

**Minutes of 879th Meeting of the
Town Planning Board held on 2.3.2007**

Present

Permanent Secretary for Housing, Planning and Lands (Planning and Lands) Chairperson
Mrs. Rita Lau

Mr. Michael K.C. Lai

Dr. Greg C.Y. Wong

Professor Nora F.Y. Tam

Mr. Nelson W.Y. Chan

Mr. David W.M. Chan

Mr. Leslie H.C. Chen

Professor David Dudgeon

Mr. Tony C.N. Kan

Mr. Edmund K.H. Leung

Professor N.K. Leung

Professor Bernard V.W.F. Lim

Dr. C.N. Ng

Dr. Daniel B.M. To

Mr. Stanley Y.F. Wong

Mr. Alfred Donald Yap

Ms. Sylvia S.F. Yau

Mr. B.W. Chan

Mr. Walter K.L. Chan

Mr. Raymond Y.M. Chan

Mr. Y.K. Cheng

Ms. Anna S.Y. Kwong

Professor Paul K.S. Lam

Ms. Starry W.K. Lee

Deputy Director of Environmental Protection
Dr. Michael Chiu

Director of Lands
Mr. Patrick L.C. Lau

Director of Planning
Mrs. Ava S.Y. Ng

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

Secretary

Absent with Apologies

Dr. Peter K.K. Wong

Ms. Carmen K.M. Chan

Dr. Lily Chiang

Professor Peter R. Hills

Ms. Maggie M.K. Chan

Mr. Felix W. Fong

Dr. James C.W. Lau

Mr. K.Y. Leung

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

Principal Assistant Secretary (Transport),
Environment, Transport and Works Bureau
Ms. Ava Chiu

In Attendance

Assistant Director of Planning/Board
Mr. Lau Sing

Chief Town Planner/Town Planning Board
Ms. Brenda K.Y. Au

Senior Town Planner/Town Planning Board
Mr. C.M. Li

1. The Chairperson extended a welcome to Members.

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 878th Meeting held on 9.2.2007

2. The minutes of the 878th meeting held on 9.2.2007 were confirmed without amendment.

Agenda Item 2

[Open Meeting]

Matters Arising

- (i) Judicial Review of the Chief Executive in Council's Decision to Approve the Clear Water Bay Peninsula North Outline Zoning Plan

3. The Secretary said that Members were briefed on 1.12.2006 about a judicial review (JR) lodged by the objector to the draft Clear Water Bay Peninsula North Outline Zoning Plan (OZP) No. S/SK-CWBN/1, the Smart Gain Investment Ltd. (the Applicant), against the Board's decision on the relevant objection. On 31.1.2007, the Applicant filed another application for leave for JR against the Board's decision on the objection as well as the Chief Executive in Council (CE in C)'s decision on 31.10.2006 in approving the draft OZP. Leave for JR was granted by the High Court on 7.2.2007.

4. The Secretary further advised that the grounds of the further JR were similar to those of the previous one with some new grounds focusing on the CE in C's decision of approving the draft OZP. The hearing of the two JR applications would be consolidated.

5. Members agreed that the Secretariat would act on behalf of the Board in dealing with the two JR cases in the usual manner.

[Dr. Daniel B.M. To, Mr. Raymond Y.M. Chan, Mr. Tony C.N. Kan and Mr. Patrick L.C. Lau arrived to join the meeting at this point.]

- (ii) Application for Judicial Review of Town Planning Appeal Board's Decisions on Appeals No. 9/2004 and No. 5/2005
Proposed Relaxation of Plot Ratio and Building Height Restrictions for "Residential (Group C)7" Zone to Facilitate Comprehensive Residential Development at 2A-2E Seymour Road, 23-29 (odd numbers) Castle Road and 4, 4A, 6, 6A Castle Steps, Mid-levels, Hong Kong
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6. The Secretary reported that on 9.2.2007, the High Court granted leave to the International Trader Ltd.'s application for leave to apply for JR of the Town Planning Appeal Board (TPAB)'s decisions on the captioned appeals. The site was zoned "Residential (Group A)" ("R(A)") and "Residential (Group C)7" ("R(C)7") on the approved Mid-levels West Outline Zoning Plan (OZP) No. S/H11/13. The two planning applications (No. A/H11/84 and 87) were respectively for a proposed development with a plot ratio (PR) of 10 and building height (BH) of 52 storeys (the First Appeal) and a PR of 9 and BH of 54 storeys (the Second Appeal).

7. The Secretary went on to say that the appeals were dismissed by the TPAB by a majority of 3 out of 5 on 12.12.2006, and the Board was briefed on the TPAB's decisions on 12.1.2007. The applicant contended, inter alia, that the planning intention for the "R(C)7" zone did not include restraining traffic growth and preserving public view in the Mid-levels area and the meaning of the words '*each proposal will be considered on its own merits*' in the Explanatory Statement (ES) of the OZP was misinterpreted in a way that irrelevant considerations, namely traffic and visual impact considerations, were wrongly taken into account; and relevant considerations, such as proper interpretation of the ES, planning history of the site and stepped streets, the difference between the "R(C)7" and other residential zonings in terms of development control, were not properly taken into account.

8. The Secretary said that the hearing for the JR was scheduled for 8 and 9.10.2007. The Department of Justice had advised that as the Board was a party of the TPAB hearing, it could join the JR as an interested party.

9. Members agreed that the Board should join the JR as an interested party and the Secretariat would represent the Board on all matters relating to the JR in the usual manner.

(iii) Proposed Amendments to the Endorsed Planning Brief for the Urban Renewal Authority (URA) Stone Nullah Lane/Hing Wan Street/King Sing Street Development Scheme

10. The Secretary reported that on 8.12.2006, the Board considered the representations and comments on the representations in respect of the Urban Renewal Authority (URA) Stone Nullah Lane/Hing Wan Street/King Sing Street Development Scheme Plan No. S/H5/URA2/1 and decided to partially meet some of the representations by adding 'Flat' use in Column 2 of the Notes of the "Other Specified Uses" annotated "Open Space and Historical Buildings Preserved for Cultural, Community and Commercial Uses" zone. The Board also agreed that similar to the Planning Brief (PB) for the URA Lee Tung Street/McGregor Street Development Scheme, statements to highlight the need for the URA to further consider the preservation of the social network in future consultation should be included in the subject PB to address the local concerns on the matter. On 7.2.2007, the revised draft PB incorporating the Board's comments was circulated to Members for comments. No comments on the revised draft PB were received.

