragraph 12 of the Paper. The application site fell within Category 1 areas under the TPB PG-No. 13D. The application use was not incompatible with the surrounding uses. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “Comprehensive Development Area” (“CDA”) zone since there was no known programme to develop the site for the zoned use. Relevant Government departments concerned had no adverse comment on the application. The DEP, the Chief Town Planner/Urban Design & Landscape, Planning Department and the Director of Fire Services (D of FS)'s concerns could be addressed by imposing appropriate approval conditions.

82. A Member noted that there were some structures within the application site and the advice of Director of Buildings might be relevant. Mr. Anthony Lee replied that the Director of Buildings had not been consulted on the application. The Secretary stated that, for open storage applications without involving building structures in general, it might not be necessary to consult the Director of Buildings. However, for cases which involved warehouse or other structures, comments from the Buildings Department needed to be obtained.

Deliberation Session

83. The Chairperson proposed that as comments from the Director of Buildings were outstanding, it would be prudent for the Committee to defer the application to allow time for Planning Department to seek comments from Buildings Department. Members agreed.

84. After further deliberation, the Committee decided to defer a decision on the application pending the comments of Buildings Department on the application.

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/568 Temporary Open Storage of Construction Machinery and Materials,
Recycling Materials and Scrap Metals for a Period of 3 Years
in “Undetermined” zone, Lots No. 1841 S.A (Part), 1842 (Part),
1852 RP (Part), 1853, 1856 (Part) and 1857 RP (Part) in D.D. 125,
Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/568)

Presentation and Question Sessions

85. Mr. Anthony C.Y. Lee, STP/TMYL, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) the temporary open storage of construction machinery and materials, recycling materials and scrap metals for a period of 3 years;
- (c) departmental comments – the Director of Environmental Protection (DEP) commented that one waste pollution complaint against the site was received in 2005, but she had no objection to the application;
- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)'s views – the PlanD considered that the temporary open storage could be tolerated for a period up to 7.3.2011 based on the assessments given in paragraph 12 of the Paper. The site fell within Category 1 areas under the TPB PG-No. 13D. The open storage was not incompatible with the surrounding land uses in the subject "U" zone. The current application was only an amendment to the previous application No. A/YL-HT/534 approved by the Committee on 7.3.2008 to include open storage of recycling materials and scrap metals at the northeastern part of the site. The applicant had demonstrated genuine effort in complying with the approval conditions of the previous planning permission. To mitigate any potential environmental impacts, approval conditions on operation hours had been proposed. To tie in with the approval period of the previous planning permission (No. A/YL-HT/534) which was still effective, a shorter approval period up to 7.3.2011 and shorter compliance periods were recommended.

86. In response to a query from the Chairperson, Mr. Anthony Lee replied that the boundary of the application site was very similar to Application No. A/YL-HT/534 and was only slightly smaller.

Deliberation Session

87. After deliberation, the Committee decided to approve the application on a

temporary basis for a period until 7.3.2011, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- (a) no night-time operation between 11:00 p.m. to 7:00 a.m. was allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays was allowed on the site during the planning approval period;
- (c) no open storage of electronic computer boards, computer components or TV sets was allowed on the site at any time during the approval period;
- (d) no cutting, dismantling, cleansing, repairing, compaction and workshop activity, including container repair and vehicle repair, was allowed on the site at any time during the planning approval period;
- (e) the existing trees on the site should be maintained at all times during the planning approval period;
- (f) the existing drainage facilities implemented under the previous approved Application No. A/YL-HT/380 should be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities approved under Application No. A/YL-HT/380 within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.1.2009;
- (h) the submission of fire service installations proposals within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.1.2009;
- (i) in relation to (h) above, the provision of fire service installations proposed within 6 months from the date of planning approval to the satisfaction of

the Director of Fire Services or of the TPB by 10.4.2009;

