

**Minutes of 1112th Meeting of the
Town Planning Board held on 20.5.2016**

Present

Permanent Secretary for Development
(Planning and Lands)
Mr Michael W.L. Wong

Chairman

Professor S.C. Wong

Vice-chairman

Mr Lincoln L.H. Huang

Mr H.W. Cheung

Professor K.C. Chau

Dr Wilton W.T. Fok

Mr Ivan C.S. Fu

Mr. Sunny L.K. Ho

Ms Janice W.M. Lai

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

Mr H.F. Leung

Mr David Y.T. Lui

Mr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Mr K.K. Cheung

Dr C.H. Hau

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Professor T.S. Liu

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Mr Franklin Yu

Principal Assistant Secretary (Transport) 3
Transport and Housing Bureau
Miss Winnie M.W. Wong

Deputy Director of Environmental Protection (1)
Mr C.W. Tse

Director of Lands
Ms Bernadette H.H. Linn

Chief Engineer (Works), Home Affairs Department
Mr Martin W.C. Kwan

Director of Planning
Mr K.K. Ling

Deputy Director of Planning/District
Mr Raymond K.W. Lee

Secretary

Absent with Apologies

Ms Christina M. Lee

Mr Stephen H.B. Yau

Dr F.C. Chan

Mr Wilson Y.W. Fung

Mr T.Y. Ip

Mr Stephen L.H. Liu

In Attendance

Assistant Director of Planning/Board

Miss Fiona S.Y. Lung

Chief Town Planner/Town Planning Board

Mr Louis K.H. Kau

Senior Town Planner/Town Planning Board

Ms Doris S.Y. Ting

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 1111th Meeting held on 6.5.2016

[The item was conducted in Cantonese.]

1. The minutes of the 1111th meeting held on 6.5.2016 were confirmed without amendments.

Agenda Item 2

[Open Meeting]

Matters Arising

[The item was conducted in Cantonese.]

2. The Secretary reported that there were no matters arising.
3. The Chairman said that as the applicant of the review application under Agenda Item 3 had yet to arrive, other review applications could be dealt with first. Members agreed.

[Mr Lincoln L.H. Huang and Ms Janice W.M. Lai arrived to join the meeting at this point.]

Sha Tin, Tai Po and North District

Agenda Item 4

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/NE-LT/563

Proposed House (New Territories Exempted House - Small House) in "Agriculture" zone,
Lots 1256 S.A ss.1 and 1256 S.B in D.D. 19, Lam Tsuen San Tsuen, Tai Po, New

Territories

(TPB Paper No. 10116)

[The item was conducted in Cantonese]

Presentation and Question Sessions

4. The Chairman informed Members that the applicant had indicated that he would not attend the review hearing. As sufficient notice had been given to the applicant to invite him to attend the meeting, Members agreed to proceed with the hearing in the absence of the applicant. He then invited Mr C.K. Soh, District Planning Officer/Shu Tin, Tai Po and North, Planning Department (DPO/STN, PlanD) to the meeting at this point.

5. The Chairman extended a welcome and invited DPO/STN to brief Members on the review application.

6. With the aid of a PowerPoint presentation, Mr C.K. Soh, DPO/STN, presented the review application and covered the following main points as detailed in the Paper:

- (a) on 3.12.2015, the applicant sought planning permission to build a house (New Territories Exempted House (NTEH) - Small House) at the application site (the Site). The Site was zoned "Agriculture" ("AGR") on the approved Lam Tsuen Outline Zoning Plan (OZP) No. S/NE-LT/11;
- (b) on 22.1.2016, the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board) decided to reject the application for the following reasons:
 - (i) the proposed development was not in line with the planning intention of the "AGR" zone, which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There was no strong planning justification in the submission for a departure from the planning intention;