11. Members agreed to endorse the revised draft PB.

[Professor Paul K.S. Lam arrived to join the meeting at this point.]

(iv) Town Planning Appeal No. 3 of 2007
Proposed Temporary Open Storage of Construction Materials
for a Period of 3 Years in "Agriculture" Zone,
Lots 184RP, 186RP (Part), 187RP (Part) in DD 52
in Sheung Shui Wah Shan Village, Sheung Shui
(Application No. A/NE-FTA/76)

12. The Secretary said that an appeal against the decision of the Board to reject on

review an application for temporary open storage of construction materials for a period of three years in the “Agriculture” zone on the approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/10 was received by the TPAB on 23.1.2007. The application was rejected by the Board on 10.11.2006 on the grounds of non-compliance with the Board’s Guidelines for ‘Application for Open Storage and Port Back-up Uses’ in that there was no previous planning approval granted to the application site; the access road leading to the application site was sub-standard and was not suitable for use by medium/heavy goods vehicles; and there was insufficient information in the submission to demonstrate that the proposed development would not cause adverse environmental and traffic impacts on the surrounding areas. The hearing date of the appeal was yet to be fixed.

13. Members agreed that the Secretariat would act on behalf of the Board in dealing with the appeal in the usual manner.

[Professor David Dudgeon arrived to join the meeting at this point.]

(v) Proposed Development of the Red Cross Headquarters, Conference Hall and Meeting Room, Non-Government Organization Offices and Commercial Offices in “Government, Institution or Community(3)” Zone, Lung Wui Road, Central, Hong Kong
(Application No. A/H24/5)

14. The Secretary reported that an appeal against the decision of the Board to reject the application in the “Government, Institution or Community(3)” zone on the approved Central District (Extension) OZP No. S/24/6 was received by the TPAB on 6.2.2007. The application was rejected by the Board on 24.11.2006 on the grounds of no strong need for relocation of the existing Red Cross Headquarters to the application site; not in line with the Board’s Guidelines No.16 in that a major portion of the development should be dedicated to government, institution or community use and other public uses; and not in line with the design and planning concept of the Arts and Entertainment Corridor of the Central Waterfront which was primarily for art and culture-oriented development. The hearing date of the appeal was yet to be fixed.

15. Members agreed that the Secretariat would act on behalf of the Board in dealing

with the appeal in the usual manner.

(vi) Appeal Statistics

16. The Secretary said that as at 2.3.2007, 29 cases were yet to be heard by the Town Planning Appeal Board. Details of the appeal statistics were as follows:

Allowed	:	17
Dismissed	:	95
Abandoned/Withdrawn/Invalid	:	120
Yet to be Heard	:	29
<u>Decision Outstanding</u>	:	<u>1</u>
<u>Total</u>		<u>262</u>

17. Noting the increasing number of cases the Secretariat had to handle, the Chairperson requested the Director of Planning to review the staffing support and where necessary, redeploy staff to cope with the workload.

Agenda Items 3 and 4

[Open Meeting (Presentation and Question Session Only)]

Review of Application No. A/NE-KTS/242

Proposed House (New Territories Exempted House (NTEH) — Small House)

in “Green Belt” Zone, Government Land, Tong Kung Leng, Sheung Shui

(TPB Paper No. 7765)

Review of Application No. A/NE-KTS/243

Proposed House (NTEH — Small House)

in “Green Belt” Zone, Government Land, Tong Kung Leng, Sheung Shui

(TPB Paper No. 7766)

[The hearing was conducted in Cantonese.]

Presentation and Question Session

18. The Chairperson said that the two review applications could be considered together as they were similar in nature and the application sites were in close proximity to each other. Members agreed.

19. The Chairperson went on to say that on 17.11.2006, the Rural and New Town Planning Committee (RNTPC) rejected both applications on the same grounds of not complying with the 'Interim Criteria for Assessing Planning Application for NTEH/Small House (SH) Development' (Interim Criteria) in that sufficient land was available within the "Village Type Development" ("V") zone of Tong Kung Leng Village to meet the future SH demand; not in line with the planning intention of the "Green Belt" ("GB") zone; and setting of an undesirable precedent. Upon receiving further representation from the applicants and updated comments from concerned departments, the Planning Department (PlanD) had recommended to approve the two applications on review for the following reasons:

- (a) the District Lands Officer/North, Lands Department (DLO/N, LandsD) had recently advised that the total number of outstanding SH applications for Tong Kung Leng Village was 5 while the 10-year SH demand forecast for the village was 20 (as compared to the respective figures of 5 and 8 previously provided). Based on the latest figures, land within the "V" zone (about 0.49 ha or equivalent to 14 SH sites) would be insufficient to meet the demand, hence the applications would comply with the Interim Criteria;
- (b) the application sites fell within the 'village environs' ('VE') of Tong Kung Leng Village; and
- (c) the application sites were covered by previous planning permissions and the applicants had each obtained two planning permissions in respect of the sites in the vicinity for SH development in 1996 and 1999.

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

20. As Members would like to seek clarifications on some issues, Mr. W.K. Hui, District Planning Officer/Shu Tin, Tai Po and North, Planning Department (PlanD), and Mr.

Tong To-fuk, the applicant's representative of application No. A/NE-KTS/242 and the applicant of application No. A/NE-KTS/243, were invited to the meeting at this point.

21. The Chairperson extended a welcome and explained briefly the procedures of the review hearing. She then invited Mr. W.K. Hui to brief Members on the background to the applications.