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

88. The Committee also agreed to advise the applicant :

- (a) that a shorter approval period was granted and shorter compliance periods were granted as the approval period was to tie in with that granted to the previously approved temporary open storage of construction machinery and materials under application No. A/YL-HT/534;
- (b) that prior planning permission should have been obtained before commencing the open storage of containers on the site;
- (c) to resolve any land issues relating to the development with the concerned owner(s) of the application site;
- (d) to note the District Lands Officer/Yuen Long, Lands Department's comments that the lots under application were Old Schedule Agricultural Lots held under the Block Government Lease under which no structure was allowed to be erected without prior approval from his Office. His Office reserved the right to take action as appropriate should any breach of the conditions of the Short Term Waiver be found. The existing occupation area was found to be different with that under application and the applicant should be required to clarify this discrepancy;
- (e) to follow the latest "Code of Practice on Handling Environmental Aspects

of Temporary Uses and Open Storage Sites” issued by the Director of Environmental Protection;

- (f) to note the Director of Fire Services’ comments that relevant layout plans incorporating the proposed fire service installations (FSIs) should be submitted to his Department for consideration and approval. The applicant should also be advised that the layout plans should be drawn to scale and depicted with dimensions, and the location where the proposed FSIs to be installed should be clearly marked on the building plans;
- (g) to 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 from Ping Ha Road should be checked with the lands authority and that the management and maintenance responsibilities of this access road/path/track should be clarified, and the relevant lands and maintenance authorities should be consulted accordingly;
- (h) to note the Chief Engineer/Development (2), Water Supplies Department (WSD) comments that for provision of water supply to the development, the applicant might need to extend his/her inside services to the nearest suitable 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.

Agenda Item 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/569 Temporary Logistic Centre and Warehouse for a Period of 3 Years
in “Comprehensive Development Area” zone, Lots 80(Part), 88(Part),
89(Part), 90(Part), 91(Part) and 92(Part) in D.D. 125, Ha Tsuen,
Yuen Long
(RNTPC Paper No. A/YL-HT/569)

Presentation and Question Sessions

89. Mr. Anthony C.Y. Lee, STP/TMYL, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary logistic centre and warehouse for a period of 3 years, with operation hours from 8a.m. to 8p.m. (Mondays to Saturdays);
- (c) departmental comments – the Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity of the application site and the access road (Ping Ha Road). Other concerned departments, including the Director of Agriculture, Fisheries and Conservation (DAFC) and the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD), had no adverse comment on the application;
- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)’s views – the PlanD considered that the temporary logistics centre and warehouse could be tolerated for a period of 3 years based on the assessments given in paragraph 13 of the Paper. The application site fell within Category 1 areas under the TPB PG-No. 13D.

The use under application was not incompatible with the surrounding uses. To address DEP's concerns and mitigate any potential environmental impacts, approval conditions restricting the operation hours had been recommended. The revised operation hours from 8a.m. to 8p.m. from Mondays to Saturday were not unreasonable considering the nature of the applied use, the location of the nearest residential dwelling, and the operation hours of similar applications approved by the Committee in the vicinity of the site.

90. Members noted that there were some structures at the application site. Mr. Anthony Lee said that the Director of Buildings had not been consulted on the application.

Deliberation Session

91. Similar to the application No. A/YL-HT/564 considered earlier on, the Chairperson proposed that as comments from the Director of Buildings might be relevant, it would be prudent for the Committee to defer the application to allow time for Planning Department to seek comments from Buildings Department. Members agreed.

92. After further deliberation, the Committee decided to defer a decision on the application pending the comments of Buildings Department on the application.

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/570 Temporary Public Vehicle Park (Private Cars, Goods Vehicles, Container Vehicles and Trailers) for a Period of 3 Years in "Undetermined" zone, Lots 1824 S.A RP (Part), 1824 S.B RP(Part), 1824 S.C(Part), 1827 S.B (Part), 1827 S.B ss.1, 1828(Part), 1844(Part), 1845(Part), 1846(Part), 1848 and 1849(Part) in D.D.125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/570)

