

TOWN PLANNING BOARD

Minutes of 344th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 23.2.2007

Present

Director of Planning
Mrs. Ava S.Y. Ng

Chairperson

Mr. Michael K.C. Lai

Vice-chairman

Ms. Carmen K.M. Chan

Professor Nora F.Y. Tam

Professor Peter R. Hills

Mr. Tony C.N. Kan

Mr. Edmund K.H. Leung

Dr. C.N. Ng

Mr. B.W. Chan

Mr. Y.K. Cheng

Ms. Anna S.Y. Kwong

Dr. James C.W. Lau

Chief Engineer/Traffic Engineering (New Territories East),
Transport Department
Mr. H.L. Cheng

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

Assistant Director/New Territories, Lands Department
Ms. Eugina Fok

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

Secretary

Absent with Apologies

Mr. David W.M. Chan

Dr. Lily Chiang

Professor David Dudgeon

Mr. Alfred Donald Yap

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

In Attendance

Assistant Director of Planning/Board
Mr. C.T. Ling

Senior Town Planner/Town Planning Board
Miss Fiona S.Y. Lung

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

Agenda Item 1

Confirmation of the Draft Minutes of the 343rd RNTPC Meeting held on 2.2.2007

[Open Meeting]

1. The draft minutes of the 343rd RNTPC meeting held on 2.2.2007 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Sai Kung and Islands District

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

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/SK-TMT/1 Application for Amendment to the
Approved Tai Mong Tsai and Tsam Chuk Wan
Outline Zoning Plan No. S/SK-TMT/2
from “Coastal Protection Area (1)” to “Village Type Development”,
Lot 498RP in DD257,
Tsam Chuk Wan,
Sai Kung
(RNTPC Paper No. Y/SK-TMT/1)

Presentation and Question Sessions

3. The Committee noted that on 2.2.2007, the applicant requested the Town Planning Board to defer making a decision on the application in order to resolve concerns raised by Government departments.

Deliberation Session

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

Agenda Item 4

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

- (i) A/SK-HC/136 Proposed Houses Development
in “Residential (Group E)” zone,
Lot 300, 305RP, 306RP, 307RP, 343A2(Part),
344, 345, 346, 347 and 349RP(Part) in DD 210
and Adjoining Government Land,
Ho Chung,
Sai Kung
(RNTPC Paper No. A/SK-HC/136)
-

Presentation and Question Sessions

5. The Committee noted that on 14.2.2007, the applicant requested the Town Planning Board (the Board) to further defer making a decision on the application in order to resolve concerns on technical aspects raised by relevant Government departments. The

application was submitted by a company with BMMK, Ratcliffe, Hoare & Co. Ltd. (BMMK) being the consultant. Dr. James C.W. Lau, having current business dealings with BMMK, declared an interest in this item. As the Paper was on the applicant's request to defer consideration of the application and the Board's usual practice was to accede to the request, Members agreed that Dr. Lau could stay in the meeting.

Deliberation Session

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

[Open Meeting (Presentation and Question Sessions Only)]

- (ii) A/SK-HC/140 Proposed Two Houses (New Territories Exempted Houses (NTEHs) – Small Houses)
in “Agriculture” zone,
Lots 434F, 494D, 494E, 496F, 496G,
497K and 497L in DD 244,
Ho Chung,
Sai Kung
(RNTPC Paper No. A/SK-HC/140)
-

Presentation and Question Sessions

[Mr. Tony C.N. Kan joined the meeting during the presentation session.]

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

- (a) background to the application;

- (b) proposed two Houses (New Territories Exempted Houses (NTEHs) - Small Houses);
- (c) departmental comments – the Director of Agriculture, Fisheries and Conservation (DAFC) did not favour the application since the area comprised major good quality agricultural land;
- (d) no public comment was received during the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons given in paragraph 11.1 of the Paper. Although DAFC was not in favour of the application, the site and its surrounding area were not under active cultivation. The proposed Small Houses complied with the interim criteria for assessing planning application for NTEH/Small House development and were compatible with the surrounding rural and village environment, with existing village houses found within 70m of the application site.