22. With the aid of plans and photos, Mr. W.K. Hui covered the following main aspects as detailed in the Papers:

- (a) the reasons for the RNTPC to reject the applications on 17.11.2006 as set out in paragraph 1.2 of the Papers;
- (b) the previous applications within the same "GB" zone as detailed in paragraph 6 in Annex A of the Papers;
- (c) the applicants' further written representations in support of the review applications as summarised in paragraph 3 of the Papers;
- (d) LandsD's latest records on the outstanding SH applications and the 10-year SH demand forecast for Tong Kung Leng Village, which were 5 and 20 respectively as compared to the respective previous figures of 5 and 8. He strongly recommended the Board to approve the applications;
- (e) about 0.49ha (equivalent to about 14 SH sites) of land was available within the "V" zone of Tong Kung Leng Village. Given the change in circumstances that the land available could no longer fully meet the updated demand (about 0.83ha for 25 SH sites), the proposed SH developments now compiled with the Interim Criteria;
- (f) sympathetic consideration to the applications might be given as the application sites were very close to the "V" zone of Tong Kung Leng Village; there were village houses in the vicinity; and previous planning permissions had been granted to the applicants;

- (g) departmental comments – the Assistant Commissioner for Transport/New Territories, Transport Department had reservation on the applications in view of undesirable precedent effect for similar applications and the resulting cumulative traffic impact. The Director of Agriculture, Fisheries and Conservation did not favour the applications which would involve substantial vegetation clearance. The Chief Town Planner/Urban Design and Landscape, PlanD objected to the applications as the sites were on a hill slope and substantial cutting would likely be required to form flat building platforms, thus affecting the natural landform of the knoll;
- (h) no public comments were received at the s.17 stage; and
- (i) PlanD had no objection to the applications for the reasons stated in paragraph 6.1 of the Papers. To address the departmental concerns on vegetation clearance, it was suggested to include an approval condition that no felling or over-pruning of the trees adjoining the application sites should be carried out. As for the traffic concern, it was considered that the application sites were already close to an existing access road and no vehicular access was required for SH development.

23. Mr. Tong To-fuk said that the applicants' justifications for the review applications had been submitted and included in the Papers. He stated that some sites within Tong Kung Leng Village had been occupied by outsiders. The villagers had been able to protect the application sites, and there was no other suitable site for SH development. He asked the Board to give sympathetic consideration to the applications and have regard to the previous planning permissions. If the applications were not approved, the applicants would lose the chance for construction of a SH in their lifetime.

24. A Member sought clarification on the purpose of the 'Simple Village Layout' at Annex F of the Paper and whether it had any legal status. This Member also queried the reasons for the change in demand for SH in Tong Kung Leng Village over the last three months since the rejection of the applications by the RNTPC, and the number of similar cases which had obtained previous planning permissions within the same "GB" zone. In reply, Mr. W.K. Hui made the following main points:

- (a) the 'Simple Village Layout' was prepared by the DLO/N, LandsD with the aim to maximizing the utilization of Government land for SH development, taking into account local constraints posed by the existence of mature trees and sandpits. It had no legal effect;
- (b) in response to the RNTPC's request made last year, the LandsD had since adopted a new practice whereby the SH demands were updated at the beginning of each year. The latest SH demand figures were provided in early 2007; and
- (c) there should not be many similar cases with previous planning permissions in "GB" zone. More importantly, according to paragraph (a) of the Interim Criteria, sympathetic consideration might be given to the subject applications as the application sites were located within the 'VE' of a recognized village and there was a general shortage of land in meeting the demand for SH development in the "V" zone. Also, the applicants had obtained previous planning permissions for SH development in the vicinity, which had however lapsed.

25. Noting that there was a deficit of land for 12 SH sites in Tong Kung Leng Village, a Member asked how the demand could eventually be satisfied. Mr. W.K. Hui replied that it was the up to the villagers to find suitable sites for SH development, which might not be located within the "GB" zone. In assessing the suitability of the proposed sites, issues such as impacts on the environment and tree felling would need to be considered. In reply to the same Member's question on the number of trees that needed to be felled, Mr. Tong To-fuk said that the applicants were willing to provide compensatory tree planting at a ratio of 1:1.

26. A Member queried whether the application sites were suggested to the applicants by the Government and whether there were alternative sites nearby. This Member did not consider the sites suitable for SH development in view of the need for vegetation clearance and site formation on a slope. In reply, Mr. W.K. Hui said that the sites were suggested to the applicants by the DLO/N, LandsD. Mr. Patrick L.C. Lau added that in finding suitable sites for SH development, LandsD had to confine the area within the 'VE'.

27. A Member asked whether Mr. Tong To-fuk's claim that sites suitable for SH

development in the village had been occupied by outsiders was correct. In reply, Mr. W.K. Hui said he had no information in hand on the extent of illegal occupation of land. However, the PlanD regularly updated the information on land availability within the “V” zone. Mr. Patrick L.C. Lau said that the villagers could report to the LandsD if any Government land was illegally occupied. For private land or land covered by tenancies and licences, it was the responsibility of the land owners/tenants to take good care of their land. Mr. Tong To-fuk said that the villagers had already dispelled the illegal occupants.

28. As the applicant/applicant’s representative had no further point to make and Members had no further question to raise, the Chairperson informed him that the hearing procedures for the review had been completed, and the Board would further deliberate on the applications in his absence and inform the applicants of the Board’s decision in due course. The Chairperson thanked the applicant/applicant’s representative and PlanD’s representative for attending the meeting. They left the meeting at this point.

Deliberation Session

29. Drawing reference to the Board’s Guidelines No. 10 on ‘Application for Development within “GB” Zone’, a Member said that as the application sites fell within the “GB” zone and there was a presumption against development, the Board should carefully consider whether there were any special circumstances that would merit sympathetic consideration of the applications. Given that the applicants had previously obtained planning permissions for SH developments in the vicinity and with the updated information on SH demand, this Member asked whether the applicants had some kind of development rights for SH development. In response, the Chairperson said that whilst the applicants did not have a right in SH development simply because of the previous planning permissions, they might have certain legitimate expectation that approval could again be given by the Board. She drew Members’ attention to the Board’s Guidelines No. 10. It was provided that applications for NTEHs with satisfactory sewage disposal facilities and access arrangements might be approved if the application sites were in close proximity to existing villages and in keeping with the surrounding uses, and where the development was to meet the demand from indigenous villagers.