Presentation and Question Sessions

93. Mr. Anthony C.Y. Lee, STP/TMYL, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary public vehicle park (private cars, goods vehicles, container vehicles and trailers) for a period of 3 years, with operation hours from 8a.m. to 8p.m. (Mondays to Sundays);
- (c) departmental comments – the Director of Environmental Protection (DEP) did not support the application as the operation involved container vehicles and heavy goods vehicles. Other relevant Government departments concerned had no adverse comment on the application;
- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)'s views – the PlanD considered that the temporary public vehicle park could be tolerated for a period of 3 years based on the assessments given in paragraph 12 of the Paper. The site fell within Category 1 areas under the TPB PG-No. 13D. The public vehicle park was not incompatible with the surrounding land uses in the subject "Undetermined" ("U") zone which was predominantly occupied by open storage yards. Since the long-term use of the zone had not been determined, approval of the application on a temporary basis would not frustrate the long-term planning intention of the zone. The current application was to revise the operation hours of the previous planning permission (No. A/YL-HT/539) approved by the Committee for the same use on the same site on 9.5.2008. The revised operation hours of 8a.m. to 8p.m. were not unreasonable in view of the operational needs of the logistics industry. However, to reflect the Committee's decisions on similar applications for open storage in the vicinity under Applications No.

A/YL-HT/532 and 547, it was recommended that operation of the site on Sundays and public holidays should be prohibited. To address the DEP's concerns and mitigate any potential environmental impacts, approval conditions including the prohibition of night-time operation and workshop activities had been recommended.

94. In response to a query from the Chairperson, Mr. Anthony Lee confirmed that the applicant sought to revise the operation hours so that the temporary public vehicle park could operate every day from 8a.m. to 8p.m. PlanD recommended that the revised operation hours of 8a.m. to 8p.m., as proposed by the applicant, should only be allowed during weekdays, and the operation of public vehicle park on Sundays and public holidays should be prohibited.

Deliberation Session

95. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.10.2011, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- (a) no vehicle dismantling, repairing or workshop activities should be permitted on the application site during the planning approval period;
- (b) no operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicant, should be carried out at the application site during the planning approval period;
- (c) no operation on Sundays and public holidays should be carried out at the application site during the planning approval period;
- (d) the setting back of the eastern boundary of the site to avoid encroachment upon the proposed resumption area of the project of "Yuen Long and Kam Tin Sewerage and Sewage Disposal" of PWP Item No. 235DS as when required to the satisfaction of the Director of Drainage Services or of the TPB;

- (e) the existing trees on the site should be maintained at all times during the planning approval period;
- (f) the implementation of the accepted drainage proposal under application No. A/YL-HT/477 within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.4.2009;
- (g) the submission of fire service installations proposals within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.4.2009;
- (h) in relation to (g) above, the provision of fire service installations proposed within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.7.2009;
- (i) the provision of fencing for the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 10.4.2008;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (e) was not complied with during the approval period, the approval hereby given should cease to have effect and should be revoked immediately without further notice; and
- (k) if any of the above planning conditions (f), (g), (h) or (i) 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.

96. The Committee also agreed to advise the applicant :

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the application site;

- (b) that the permission was given to the use/development under application. It did not condone any other use/development which currently existed on the site but not covered by the application. The applicant should be requested to take immediate action to discontinue such use/development not covered by the permission;
- (c) to follow the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Director of Environmental Protection;
- (d) to note the District Lands Officer/Yuen Long, Lands Department’s comments that the lots under application were Old Schedule Agricultural Lots held under the Block Government Lease under which no structure was allowed to be erected without prior approval from his Office, and to apply for Short Term Waiver and Short Term Tenancy to regularize the structures on site and the unauthorized occupation of Government land. Otherwise, his office, on review of the situation, would resume or take new action as appropriate according to the established district lease enforcement and land control programme;
- (e) to note the Assistant Commissioner for Transport/New Territories, Transport Department’s comments that the land status of the track leading to the site from Ping Ha Road should be checked with the lands authority and that the management and maintenance responsibilities of this access road should be clarified, and the relevant lands and maintenance authorities should be consulted accordingly;
- (f) to note the Chief Highway Engineer/New Territories West, Highways Department’s comments that his Office should not be responsible for the maintenance of any vehicular access connecting the site and Ping Ha Road; and
- (g) to note the Director of Fire Services’s comments that the applicant was advised to submit relevant layout plans incorporating the proposed Fire

Services Installations (FSIs) to his Department for consideration and approval. In this connection, the applicant should also be advised that the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy, and the location of the proposed FSIs to be installed should be clearly marked on the building plans.

[Mr. B. W. Chan left the meeting temporarily at this point.]