- (ii) the proposed development did not comply with the Interim Criteria for consideration of application for New Territories Exempted House/Small House in the New Territories (Interim Criteria) in that there was no general shortage of land in meeting the demand for Small House development in the “Village Type Development” (“V”) zone;
 - (iii) the proposed development does not comply with the Interim Criteria in that the applicant failed to demonstrate that the proposed development located within Water Gathering Grounds (WGG) would not cause adverse impact on the water quality in the area; and
 - (iv) land was still available within the “V” zone of Lam Tsuen San Tsuen which was primarily intended for Small House development. It was considered more appropriate to concentrate the proposed Small House development within “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services;
- (c) the applicant had not submitted any written representation in support of the review application;

[Mr Dominic K.K. Lam arrived to join the meeting at this point.]

- (d) the Site and its surrounding - the Site covered with shrubs, weeds and fruit trees was located at the southern fringe of Lam Tsuen San Tsuen and within upper indirect WGG. The surrounding areas were predominantly rural in character with a mix of village houses and fallow agricultural land. The village cluster of Lam Tsuen San Tsuen was about 20 to 30m to the west;
- (e) Interim Criteria – the assessment criteria of the Interim Criteria promulgated on 7.9.2007 was set out in Appendix II of Annex A of the Paper. Criterion (i) stated that the application site, if located within

WGG, should be able to be connected to the existing or planned sewerage system in the area;

- (f) previous application - the Site formed part of a previous application No. A/NE-LT/509 for development of two Small Houses jointly submitted by the same applicant and another applicant which was rejected by the RNTPC on 25.7.2014 mainly on the grounds that the proposed development was not in line with the planning intention of the “AGR” zone; there was no general shortage of land in meeting the demand for Small House development; and more than 50% of the footprint of one of the proposed Small Houses at Lot 1256 RP fell outside the “V” zone and the village ‘environs’ (‘VE’) of Lam Tsuen San Tsuen;
- (g) similar applications – there were 16 similar applications within the same “AGR” zone. Nine applications were approved with conditions between 2005 and 2013. Three of them were approved in 2005 and 2006 mainly for reasons of being generally in line with the Interim Criteria; there was a general shortage of land; and the proposed development was able to be connected to the planned sewerage system in the area. Between 2010 and 2013, six applications were approved, despite there was no general shortage of land, mainly on sympathetic consideration including the sites had obtained previous planning permissions or more than 50% of the footprint of the proposed house fell within the “V” zone and/or considered as an infill development. The remaining seven applications were rejected between 2013 and 2016 on one or more of the grounds similar to the current application; and/or more than 50% of the footprint of the proposed Small House fell outside the “V” zone;
- (h) departmental comments – the departmental comments were summarised in paragraph 4 of the Paper. The Director of Agriculture, Fisheries & Conservation (DAFC) maintained his previous views of not supporting the application from agricultural point of view as there were active agricultural activities in the vicinity and the Site had high potential for rehabilitation of agricultural activities. The Director of Environmental

Protection (DEP) maintained his previous views of not supporting the application. The Site was within WGG and completely outside “V” zone. While the proposed Small House was about 5m away from the planned public sewer under construction at Lam Tsuen San Tsuen (which was scheduled for completion in mid 2016) and sewer connection was feasible with capacity available, the applicant proposed to use septic tank/soakaway system to treat wastewater, which was not in line with the Hong Kong Planning Standards and Guidelines (HKPSG) in that use of septic tank/soakaway systems should be avoided for development in WGG. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD maintained his previous reservations on the application from the landscape planning point of view. While the proposed Small House was not incompatible with the surrounding rural landscape character, there were trees within the Site in conflict with the proposed Small House and there was no proposed treatment to the trees and the applicant failed to demonstrate that the adverse landscape impact could be mitigated;