30. After further deliberation, the Board decided to approve the applications on the terms of the applications as submitted. The permissions should be valid until 2.3.2011, and

after the said date, the permissions should cease to have effect unless before the said date, the development permitted was commenced or the permissions were renewed. The permissions were each subject to the following conditions:

- (a) no felling or over-pruning of the trees adjoining the application site should be carried out;
- (b) the submission and implementation of drainage proposals to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- (c) the submission and implementation of fire fighting access, water supplies and fire service installations proposals to the satisfaction of the Director of Fire Services or of the Town Planning Board.

31. The Board also agreed to advise each of the applicants:

- (a) to note the Chief Engineer/Development(2), Water Supplies Department's comments:
 - (i) to assess the need to extend his inside services to the nearest Government water mains for connection, and to resolve any land matter (such as private lots) associated with the provision of water supply. The applicant should be responsible for the construction, operation and maintenance of the inside services within private lots to Water Supplies Department's standards;
 - (ii) to note that the application site was located within the flood pumping catchment area associated with River Indus and River Ganges pumping stations; and
 - (iii) to note that water mains in the vicinity of the application site could not provide the standard fire-fighting flow; and
- (b) 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 Town Planning Board where required before carrying out the road works.

Agenda Item 5

[Open Meeting]

Request for Deferral of Review of Application No. A/NE-KLH/349

Proposed Eight Houses (New Territories Exempted Houses) (NTEHs)

in “Agriculture” Zone, Lot 1891 and Extension in DD 7, Wai Tau Tsuen, Tai Po

(TPB Paper No. 7767)

32. The Secretary said that Dr. James Lau had declared an interest on the item as his company had current business dealings with the ATAL Engineering Ltd., one of the consultants of the applicant. Members noted that Dr. Lau had sent his apologies for not being able to attend the meeting.

33. The Secretary explained that according to the Board’s Guidelines No. 33 on ‘Deferment of Decision on Representations, Comments, Further Representations and Applications Made under the Town Planning Ordinance’, the general principles for considering request for deferment were that reasonable grounds should be provided to support the request; the proposed deferment should not be indefinite; and the right or interests of other concerned parties would not be affected. Although the consideration of the subject application had been deferred once for a month, the subject request met the above assessment criteria in that the ground for deferment was to allow time for the applicant to resolve the major technical issues with the relevant Government departments; the proposed deferment was for a further period of two months; and the rights of other parties would not be affected.

34. After deliberation, the Board decided to agree to the request for further deferment and that the application should be submitted to the Board for consideration within three months upon receipt of further submission from the applicant. The Board also agreed to advise the applicant that two months were allowed for preparation of submission of further information, and no further deferment would be granted unless under very special

circumstances.

[Professor Bernard V.W.F. Lim arrived to join the meeting at this point.]

Agenda Item 6

[Open Meeting]

Request for Deferral of Review of Application No. A/NE-TKL/286
Proposed Temporary Concrete Batching Plant
for a Period of 5 Years in “Open Storage” Zone,
Lot 167(Part) in DD 83 and Adjoining Government Land,
Kwan Tei North, Fanling
(TPB Paper No. 7768)

35. The Secretary presented the Paper and said that the request was for further deferment of consideration of the application to end April 2007 in order to allow more time for the applicant to resolve comments from the locals and the Government departments.

36. After deliberation, the Board decided to agree to the request for further deferment and that the application should be submitted to the Board for consideration within three months upon receipt of further submission from the applicant. The Board also agreed to advise the applicant that two months were allowed for preparation of submission of further information, and no further deferment would be granted unless under very special circumstances.

[Ms. Anna S.Y. Kwong arrived to join the meeting at this point.]

Agenda Item 7

[Open Meeting (Presentation and Question Session Only)]

Review of Application No. A/YL-KTN/258
Temporary Open Storage of Construction Materials
for a Period of 3 Years in “Other Specified Uses” annotated “Railway Reserve” Zone,

Lots 431(Part), 432(Part), 433A(Part), 433B(Part), 433C(Part), 434(Part), 1738(Part)
and 1739RP(Part) in DD 107 and Adjoining Government Land,
Kam Tin, Yuen Long
(TPB Paper No. 7769)

[The hearing was conducted in Cantonese.]

Presentation and Question Session

37. Mr. Frederick Ng, District Planning Officer/Tuen Mun and Yuen Long of the Planning Department (PlanD), and the following applicant and his representatives were invited to the meeting at this point:

Mr. To Chi-kin	- Applicant
Miss Cheung Wing-size) Applicant's Representatives
Mr. Lam Wai)

38. The Chairperson extended a welcome and explained briefly the procedures of the review hearing. She then invited Mr. Frederick Ng to brief Members on the background to the application.

39. With the aid of plans and photos, Mr. Frederick Ng covered the following main aspects as detailed in the Paper:

- (a) the reasons for the Rural and New Town Planning Committee to reject the application on 29.9.2006 as set out in paragraph 1.2 of the Paper;
- (b) the similar applications within the "Other Specified Uses" annotated "Railway Reserve" ("OU(RR)") zone on the Kam Tin North Outline Zoning Plan as detailed in paragraph 1.4 of the Paper;
- (c) the applicant's further written representations in support of the review application as summarised in paragraph 3 of the Paper;
- (d) departmental comments – the Director of Environmental Protection (DEP)

did not support the application as there were sensitive uses including residential dwellings in the vicinity and environmental nuisance was expected. The written representation made by the applicant failed to address the environmental nuisance issue;

- (e) three public comments were received at the s.17 stage. The Village Representative (VR) of Fung Kat Heung and the Chairman of Fung Kat Heung Four Villages Kai Fong Mutual Aid Association Ltd. (FVKFMAAL), who objected to the application at the s.16 stage, reverted their position and confirmed that they supported the application if the environmental mitigation measures proposed by the applicant were undertaken. A Yuen Long District Council member, who was also the VR of Sha Po Tsuen, objected to the application as it would destroy the natural environment of Sha Po Tsuen and considered that the site should be redeveloped into a park and children's play area; and
- (f) PlanD's view – the application was not supported for the reasons detailed in paragraph 6.2 of the Paper.