Agenda Items 26 and 28

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/571 Temporary Open Storage of Trucks and Goods Compartments of Dump Trucks for a Period of 3 Years in “Comprehensive Development Area” zone, Lots 799 (Part) and 800(Part) in D.D. 125, Lot 3300 (Part) in D.D.129, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/571)

A/YL-HT/573 Temporary Open Storage of Mobile Toilets with Ancillary Parking of Lorry for a Period of 3 Years in “Comprehensive Development Area” zone, Lots 798 S.A RP (Part), 799 (Part), 800 (Part), 801 (Part), 802 (Part) and 804 RP (Part) in D.D.125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/573)

97. The Secretary informed the meeting that replacement page 4 of the Paper No. A/YL-HT/573 rectifying a typo in para. 6.2 was tabled at the meeting for Members’ reference.

98. Noting that the two applications were similar in nature and the application sites were close to each other and within the same zone, Members agreed that the applications could be considered together.

Presentation and Question Sessions

99. Mr. Anthony C.Y. Lee, STP/TMYL, presented the applications and covered the

following aspects as detailed in the Papers :

- (a) background to the application;
- (b) the temporary open storage of trucks and goods compartments of dump trucks for a period of 3 years (No. A/YL-HT/571) and the temporary open storage of mobile toilets with ancillary parking of lorry for a period of 3 years (No. A/YL-HT/573);
- (c) departmental comments – for both applications, no objection from concerned Government departments was received;
- (d) for both applications, no public comment was received during the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)’s views – the PlanD considered that the two temporary open storage yards under both applications could be tolerated for a period of 3 years based on the assessments given in paragraph 12 of the Papers. The sites fell within Category 1 areas under the TPB PG-No. 13D. The uses under applications were not incompatible with the surrounding areas. It was considered that approval of the applications for a period of 3 years would not frustrate the planning intention of the “Comprehensive Development Area” (“CDA”) zone as there was not any programme to implement the zoned use. To mitigate any potential environmental impacts, approval conditions restricting the operation hours and the types of activities at the sites had been recommended.

100. Members had no question on the applications.

Deliberation Session

101. The Chairperson commented that the areas surrounding the application sites were

generally used for similar temporary uses and the proposed uses were in general compatible with the surrounding uses.

102. After deliberation, the Committee decided to approve the application No. A/YL-HT/571 on a temporary basis for a period of 3 years until 10.10.2011, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- (a) no night time operation between 11:00 p.m. to 7:00 a.m., as proposed by the applicant, was allowed on the site at any time during the approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, was allowed on the site during the planning approval period;
- (c) no cutting, dismantling, cleansing, repairing, compaction, packing, unpacking, vehicle repair and workshop activity, as proposed by the applicant, was allowed on the site at any time during the planning approval period;
- (d) no public vehicle park, as proposed by the applicant, was allowed on the site at any time during the planning approval period;
- (e) the existing trees on the site should be maintained at all times during the planning approval period;
- (f) the drainage facilities implemented on the site under Application No. A/YL-HT/403 should be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.4.2009;

- (h) the implementation of the accepted landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 10.4.2009;
- (i) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) 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;
- (j) if any of the above planning conditions (g) or (h) was not complied with by the above specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice; and
- (k) 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 TPB.

103. The Committee also agreed to advise the applicant of Application No. A/YL-HT/571:

- (a) that prior planning permission should have been obtained before continuing the development on site;
- (b) to resolve any land issues relating to the development with the concerned owner(s) of the application site;
- (c) to follow the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Director of Environmental Protection;
- (d) to note the Chief Engineer/Land Works, Civil Engineering and Development Department’s comments that the ingress/egress via Ping Ha Road to/from the site might be affected during the construction period for Contract No. CV/2006/01 “Ping Ha Road Improvement Works (Ha Tsuen

Section)” commenced in December 2007 for completion in end 2010, and that he should not be entitled for any compensation thereof. As the road level of Ping Ha Road would be raised after the proposed improvement works, the applicant should be required to carry out necessary modification works within the site at his own expense in future so as to tie in the interface with aforesaid project;

- (e) to note the District Lands Officer/Yuen Long, Lands Department’s comments that the lots under application were Old Schedule Agricultural Lots held under the Block Government Lease under which no structure was allowed to be erected without prior approval from his Office; and
- (f) to 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 and that the management and maintenance responsibilities of this road/path/track should be clarified and the relevant lands and maintenance authorities should be consulted accordingly.