- (i) public comments – during the statutory publication period, two public comments were received from World Wide Fund For Nature Hong Kong and an individual objecting to the application mainly on the grounds of being not in line with the planning intention of “AGR” zone, setting of undesirable precedent and having adverse environmental impacts;
- (j) PlanD’s views - PlanD did not support the review application based on the planning considerations and assessments set out in paragraph 6 of the Paper, which were summarised below:
 - (i) the Site fell entirely within the “AGR” zone on the OZP. The proposed Small House development was not in line with the planning intention of the “AGR” zone. DAFC maintained his view of not supporting the review application from the agricultural development point of view as there were active agricultural activities in the vicinity and the Site itself had high potential for rehabilitation of agricultural activities;

[Mr C.W. Tse, Ms Bernadette H.H. Linn, Mr Sunny L.K. Ho and Miss Winnie W.M. Ng arrived to join the meeting at this point.]

- (ii) land was still available within the “V” zone of Lam Tsuen San Tsuen. It was considered more appropriate to concentrate the proposed Small House development within “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services;
- (iii) while the proposed development was not incompatible with the surrounding rural environment, CTP/UD&L PlanD had reservation on the application from landscape planning point of view as there were trees within the Site in conflict with the proposed Small House. DEP also did not support the application as the proposed septic tank/soakaway system was not in line with HKPSG and should be avoided for development in WGG;
- (iv) although more than 50% of the footprint of the proposed Small house fell within the ‘VE’, the proposed development did not comply with the Interim Criteria in that there was no general shortage of land within the “V” zone to meet Small house demand and the applicant failed to demonstrate that the proposed development within the WGG would not cause adverse impact on the water quality of the area; and
- (v) there had been no major change in planning circumstances of the Site and its surrounding areas since the rejection of the application. There was no strong planning justification to warrant a departure from RNTPC’s rejection of the application.

7. As the presentation from PlanD’s representative had been completed, the Chairman invited questions from Members.

8. In response to a Member's question, Mr C.K. Soh said that the black broken line shown on the plans of the Paper was the 'VE' boundary of Lam Tsuen San Tsuen while the black solid line was the "V" zone boundary. In general, the 'VE' was determined by a 300-foot radius from the edge of the last village type house built in that recognised village before the introduction of Small House Policy in 1972. As shown on Plan R-2a of the Paper, the Site fell entirely outside "V" zone albeit more than 50% the proposed Small House footprint fell within the 'VE'.

9. As Members had no further question, the Chairman thanked DPO/STN for attending the meeting. He left the meeting at this point.

[Miss Winnie M.W. Wong arrived to join the meeting at this point.]

Deliberation Session

10. A Member said that since the applicant had not made any new submission to support the review application and there had been no material change in planning circumstances since the last rejection, there was no strong ground for the Board to deviate from the previous decision of RNTPC. Members agreed.

11. After deliberation, the Board decided to reject the application on review for the following reasons:

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” (“AGR”) zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the proposed development does not comply with the Interim Criteria for consideration of application for New Territories Exempted House/Small House in the New Territories (Interim Criteria) in that there was no general shortage of land in meeting the demand for Small House development in

the ‘Village Type Development’ (“V”) zone;

- (c) the proposed development does not comply with the Interim Criteria in that the applicant fails to demonstrate that the proposed development located within Water Gathering Grounds would not cause adverse impact on the water quality in the area; and
- (d) land is still available within the “V” zone of Lam Tsuen San Tsuen which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

[Mr H.F. Leung arrived to join the meeting at this point.]

12. As the applicant of the review application under Agenda Item 3 had arrived, the Chairman said that the meeting would proceed to the hearing of that review application.

Agenda Item 3

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/TP/596

Temporary Place of Recreation, Sports or Culture (Dance and Fitness Centre) for a Period of 3 Years in "Other Specified Uses" annotated "Business" Zone, Portion of Room A, 13/F, Block 1, Tai Ping Industrial Centre, 57 Ting Kok Road, Tai Po, New Territories
(TPB Paper No. 10117)

[The item was conducted in Cantonese.]