40. The Chairperson then invited the applicant and his representatives to elaborate on the application.

41. With reference to a written submission tabled at the meeting, Miss Cheung Wing-sze made the following main points:

- (a) apart from the DEP and the VR of Sha Po Tsuen, the other concerned Government departments and the Kowloon Canton Railway Corporation (KCRC) did not oppose to the application. The Drainage Services Department (DSD) had no objection to the application. The applicant was willing to revise the drainage proposal to the satisfaction of DSD;
- (b) the concerns raised by the DEP and the VR of Sha Po Tsuen could be addressed. As indicated on Plan R-2 of the Paper, there were only three residential structures within 100m of the application site. The one to the north was adjacent to a warehouse approved by the Board previously (No.

A/YL-KTN/259). The distance between this residential structure and the approved warehouse was even shorter than that from the application site. The other two residential structures were about 60m to the south of the application site. As the proposed development was for open storage of construction materials, it would not have adverse impact on these residential structures;

- (c) the site had been in use since 1993, and the DEP had not received any environmental complaint. Notwithstanding, the applicant would undertake the following environmental mitigation measures to address the DEP's concerns:
 - i. opening hours would be restricted to 9:00 a.m. to 7:00 p.m. and no operation on Sundays and public holidays;
 - ii. the proposed development would only be for open storage use. No cleansing, dismantling and industrial activities would be carried out at the site; and
 - iii. heavy vehicles exceeding 5.5 tonnes would be prohibited;
- (d) the applicant was prepared to accept an approval period of 12 months, shorter than the originally proposed period of 22 months, so that he could continue his business for the time being;
- (e) the applicant had made the best effort to contact the objectors and explain to them the details of the proposed use and mitigation measures. The proposal had got the support of the VR of Fung Kat Heung and the Chairman of FVKFMAA, as indicated in their letter of support at Annex 1 of Annex E of the Paper. However, the applicant was not able to contact the VR of Sha Po Tsuen. Nevertheless, the distance between the site and Sha Po Tsuen was about 300m, much further away than Fung Kat Heung. Hence, any impacts on Sha Po Tsuen would be limited; and
- (f) the Board was requested to give sympathetic consideration to the

application so that the applicant could continue his business, which was in line with Government policies to foster harmony of the society, encourage employment and promote economic growth.

42. In reply to a Member's query on the comments of the Highways Department (HyD), Mr. Frederick Ng explained that based on the current programme, construction of the Northern Link/Express Rail Link would commence in 2009 at the earliest. HyD had no objection to the application as the applicant was prepared to accept a shorter approval period up to 31.12.2008 and would allow the KCRC to access the site to carry out site investigation works. The Chairperson noted that the applicant's representative had just stated at the meeting that the applicant was willing to accept a shorter approval period of 12 months.

43. A Member sought clarification on the distance between the site and the two residential dwellings to the south. Miss Cheung Wing-sze replied that the distance should be about 50m to 60m. The discrepancy between paragraph 3(b) of the Paper and the written submission tabled at the meeting might be due to a slight measurement error.

44. Noting from Plan R-3 of the Paper that the site was being used for storage of large construction materials, a Member asked how the applicant could perform his pledge of prohibiting the use of heavy vehicles. The Chairperson and this Member also asked whether the applicant had any intention to find an alternative site for relocation. In response, Miss Cheung Wing-sze and Mr. To Chi-kin made the following main points:

- (a) the applicant had allowed storage of large construction materials as a service to the villagers nearby. As pledged at the meeting, vehicles exceeding 5.5 tonnes would not be used. In view of the departmental concerns, the site would not be used for storage of large construction materials in future. The applicant had already removed some of such materials from the site; and
- (b) whilst the applicant would certainly welcome a longer approval period, an approval period of 12 months would allow time for finding an alternative site for relocation.

45. As the applicant and his representatives had no further comment to make and

Members had no further question to raise, the Chairperson informed them that the hearing procedures for the review had been completed and the Board would further deliberate on the application in their absence and inform the applicant of the Board's decisions in due course. The Chairperson thanked the applicant and his representatives and PlanD's representative for attending the meeting. They all left the meeting at this point.

Deliberation Session

46. Mr. Michael Chiu said that in view of the environmental mitigation measures put forward by the applicant at the meeting, he had no objection to the application.

47. In response to a Member's view that the decision on this application might have implications on another application (No. A/YL-KTN/261) to be considered under Agenda Item 8, the Chairperson said that whilst the Board would have to consider the precedent effect, each planning application should be considered on its own merits. In this regard, the proposed use of the other application was different from that under consideration. Sharing the Chairperson's view, two Members said that unlike the other application, the subject application was for open storage and did not involve any workshop and repairing activities. Also, the villagers of Fung Kat Heung had raised objection to application No. A/YL-KTN/261 but had withdrawn their objection to the subject application.

48. A Member said that a longer approval period up to end 2008 could be given to the subject application such that the applicant could have sufficient time to revise and make genuine effort to implement the drainage proposals to the satisfaction of the DSD. Another Member also said that sympathetic consideration might be given to the application in view of the programme for railway construction in the area and the need to give sufficient time for relocation of the operation.

49. After further deliberation, the Board decided to approve the application on a temporary basis until 31.12.2008, on the terms of the application as submitted to the Town Planning Board and subject to the following conditions:

- (a) no operation between 7:00 p.m. and 9:00 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, as proposed by the applicant, was allowed on the site during the planning approval period;
- (c) no cleansing, dismantling, industrial and workshop activities, as proposed by the applicant, should be carried out on the site at any time during the planning approval period;
- (d) no stacking of materials above the height of the peripheral fencing (2.5m), as proposed by the applicant, should be carried out on the site at any time during the planning approval period;
- (e) no goods vehicles exceeding 5.5 tonnes as defined in the Road Traffic Ordinance and container trailers/tractors, as proposed by the applicant, were allowed to be parked/stored on the site at any time during the planning approval period;
- (f) the Kowloon Canton Railway Corporation should have the right to access the site to carry out ground investigation works at any time during the planning approval period;
- (g) the submission of drainage proposals within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 2.9.2007;
- (h) in relation to (g) above, the implementation of the drainage proposals within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 2.12.2007;
- (i) 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 Town Planning Board by 2.9.2007;
- (j) the provision of the 3kg dry powder/9-litre water type fire extinguisher in the office within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 2.9.2007;

- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) was not complied with during planning approval, 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 expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the Town Planning Board.