104. After deliberation, the Committee decided to approve the application No. A/YL-HT/573 on a temporary basis for a period of 3 years until 10.10.2011, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- (a) no night time operation between 11:00 p.m. to 7:00 a.m., as proposed by the applicant, was allowed on the site at any time during the approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, was allowed on the site during the planning approval period;
- (c) no cutting, dismantling, cleansing, repairing, compaction, packing, un-packing, vehicle repair and workshop activity was allowed on the site at any time during the planning approval period;

- (d) no public vehicle park, as proposed by the applicant, was allowed on the site at any time during the planning approval period;
- (e) the setting back of the site from the works limit of Contract No. CV/2006/01 "Ping Ha Road Improvement Works (Ha Tsuen Section)" during the planning approval period;
- (f) the existing trees on the site should be maintained at all times during the planning approval period;
- (g) the implementation of the accepted landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 10.4.2009;
- (h) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.4.2009;
- (i) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) 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;
- (j) if any of the above planning conditions (g) or (h) was not complied with by the above specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice; and
- (k) 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 TPB.

105. The Committee also agreed to advise the applicant of Application No. A/YL-HT/573:

- (a) that prior planning permission should have been obtained before continuing the development on site;
- (b) that the permission was given to the use/development under application. It did not condone any other use/development which currently existed on the site but not covered by the application. The applicant should take immediate action to discontinue such use/development not covered by the permission;
- (c) to resolve any land issues relating to the development with the concerned owner(s) of the application site;
- (d) to follow the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Director of Environmental Protection;
- (e) to note the Chief Engineer/Land Works, Civil Engineering and Development Department’s comments that the ingress/egress via Ping Ha Road to/from the site might be affected during the construction period for Contract No. CV/2006/01 “Ping Ha Road Improvement Works (Ha Tsuen Section)” commenced in December 2007 for completion in end 2010, and that he should not be entitled for any compensation thereof. As the road level of Ping Ha Road would be raised after the proposed improvement works, the applicant should be required to carry out necessary modification works within the site at his own expense in future so as to tie in the interface with aforesaid project;
- (f) to note the District Lands Officer/Yuen Long, Lands Department’s comments that the lots under application were Old Schedule Agricultural Lots held under the Block Government Lease under which no structure was allowed to be erected without prior approval from his Office; and
- (g) to 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 from a public road should be checked with the lands authority and that the management and maintenance responsibilities of this road/path/track should be clarified and the relevant lands and maintenance authorities should be consulted accordingly.

[Mr. B.W. Chan returned to join the meeting at this point.]

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/572 Temporary Open Storage of Construction Materials with Ancillary Workshop for a Period of 3 Years
in "Comprehensive Development Area" zone,
Lots 34 RP (Part), 35 (Part), 36 (Part), 37 (Part), 38 (Part), 39 (Part)
and 41 (Part) in D.D.128, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/572)

Presentation and Question Sessions

106. Mr. Anthony C.Y. Lee, STP/TMYL, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary open storage of construction materials with ancillary workshop for a period of 3 years;
- (c) departmental comments – the Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity of the site and the access roads. However, there was no environmental complaint pertaining to the site received in the past three years. Other relevant Government departments concerned had no adverse comment on the application;

- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)'s views – the PlanD considered that the temporary open storage could be tolerated for a period of 3 years based on the assessments given in paragraph 12 of the Paper. The site fell within Category 1 areas under the TPB PG-No. 13D. The use under application was not incompatible with the surrounding uses. Approval of the application on a temporary basis for a period of 3 years would not frustrate the long-term planning intention of the “Comprehensive Development Area” zone as there was no programme to implement the zoned use. To address DEP's concerns and mitigate any potential environmental impacts, approval conditions restricting the operation hours and the types of activities at the site had been recommended.

107. Members had no question on the application.

Deliberation Session

108. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.10.2011, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- (a) no night time operation between 11:00 p.m. to 7:00 a.m., as proposed by the applicant, was allowed on the site at any time during the approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, was allowed on the site during the planning approval period;
- (c) no public vehicle park was allowed on the site at any time during the planning approval period;

- (d) the existing trees on the site should be maintained at all times during the planning approval period;
- (e) the submission of fire service installations proposals within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 10.4.2009;
- (f) in relation to (e) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 10.7.2009;
- (g) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.4.2009;
- (h) if any of the above planning conditions (a), (b), (c) or (d) 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;
- (i) if any of the above planning conditions (e), (f) or (g) was not complied with by the above specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice; and
- (j) 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 TPB.