Presentation and Question Sessions

13. The Secretary reported that the following Members had declared interests in the item:

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|--|---|---|
| Mr Michael W.L. Wong
(The Chairman) | - | co-owning with spouse a townhouse at
Lo Fai Road, Tai Po |
| Mr H.W. Cheung | - | owning a flat at Heung Sze Wui Street,
Tai Po Market |
| Mr Frankie W.C. Yeung | - | owning a flat at On Chee Road |

14. As the properties of the Chairman, Mr H.W. Cheung and Mr Frankie W.C. Yeung were far from the site, Members agreed that they should be allowed to stay in the meeting. Members noted that Mr Frankie W.C. Yeung had not yet arrived to join the meeting.

15. The following representative from the Planning Department (PlanD) and the applicant were invited to the meeting at this point:

- | | | |
|------------------|---|--|
| Mr C.K. Soh | - | District Planning Officer/ Sha Tin, Tai Po
and North (DPO/STN), PlanD |
| Mr Tsang Man Kit | - | Applicant |

16. The Chairman extended a welcome and explained the procedure of the review hearing. He then invited DPO/STN to brief Members on the review application.

17. With the aid of a PowerPoint presentation, Mr C.K. Soh, DPO/STN, presented the review application and covered the following main points as detailed in the Paper:

- (a) on 26.11.2015, the applicant sought planning permission to use the application premises (the Premises) for temporary 'Place of Recreation, Sports or Culture' (Dance and Fitness Centre) use for a period of three years. The Premises fell within an area zoned "Other Specified Uses" annotated "Business" ("OU(B)") on the approved Tai Po Outline Zoning Plan (OZP) No. S/TP/26;

- (b) on 22.1.2016, the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board) decided to reject the application for the following reasons:
- (i) the proposed development was not compatible with the existing uses in the subject industrial building which was predominantly industrial in character;
 - (ii) the proposed development did not comply with the Town Planning Board Guidelines No. 22D in that the applied use was considered unacceptable from fire safety point of view; and
 - (iii) the approval of the application would set an undesirable precedent for other similar applications within industrial buildings which were unacceptable from the fire safety point of view;
- (c) apart from reiterating that the applied use was in compliance with fire safety requirements and high rents of commercial buildings were unaffordable, the applicant had not provided any further justification in support of the review;
- (d) the Premises and its surroundings - the Premises was located on 13/F of an existing industrial building and the other units on the same floor were currently used for godown, workshop and office. Predominant uses of other floors included godowns, workshops and offices. The subject street block was predominantly industrial in nature which comprised six industrial buildings and a vehicle depot. Areas to the east and south were public housing estates and to the west was some government, institution or community facilities;
- (e) departmental comments – the departmental comments were summarised in paragraph 4 of the Paper. The Director of Fire Services (D of FS) considered that the proposed use was incompatible with the existing

industrial uses in the subject building. He did not support the application from fire safety point of view due to the public's unpreparedness in facing the potential risks inside and outside industrial buildings and their unfamiliarity with the situation in case of emergency, rendering their escape materially much more difficult. The District Lands Officer/Tai Po, Lands Department said that the proposed use of the Premises would constitute a breach of the user restriction under the lease;

- (f) previous/similar applications – the Premises was not involved in any previous planning application and there was no similar application in the vicinity of the Premises;
- (g) public comments – during the statutory publication period, no public comment was received on the review application;
- (h) PlanD's views - PlanD did not support the review application based on the planning considerations and assessments set out in paragraph 6 of the Paper, which were summarised below:
 - (i) the applied use (dance and fitness centre) was considered not compatible with the existing uses in the subject industrial building which were predominantly industrial in nature. D of FS maintained his previous views of not supporting the application from fire safety point of view;
 - (ii) the applied use was not in line with TPB PG-No. 22D in that the applicant failed to satisfy the concerns of D of FS on the risks likely to arise or increase from the use under application;
 - (iii) the approval of the application would set an undesirable precedent for other similar applications within industrial buildings; and
 - (iv) there was no change in the planning circumstances since the application was rejected by the RNTPC on 22.1.2016.