50. The Board agreed to remind the applicant that the permission was given to the use under application. It did not condone any other use which currently existed on the site but not covered by the application. The applicant should take immediate action to discontinue such use not covered by the permission.

51. The Board also agreed to advise the applicant:

- (a) that an approval period up to 31.12.2008 was granted in order not to jeopardise the construction programme of the proposed Northern Link and Express Rail Line, and the applicant should make genuine effort to comply with the approval conditions;
- (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's comments in paragraph 10.1.1 of Annex A of the Paper that his office reserved the right to take lease enforcement action against any irregularities and the applicant should apply to his office for a Short Term Waiver/Short Term Tenancy (STW/STT) for regularization of the unauthorized structure on the lot. His office would not guarantee right-of-way to any proposed STW/STT even if the subsequent regularization proposal was approved. The applicant should make his own

arrangement to acquire the necessary right-of-way to the site;

- (d) to note the Assistant Commissioner for Transport/New Territories, Transport Department's comments in paragraph 4.1.1 of the Paper that the right-of-way to the site from San Tam Road might not be guaranteed;
- (e) to note the Chief Highway Engineer/New Territories West, Highways Department (HyD)'s comments in paragraph 4.1.2 of the Paper that the HyD was not responsible for the maintenance of any existing vehicular access connecting the site and San Tam Road;
- (f) to adopt environmental mitigation measures as set out in the "Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the Environmental Protection Department to minimize any possible environmental nuisances;
- (g) to note the Chief Engineer/Mainland North, Drainage Services Department's comments on the drainage proposals in paragraph 4.1.5 of the Paper;
- (h) to note the Chief Building Surveyor/New Territories West, Buildings Department's comments in paragraph 10.1.9 of Annex A of the Paper that all unauthorised building works/structures should be removed. All building works were subject to compliance with the Buildings Ordinance (BO). Authorised Person had to be appointed to coordinate all building works. The granting of planning approval should not be construed as an acceptance of the unauthorised structures on site under the BO. Enforcement action might be taken to effect the removal of all unauthorised works in the future; and
- (i) to note the Director of Electrical and Mechanical Services' comments in paragraph 10.1.11 of Annex A of the Paper that prior to establishing any structure within the site, the applicant and his contractors should consult CLP Power Hong Kong Ltd. (CLPP) in respect of the safety clearances required for activities near the overhead lines and the specific precautionary measures. 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 electricity supply lines. There should not be any reduction of the existing ground clearance between any point on the lowest conductor of the concerned 400kV overhead lines and the ground. In any time, CLPP should be allowed access to the site for carrying out any necessary operation, maintenance and repair work.

Agenda Item 8

[Open Meeting (Presentation and Question Session Only)]

Review of Application No. A/YL-KTN/261

Temporary Logistic Use and Ancillary Container Vehicle Park,

Vehicle Repair Area and Staff Canteen for a Period of 3 Years

in “Industrial (Group D)” and “Other Specified Uses” annotated “Railway Reserve” Zones,

Lots 1733RP(Part), 1734(Part) and 1735(Part) in DD 107 and Adjoining Government Land,

Fung Kat Heung, Yuen Long

(TPB Paper No. 7770)

[The hearing was conducted in Cantonese.]

Presentation and Question Session

52. The Chairperson said that the applicant had informed the Secretariat that he would not attend the meeting. As sufficient notice had been given, Members agreed to proceed with the consideration of the review application in the absence of the applicant.

53. Mr. Frederick Ng, District Planning Officer/Tuen Mun and Yuen Long of the Planning Department (PlanD), was invited to the meeting at this point.

54. The Chairperson extended a welcome and invited Mr. Frederick Ng to brief Members on the background to the application.

55. With the aid of plans and photos, Mr. Frederick Ng covered the following main aspects as detailed in the Paper:

- (a) the reasons for the Rural and New Town Planning Committee to reject the application on 3.11.2006 as set out in paragraph 1.2 of the Paper;
- (b) the similar applications within the “Other Specified Uses” annotated “Railway Reserve” zone on the Kam Ting North Outline Zoning Plan as detailed in paragraph 1.4 of the Paper;
- (c) the applicant’s further written representation in support of the review application as summarised in paragraph 3 of the Paper;
- (d) departmental comments – the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD) did not support the application as the proposed access road of about 4m wide was not adequate for the two-way traffic of container vehicles. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses including residential dwellings in the vicinity and environmental nuisance was expected. The written submission made by the applicant failed to address the environmental nuisance issue;
- (e) two public comments from the Village Representative of Fung Kat Heung and a Yuen Long District Council member, objecting to the application mainly on the grounds of noise and dust nuisances created by heavy vehicles and workshop activities, and the lack of mitigation measures; and
- (f) PlanD’s view – the application was not supported for the reasons detailed in paragraph 6.2 of the Paper in that the application did not comply with the Board’s Guidelines for Application for Open Storage and Port Back-up Uses as the development was incompatible with the surrounding land uses and there were adverse departmental comments on the application, and there was insufficient information to demonstrate no adverse traffic, environmental and drainage impacts from the development.

56. Noting that there were residential dwellings adjacent to the application site, a Member was concerned about the traffic safety of local villagers arising from the container

and heavy goods vehicles using Sam Tam Road. The Chairperson shared the same concern and enquired the number of residential dwellings in the vicinity. Mr. Frederick Ng said that whilst he did not have the requested information in hand, the application site and the village settlement to its south had different vehicular access points. However, they both led to San Tam Road which was a busy road with container and heavy goods vehicle traffic.

57. As Members had no further question to raise, the Chairperson thanked the representative of the PlanD for attending the meeting. Mr. Frederick Ng left the meeting at this point.

Deliberation Session

58. The Chairperson said that there were clear differences between the subject application and the other application (No. A/YL-KTN/258) just approved by the Board upon review at the meeting as follows:

- (a) the subject application was right next to the residential dwellings in the south and the DEP maintained the stance of not supporting the application due to the existence of sensitive uses in the vicinity, and the written submission had failed to address the environmental nuisance issue. The AC for T/NT also did not support the application from traffic point of view;
- (b) the application did not comply with the Board's Guidelines No. 13D for Application for Open storage and Port Back-up Uses; and
- (c) there were local objections to the application.