109. The Committee also agreed to advise the applicant :

- (a) that prior planning permission should have been obtained before continuing the development on site;
- (b) that the permission was given to the use/development under application.

It did not condone any other use/development which currently existed on the site but not covered by the application. The applicant should take immediate action to discontinue such use/development not covered by the permission;

- (c) to resolve any land issues relating to the development with the concerned owner(s) of the application site;
- (d) to follow the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Director of Environmental Protection;
- (e) to note the District Lands Officer/Yuen Long, Lands Department’s comments that the lots under application were Old Schedule Agricultural Lots held under the Block Government Lease under which no structure was allowed to be erected without prior approval from his Office, and to apply for Short Term Waiver to regularize the unauthorized structures on site. Otherwise, his office, on review of the situation, would resume or take new action as appropriate according to the established district lease enforcement programme;
- (f) to 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 and that the management and maintenance responsibilities of this road/path/track should be clarified and the relevant lands and maintenance authorities should be consulted accordingly; and
- (g) to note the Director of Fire Services’ comments that relevant layout plans incorporating the proposed fire service installations (FSIs) should be submitted to his Department for consideration and approval, and note that:
 - (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and

- (ii) the location of the proposed FSI to be installed should be clearly marked on the layout plans.

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/183 Temporary Open Storage of Marble with Ancillary Workshop
for a Period of 3 Years in “Recreation” zone,
Lot 2227 (Part) in D.D.129, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/183)

Presentation and Question Sessions

110. Mr. Anthony C.Y. Lee, STP/TMYL, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary open storage of marble with ancillary workshop for a period of 3 years;
- (c) departmental comments – the Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity of the application site and the access road (Deep Bay Road). However, there was no environmental complaint pertaining to the application received in the past 3 years. Other concerned Government departments had no adverse comment on the application;
- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)’s views – the PlanD considered that the

temporary open storage could be tolerated for a period of 3 years based on the assessments given in paragraph 12 of the Paper. The site fell within Category 3 areas. Although the use under application was not in line with the planning intention of the “REC” zone, there was no immediate development proposal for the site. To address DEP’s concerns and to mitigate any potential environmental impacts, approval conditions restricting the operation hours and the types of vehicles used had been recommended.

111. Members had no question on the application.

Deliberation Session

112. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.10.2011, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- (a) no night-time operation from 7:00 p.m. to 7:00 a.m. was allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, was allowed on the site during the planning approval period;
- (c) no heavy vehicle exceeding 5.5 tonnes, including heavy goods vehicle and container trailer, was allowed for the operation of the site during the planning approval period;
- (d) the drainage facilities implemented on the site under Application No. A/YL-LFS/125 should be maintained at all times during the planning approval period;
- (e) the existing trees on the application site should be maintained at all times during the planning approval period;

- (f) the submission of a condition record of the existing drainage facilities within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.4.2009;
- (g) the submission of fire service installations proposals within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.4.2009;
- (h) in relation to (g) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.7.2009;
- (i) the submission of run-in proposals within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 10.4.2009;
- (j) in relation to (i) above, the implementation of run-in proposals within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 10.7.2009;
- (k) if any of the above planning conditions (a), (b), (c), (d) or (e) was not complied with during the approval period, the approval hereby given should cease to have effect and should be revoked immediately without further notice;
- (l) if any of the above planning conditions (f), (g), (h), (i) or (j) was not complied with by the above specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice; and
- (m) 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 TPB.