18. The Chairman then invited the applicant to elaborate on the review application. Mr Tsang Man Kit made the following main points:

- (a) he was a freelance dance and fitness trainer who required the Premises for dancing rehearsals and fitness training;
- (b) he could not afford the high rent of the commercial building;
- (c) the patronage of the Premises was low with only 12 to 13 students in each class, and classes were mostly provided in the morning or evening hours;
- (d) the applied use at the Premises was in compliance with the prescribed fire safety requirements with adequate means of escape. In case of fire, the rear exit of the Premises connecting to the rear staircases of the building would provide direct means of escape to the ground level, and hence there was no need to escape via other premises in the industrial building; and
- (e) children courses would be provided in other centres but not at the Premises.

19. As the presentation of PlanD's representative and the applicant had been completed, the Chairman invited questions from Members.

20. A Member asked whether the applied use complied with the fire safety requirement as claimed by the applicant. In response, Mr C.K. Soh, DPO/STN, said that D of FS had clearly indicated that the applied use was incompatible with the existing/future industrial uses within the subject building and did not support the application from fire safety point of view. The applicant had not submitted any documentary proof to demonstrate that the applied use was in compliance with the fire safety requirements.

21. The same Member asked how the safety of the users of the Premises in case of fire could be protected given that industrial uses were permitted as of right in the subject industrial building. In response, Mr Tsang Man Kit said that while he could not control the uses of other units of the building, the users of the Premises could access the means of escape

inside the Premises direct and there was no need for them to pass through the other premises on the same floor.

22. Another Member asked whether the proposed means of escape of the Premises was considered acceptable by D of FS and whether the dance and fitness centre was operated under a group with other branches elsewhere. In response, Mr Tsang Man Kit said that at the time of submitting the planning application, he was not aware of the need to submit documentary proof to demonstrate that the Premises had complied with the fire safety requirements. The renovation works of the Premises had complied with all necessary requirements of the government departments. He was willing to submit the relevant documents if required. Mr Tsang continued to say that while his dance and fitness centre was using the same name of a group, those centres were operated by his partner and there was no relationship between his centre and other centres of the group.

23. In response to the Chairman's follow-up question, Mr Tsang said that while he did not have the approval document from D of FS on the use of the Premises as dance and fitness centre, he had submitted the plans for the applied use to D of FS for approval.

24. A Member asked what kind of workshops and offices were found within the subject industrial building. In response, Mr Soh said that the nature of the existing workshop on the same floor of the Premises could not be ascertained as the unit was locked at the time of site inspection. Workshops on other floors were industrial-related operations while offices found within the same building (including offices for a newspaper company, a computer company and a printing company) were industrial-related offices which would not provide any direct customer services nor attract any general public not working in the building.

25. Noting that the applicant had mentioned in his letter dated 4.12.2015 that he currently had about 130 clients and the classes, which were opened to public, would be provided between 10 a.m. to 12 noon and between 6 p.m. to 9 p.m., a Member asked the applicant whether the aforesaid information was still valid. Mr Tsang replied in the affirmative.

26. As PlanD's representative and the applicant had no further comment to make and Members had no further question, the Chairman informed them that the hearing procedure for the review application had been completed. The Board would further deliberate on the review application in their absence and inform the applicant of the Board's decision in due course.

27. The Chairman thanked the representative of PlanD and the applicant for attending the meeting. They left the meeting at this point.

Deliberation Session

28. A Member, while expressing sympathy on the provision of those similar uses in the industrial buildings, considered that the application could not be supported taking into account D of FS's objection from fire safety point of view. A number of similar applications had previously been rejected by the Board on the same ground. D of FS considered that in case of emergency, the general public who became panic would be exposed to increased fire risks which could not be addressed by the provision of fire safety measures within the application premises. The provision of direct escape route from the application premises was also deliberated in other similar applications but was also considered not acceptable. For the current application, the Premises was located on 13/F of an industrial building and industrial uses were permitted as of right within the subject building. The applicant had not submitted any new information to demonstrate that the fire risks faced by the users of the Premises would be satisfactorily addressed. The Member also raised a concern that D of FS had seemingly adopted the same ground of objection for those similar applications regardless of whether the application premises were located on the upper floors or ground floor of an industrial building with direct street access. PlanD might further liaise with D of FS in this respect in processing other similar applications in future.