59. After further deliberation, the Board decided to reject the application on review and the reasons were:

- (a) the application did not comply with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses in that the development was incompatible with the surrounding rural land uses with residential dwellings and cultivated agricultural land, and there were adverse departmental comments on the application; and

- (b) there was insufficient information in the submission to demonstrate that the development would not generate adverse traffic, environmental and drainage impacts on the surrounding areas.

[Ms. Sylvia S.F. Yau, Mr. Walter K.L. Chan, Mr. Michael K.C. Lai and Professor Bernard V.W.F. Lim left the meeting at this point.]

Agenda Item 9

[Open Meeting (Presentation and Question Session Only)]

Section 16 Application No. A/K3/493

Proposed “Shop and Services” and “Office” in “Residential (Group A)” Zone,

94-96 Fa Yuen Street, Mong Kok (KIL 3333RP and 3334RP)

(TPB Paper No. 7772)

[The meeting was conducted in Cantonese.]

60. The Secretary said that as the application site was within the boundaries of the Development Proposal of the then Land Development Corporation (LDC), now the Urban Renewal Authority (URA), for a commercial/residential (C/R) development involving 61 to 87 Sai Yee Street and 78 to 98 Fa Yuen Street, the following Members had declared interests on this item:

Mrs. Ava S.Y. Ng as Director of Planning)	Being non-executive directors of the URA
Mr. Patrick L.C. Lau as Director of Lands)	
Mr. Walter K.L. Chan)	
Ms. Margaret Hsia as Assistant Director (2) of Home Affairs Department	-	Being a co-opt member of the Planning, Development and Conservation Committee of the URA
Mr. Michael K.C. Lai	-	Being a former non-executive director of the URA
Dr. Greg C.Y. Wong	}	Having current business dealings with the URA
Professor Bernard V.W.F. Lim	}	

61. The Chairperson said that the application for a commercial development for ‘Shop and Services’ and ‘Office’ uses under s.16 of the Town Planning Ordinance (the Ordinance) was submitted for consideration of the Metro Planning Committee (MPC) of the Board on 2.2.2007. Since the site fell within the boundaries of the Development Proposal of the then LDC and that the URA was a commenter of the application, both the Chairperson and Vice-chairman of the MPC had declared interests. Thus, the application was submitted to

the Board for consideration. She went on to say that the Development Proposal was a LDC project authorized by the then Secretary for Planning, Environment and Lands in 1997 but yet to be commenced. The URA was still in the process of consulting the locals and the Yau Tsim Mong District Council (YTMDC) on the proposal and was yet to make announcement on whether and how to implement the proposal.

62. Members noted that Mr. Walter K.L. Chan, Mr. Michael K.C. Lai and Professor Bernard V.W.F. Lim had left the meeting, whilst Ms. Margaret Hsia had tendered apologies for not being able to attend the meeting.

[Mrs. Ava S.Y. Ng, Mr. Patrick L.C. Lau and Dr. Greg C.Y. Wong left the meeting at this point.]

Presentation and Question Session

63. The following representatives from the Planning Department (PlanD) were invited to the meeting at this point:

Mr. Edward Li	District Planning Officer/Tsuen Wan and West Kowloon
Mr. Louis Kau	Senior Town Planner/Yau Tsim Mong

64. The Chairperson extended a welcome and invited Mr. Edward Li to brief Members on the background to the application.

65. With the aid of Powerpoint slides, Mr. Edward Li covered the following main aspects as detailed in the Paper:

- (a) the proposal as detailed in paragraph 2 of the Paper;
- (b) the similar applications within the same “Residential (Group A)” (“R(A)”) zone as detailed in paragraph 5 of the Paper;
- (c) two sets of building plans for C/R development at the site were approved by the Building Authority in 1994 and 2007;

- (d) the applicant's justifications in support of the application as summarised in paragraph 3 of the Paper;
- (e) the application site fell within the boundaries of the then LDC's Development Proposal for a C/R development, which was one of the LDC's uncompleted projects and had been accorded priority for implementation within the URA's First 5-Year Corporate Plan. Approval of the subject planning application would affect the comprehensiveness of the Development Proposal;
- (f) according to the findings of the URA's community opinion survey presented to the YTMDC on 14.12.2006, most of the surveyed residents supported a redevelopment approach for implementing the URA Development Proposal while most of the surveyed shop operators supported a rehabilitation approach. However, there was a consensus that the Development Proposal should be implemented as soon as possible. At the same meeting, the YTMDC passed a motion requesting the URA to announce the commencement of the Development Proposal before March 2007;
- (g) 182 comments were received during the statutory public inspection period. One commenter, who was a District Council member, agreed to the proposed uses. The remaining commenters, including the URA, 2 YTMDC members, an Owner Incorporation, local residents and shop operators, raised objections on the grounds that the site was within the boundaries of the URA Development Proposal and that the proposal would affect the progress of the Development Proposal and the structural safety of the nearby old buildings, and create environmental and safety problems to the local residents; and
- (h) PlanD's view – the application was not supported as its approval would affect the comprehensiveness and integrity of the Development Proposal.

66. A Member shared the PlanD's concern that the proposed development would affect the comprehensive development of the area, noting that the local residents had shown

strong support for urban renewal in the area. However, given that the URA was yet to formally announce the implementation of the Development Proposal, this Member asked whether it was fair to reject the subject application.

67. The Chairperson said that the Board should not reject the application simply on the ground of a possible URA Development Proposal, but should consider from the planning perspective as to whether approval of the application would affect the redevelopment of the area in a comprehensive manner. In the event that the Board rejected the application after consideration, the applicant would still have the right to apply for review under s.17 of the Town Planning Ordinance and make representation before the Board.