113. The Committee also agreed to advise the applicant :

- (a) that prior planning permission should be obtained before commencing the development on the site;
- (b) to resolve any land issues relating to the development with the concerned owner(s) of the application site;
- (c) to note the District Lands Officer/Yuen Long, Lands Department's comments that the lots under application were Old Schedule Agricultural Lots held under the Block Government Lease under which no structure was allowed to be erected without prior approval from his Office, and his Office reserved the right to take appropriate action should any breach of the conditions of the STW be found;
- (d) to follow the latest "Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the Director of Environmental Protection;
- (e) to 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 and that the management and maintenance responsibilities of this road/path/track should be clarified, and the relevant lands and maintenance authorities should be consulted accordingly;
- (f) to note the Chief Highway Engineer/New Territories West, Highways Department's (HyD) comments that a run-in/out at the access point should be constructed in accordance with the latest version of HyD Standard Drawing Nos. H1113 and H1114, or H5115 and H5116, to match with the existing pavement condition, and HyD should not be responsible for the maintenance of any vehicular access between the site and Deep Bay Road;
- (g) to note the Director of Fire Services' comments that in consideration of the

design/nature of the proposed structures, it was anticipated that fire service installations (FSIs) would be required. Therefore, the applicant was advised to submit relevant layout plans incorporating the proposed FSIs to this Department for approval. In formulating FSIs proposal for the proposed structure, the applicant was advised to make reference to the following requirements:

- (i) For the proposed workshop with roofed area of about 305m²:
- sufficient emergency lighting should be provided throughout the entire building in accordance with BS 5266: Part 1 and BS EN 1838;
 - sufficient directional and exit sign should be provided in accordance with BS 5266: Part 1 and FSD Circular Letter 5/2008;
 - fire alarm system should be provided to the entire building in accordance with BS 5839: Part 1: 1988 and FSD Circular Letter No. 1/2002. One actuating point and one audio warning device to be located at each hose reel point. This actuation point should include facilities for fire pump start and audio/visual warning device initiation;
 - a modified hose reel system with 2m³ FS water tank should be provided. There should be sufficient hose reels to ensure that every part of each building could be reached by a length of not more than 30m of hose reel tubing. The FS water tank, FS pump room and hose reel should be clearly marked on plans;
 - portable hand-operated approved appliances should be provided as required by occupancy and should be clearly indicated on plans; and
 - sprinkler system should be provided to the entire building in

accordance with BS EN 12845:2003 and FSD Circular Letter 3/2006. The classification of occupancies and capacity of sprinkler tank should be clearly stated. The sprinkler tank, sprinkler pump room, sprinkler inlet, sprinkler control valve group should be clearly marked on plans.

(ii) For the proposed container-converted office with roofed area of about 37.16m²:

- sufficient emergency lighting should be provided throughout the entire building in accordance with BS 5266: Part 1 and BS EN 1838;
- sufficient directional and exit sign should be provided in accordance with BS 5266: Part 1 and FSD Circular Letter 5/2008;
- fire alarm system should be provided to the entire building in accordance with BS 5839: Part 1: 1988 and FSD Circular Letter No. 1/2002. One actuating point and one audio warning device to be located at each hose reel point. This actuation point should include facilities for fire pump start and audio/visual warning device initiation;
- a modified hose reel system with 2m³ FS water tank should be provided. There should be sufficient hose reels to ensure that every part of each building could be reached by a length of not more than 30m of hose reel tubing. The FS water tank, FS pump room and hose reel should be clearly marked on plans; and
- portable hand-operated approved appliances should be provided as required by occupancy and should be clearly indicated on plans.

(iii) The applicant should also be advised on the following points:

- the building plans should be drawn to scale and depicted with dimensions and nature of occupancy; and
 - the location of the proposed FSI to be installed should be clearly marked on the building plans.
- (iv) Furthermore, should the applicant wish to apply for exemption from the provision of certain FSI as prescribed in the above, the applicant was required to provide justifications to his Department for consideration; and
- (h) to note the Chief Engineer/Development (2), Water Supplies Department's comments that a waterwork reserve within 1.5m from the centerline of the water main should be provided to his Department. No structure should be erected over this water works reserve and such area should not be used for storage purposes.

Agenda Item 30

Section 16 Application

[Closed meeting]

[The Chairperson thanked Mr. W.M. Lam, Miss Paulina Y.L. Kwan and Mr. Anthony C.Y. Lee, STPs/TMYL, for their attendance to answer Members' enquires. Mr. Lam, Miss Kwan and Mr. Lee left the meeting at this point.]

Agenda Item 31

Any Other Business

114. There being no other business, the meeting was closed at 4:45 p.m..