29. Another Member opined that the development of such kinds of sports, recreational or cultural uses should be encouraged and such uses might be more suitable to be accommodated in those industrial buildings with spacious layout and high headroom. Consideration might be given by concerned departments to working out some guidelines to facilitate the development of such uses in the industrial buildings, especially on the lower floors of the industrial buildings without any high risk industrial uses on the same floor.

30. A Member said that given the uses of the industrial buildings were predominantly industrial in nature and some might involve storage of dangerous goods, any commercial uses which might attract many visitors should not be allowed unless wholesale conversion of the existing industrial building had taken place.

31. A Member shared the same view and said that the basic principle of enhancing building safety was to accommodate uses with different level of fire risks into separate buildings. The mixing of high fire risk industrial uses with low fire risk residential and office uses within the same building should not be allowed. Those offices currently existed in the industrial buildings were offices related to the industrial operation of the same establishment. For uses that would attract a great number of the general public not familiar with the industrial building would potentially expose those general public to increased fire risks and should not be allowed.

32. Another Member said that while the office workers of the industrial buildings would be familiar with the layout and fire escape routes of the building, other outsiders who were not familiar with the environment would be exposed to higher fire risk. The applied use which was located on the upper floors of the industrial building should not be approved.

[Mr Frankie W.C. Yeung arrived to join the meeting at this point.]

33. Responding to concerns expressed by some Members about the constraints over the use of industrial buildings for non-industrial purposes, the Chairman invited Director of Lands (D of Lands) to brief Members on the efforts made by the Government in facilitating gainful uses of industrial premises. Ms Bernadette H.H. Linn, D of Lands, said that the time-limited measures to encourage revitalisation of old industrial buildings through redevelopment or wholesale conversion had lapsed after 31.3.2016. To provide more flexibility on the uses within the industrial buildings, the concerned government departments were exploring the possibility of facilitating partial conversion of the lower floors of the industrial building for non-industrial purposes provided that the fire safety requirement could be satisfactorily complied with. The proposal was still at its preliminary stage and subject to further study.

34. Mr K.K. Ling, Director of Planning, supplemented that there were existing provisions under the OZPs to allow non-industrial uses on the lower floors of the industrial buildings. According to the Notes for the “Industrial” and “OU(B)” zones, some non-industrial uses were always permitted in the purpose-designed non-industrial portion on the lower floors (excluding basements and floors containing wholly or mainly car parking, loading/unloading bays and/or plant room) of an existing industrial building, provided that the uses were separated from the industrial uses located above by a buffer floor or floors (such as a car parking or loading/unloading floor) and no industrial uses were located within the non-industrial portion.

35. Members generally considered that the applicant did not provide any strong justification in support of the review application and agreed that there was no strong reason for a departure from the RNTPC’s previous decision.

36. After deliberation, the Board decided to reject the application on review for the following reasons:

- “(a) the proposed development is not compatible with the existing uses in the subject industrial building which is predominantly industrial in character;
- (b) the proposed development does not comply with the Town Planning Board Guidelines for Use/Development within “Other Specified Uses annotated (Business)” Zone (TPB PG-No. 22D) in that the applied use is considered unacceptable from fire safety point of view; and
- (c) the approval of the application would set an undesirable precedent for other similar applications within industrial buildings which are unacceptable from the fire safety point of view.”