68. Regarding the disapproval letter from the Building Authority (BA) attached to the Appendix I of the Paper, a Member asked for the details of the submission dated 17.11.2006. In reply, Mr. Louis Kau said that a set of building plans for a C/R development had previously been approved by the BA in 1994. As the proposal complied with the "R(A)" zoning, no planning permission was required. The applicant had subsequently submitted a set of building plans in November 2006 for an 8-storey development with the lowest three floors for commercial use and the remaining five floors for library use. The PlanD did not raise statutory planning objection to this set of building plans as 'Shops and Services' use on the lowest three floors was always permitted within the "R(A)" zone. Whilst 'Library' was also a Column 1 use permitted as of right in the "R(A)" zone, the PlanD had advised the Buildings Department that the proposed library would need to be designated by the Director of Leisure and Cultural Services (DLCS) as a library under the Public Health and Municipal Services Ordinance. Otherwise, planning permission for such would be required. This set of building plans was disapproved by the BA in December 2006 as clarification on the designation of library would be required. The Secretary pointed out that the current application for 'Shop and Services' and 'Office' uses was different from that applied for under the building plans submitted in November 2006. Mr. Edward Li added that another set of building plans, which was in compliance with the "R(A)" zoning and did not require planning permission from the Board, was approved by the BA in February 2007.

69. A Member asked whether it was legally proper for the Board itself to consider an application both at the s.16 and s.17 stages. In reply, the Chairperson said that previous legal advice had advised in the affirmative. At the s.17 review, the applicant had the right to make representation before the Board. Also, there was provision under s.17B of the

Ordinance for the applicant to appeal to the Town Planning Appeal Board against the Board's decision upon review.

70. In reply to the Chairperson's and a Member's questions in respect of the nearby developments, Mr. Louis Kau said that the site covered by the approved application No. A/K3/446 was outside the scope of the URA Development Proposal. As regards 100 Fa Yuen Street, the C/R development complied with the "R(A)" zoning and planning permission was not required.

71. As Members had no further question to raise, the Chairperson thanked the representatives of the PlanD for attending the meeting. They left the meeting at this point.

Deliberation Session

72. Members considered that approving the application would affect the redevelopment of the area in a comprehensive manner. From the planning point of view, the proposal was not supported.

73. Noting that the URA had not yet announced when the project would commence, a Member said that the Board should ask the URA to provide the timing of implementation. The Chairperson responded that while the decision on project implementation rested with the URA and subject to agreement of the Financial Secretary, Members' concern that the URA should implement the project early could be conveyed to the URA. Members agreed to ask the Secretariat to follow up on this.

74. After further deliberation, the Board decided to reject the application for the reason that the proposal was considered piecemeal in nature and the approval of which would jeopardize the redevelopment of the area in a comprehensive manner.

[Dr. C.N. Ng left the meeting at this point.]

Agenda Item 10

Request for Deferral of Section 16 Application No. A/TW/389

Proposed Minor Relaxation of Plot Ratio Restriction for the Provision of 24-hour Public Walkway within Permitted Composite Commercial-Residential Development in “Residential (Group A)” Zone, Tsuen Wan Town Lot 394, Yeung Uk Road, Tsuen Wan

(TPB Paper No. 7771)

[Open Meeting]

75. The Secretary said that as the request was made by the Urban Renewal Authority (URA), the following Members had declared interests on this item:

Mrs. Ava S.Y. Ng as Director of Planning)	Being non-executive directors of the URA
Mr. Patrick L.C. Lau as Director of Lands)	
Mr. Walter K.L. Chan)	
Ms. Margaret Hsia as Assistant Director (2) of Home Affairs Department	-	Being a co-opt member of the Planning, Development and Conservation Committee of the URA
Mr. Michael K.C. Lai	-	Being a former non-executive director of the URA
Dr. Greg C.Y. Wong	}	Having current business dealings with the URA
Professor Bernard V.W.F. Lim	}	

76. Members noted that Mrs. Ava S.Y. Ng, Mr. Patrick L.C. Lau, Mr. Walter K.L. Chan, Mr. Michael K.C. Lai, Dr. Greg C.Y. Wong and Professor Bernard V.W.F. Lim had left the meeting, whilst Ms. Margaret Hsia had tendered apologies for not being able to attend the meeting.

77. The Secretary presented the Paper and said that the request was submitted by the URA for deferral of consideration of the application to allow more time to undertake further consultation with Government departments.

78. After deliberation, the Board decided to defer a decision on the application as

requested by the applicant pending further submission from the applicant. The Board also agreed that the application should be submitted to the Board for consideration within two months from the date of receipt of further information from the applicant. The Board also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 11

[Open Meeting]

Draft Urban Renewal Authority Stone Nullah Lane/Hing Wan Street/King Sing Street
Development Scheme Plan S/H5/URA2/1
Information Note and Hearing Arrangement for
Consideration of Further Representations
(TPB Paper No. 7773)

79. The Secretary said that as the subject Development Scheme Plan was submitted by the Urban Renewal Authority (URA), the following Members had declared interests on this item:

Mrs. Ava S.Y. Ng as Director of Planning)	Being non-executive directors of the URA
Mr. Patrick L.C. Lau as Director of Lands)	
Mr. Walter K.L. Chan)	
Ms. Margaret Hsia as Assistant Director (2) of Home Affairs Department	-	Being a co-opt member of the Planning, Development and Conservation Committee of the URA
Mr. Michael K.C. Lai	-	Being a former non-executive director of the URA
Dr. Greg C.Y. Wong	}	Having current business dealings with the URA
Professor Bernard V.W.F. Lim	}	

80. Members noted that Mrs. Ava S.Y. Ng, Mr. Patrick L.C. Lau, Mr. Walter K.L.

Chan, Mr. Michael K.C. Lai, Dr. Greg C.Y. Wong and Professor Bernard V.W.F. Lim had left the meeting, whilst Ms. Margaret Hsia had tendered apologies for not being able to attend the meeting.

81. The Secretary presented the Paper and requested Members to decide on whether the Further Representations No. F66 to F71 should be considered as invalid and whether the further representations should be considered collectively by the Board.

82. After deliberation, Members agreed that:

- (a) Further Representations No. F66 to F71 relating to rehousing and compensation concerns of the residents of 8 King Sing Street and the pedestrianization scheme of King Sing Street were invalid and should be treated as not having been made under s.6D(3)(b) of the Town Planning Ordinance; and
- (b) the further representations should be considered in the manner as proposed in paragraph 2.2 of the Paper.

Agenda Item 12

[Open Meeting]

Any Other Business

83. There being no other business, the meeting was closed at 11:20 a.m.