Agenda Item 5

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/TP/595

Proposed Two Houses (New Territories Exempted House - Small House) and Minor Relaxation of Building Height Restriction from 1 storey to 3 storeys and Plot Ratio from 0.64 to 1.536 in “Comprehensive Development Area (1)” Zone, Lots 636 S.C ss.1 and 636 S.C ss.2 in D.D. 11, Fung Yuen, Tai Po, New Territories

(TPB Paper No. 10117)

[The item was conducted in Cantonese]

37. The Secretary reported that after the Town Planning Board Paper was issued on 13.5.2016, the Secretariat received on the same day a letter from the applicant providing justifications in support of the review application. The above further information was accepted but not exempted from the publication and recounting requirements for the reason that this was the first written submission for the review application which would be published for public comment. In this regard, the consideration of the review application would be deferred. Members agreed.

Sai Kung & Islands District

Agenda Item 6

[Open Meeting (Presentation and Question Sessions only)]

Request for Deferment of Review of Application No. A/SK-PK/223

Proposed House (New Territories Exempted House (NTEH) – Small House) in “Agriculture” zone Lot 686 S.A in D.D. 221, Sha Kok Mei Village, Sai Kung, New Territories

(TPB Paper No. 10119)

[The item was conducted in Cantonese]

38. The Secretary reported that on 3.5.2016, the applicant wrote to the Secretary of the Town Planning Board (the Board) and requested the Board to defer making a decision on

the review application for one month in order to allow time for preparation of additional further information. It was the second request for deferment of the review application.

39. Members noted that since the first deferment on 1.2.2016, the applicant had not submitted any further information. The justifications for deferment met the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33) in that the applicant needed more time to prepare further information in response to departmental comments, the deferment period was not indefinite and the deferment would not affect the interests of other relevant parties.

40. After deliberation, the Board agreed to defer a decision on the review application as requested by the applicant pending the submission of further information by the applicant. The Board also agreed that the review application would be submitted to the Board for consideration within three months upon receipt of further submission from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Board's consideration. Since this was the second deferment of the review application, the Board also agreed to advise the applicant that the Board had allowed a total of three months for preparation of submission of further information, and no further deferment would be granted unless under very special circumstances.

[Dr Lawrence K.C. Li arrived to join the meeting at this point.]

Procedural Matters

Agenda Item 7

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations and Comments on the Draft Yuen Long Outline Zoning Plan No. S/YL/22

(TPB Paper No. 10118)

[The item was conducted in Cantonese.]

41. The Secretary reported that the proposed youth hostel at the representation site would be developed by Po Leung Kuk (PLK), and PLK (R1) had submitted a supportive representation. The following Members who had current business dealings/affiliations with PLK had declared interests in the item:

Mr Michael W.L. Wong (The Chairman)	-	his close relative being the Chief Executive Officer of PLK (R1)
Mr Stephen L.H. Liu]	having current business dealings with PLK
Mr Franklin Yu]	(R1)
Dr Wilton W.T. Fok	-	being a Director of a primary school of PLK (R1)

42. Ms Sandy H.Y. Wong declared an interest in the item for owning a property in the Yuen Long district which had no direct view to the representation site.

43. As the item was procedural in nature, Members agreed that the above Members who had declared interests could stay in the meeting.

44. The Secretary briefly introduced the Paper. On 11.15.2015, the draft Yuen Long Outline Zoning Plan No. S/YL/22 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). Four representations were received and there was no comment on the representations. Two representations submitted by PLK and an individual supported the amendments while the remaining two representations submitted by two individuals opposed the amendments.

45. Since all the representations were related to the same site, the number of representation was limited and they were not complicated, it was recommended that the representations should be considered by the full Board collectively. The hearing could be accommodated in the Board's regular meeting and a separate hearing session would not be necessary. Consideration of the representations by the full Board was tentatively scheduled for 8.7.2016.

46. After deliberation, the Board agreed that the representations should be considered by the Board itself.

Agenda Item 8

[Open Meeting]

Any Other Business

[The item was conducted in Cantonese.]

47. There being no other business, the meeting was closed at 9:50 a.m.