8. Members had no question on the application.

Deliberation Session

9. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 23.2.2011, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the submission of archaeological survey before the commencement of any construction works and rescue excavation should be undertaken if significant archaeological remains were found to the satisfaction of the Director of Leisure and Cultural Services or of the Town Planning Board; and

- (b) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board.

10. The Committee also agreed to advise the applicants that the applicants might need to extend the inside services to the nearest Government water mains for connection and should resolve any land matter associated with the provision of water supply. The applicants should also be responsible for the construction, operation and maintenance of the inside services within the private lots.

[Open Meeting (Presentation and Question Sessions Only)]

- (iii) A/TKO/80 Proposed Educational Institution (Post-secondary College)
(Amendments to an Approved Scheme)
in “Residential (Group A)” zone,
Tseung Kwan O Town Lot 92, Area 73,
Tseung Kwan O
(RNTPC Paper No. A/TKO/80)
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Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed educational institution (post-secondary college) (amendments to an approved scheme);
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) no public comment was received during the statutory publication period;
and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons given in paragraph 10.1 of the Paper.

12. Members had no question on the application.

Deliberation Session

13. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the condition that the submission and implementation of environmental mitigation measures to the satisfaction of the Director of Environmental Protection or of the TPB. The permission should be valid until 23.2.2011, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed.

14. The Committee also agreed to advise the applicant to apply to the Director of Lands for a lease modification for the proposed development.

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

Sha Tin, Tai Po and North District

[Mr. W.K. Hui, District Planning Officer/Shan Tin, Tai Po and North (DPO/STN), and Mr. W.W. Chan, Senior Town Planner/Shan Tin, Tai Po and North (STP/STN), were invited to the meeting at this point.]

Agenda Item 5

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/NE-TK/2 Application for Amendment to the
Draft Ting Kok Outline Zoning Plan No. S/NE-TK/12
from “Agriculture” to “Recreation”,
Various Lots in DD 17 and Adjoining Government Land,
Ting Kok,
Tai Po
(RNTPC Paper No. Y/NE-TK/2)

Presentation and Question Sessions

15. The Committee noted that on 16.1.2007, the applicant requested the Town Planning Board to defer making a decision on the application in order to address concerns raised by Government departments.

Deliberation Session

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

Agenda Item 6

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

- (i) A/NE-KTN/120 Proposed Temporary Warehouses
for Storage of Packed Commodities for a Period of 3 Years
in “Agriculture” zone,
Lots 1017(Part), 1018, 1020C, 1021(Part), 1022(Part),
1023, 1024(Part), 1025(Part) and 1026RP(Part) in DD 95,
Ho Sheung Heung,
Kwu Tung North
(RNTPC Paper No. A/NE-KTN/120)
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Presentation and Question Sessions

17. The Committee noted that on 30.1.2007, the applicant requested the Town Planning Board to defer making a decision on the application to resolve concerns on technical aspects raised by Government departments.

Deliberation Session

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

[Open Meeting (Presentation and Question Sessions Only)]

- (ii) A/NE-LYT/351 Proposed House (New Territories Exempted House (NTEH) – Small House)
in “Agriculture” zone,
Lot 1536G in DD 76,
Kan Tau Tsuen,
Fanling
(RNTPC Paper No. A/NE-LYT/351)
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Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed House (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) no public comment was received during the statutory publication period;
and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for reasons given in paragraph 11.1 of the Paper.

20. Members had no question on the application.

Deliberation Session

21. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 23.2.2011, and after the said date, the permission should cease to have effect

unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

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

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

- (a) to note the Chief Engineer/Development(2), Water Supplies Department's comments that :
 - (i) 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 and should be responsible for construction, operation and maintenance of the inside services within private lots to Water Supplies Department's standards;
 - (ii) the application site was located within the flood pumping catchment area associated with River Indus and River Ganges pumping stations; and
- (b) 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) would comply 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.

[Open Meeting (Presentation and Question Sessions Only)]

- (iii) A/NE-TKL/294 Proposed Houses (New Territories Exempted Houses (NTEHs) – Small Houses)
in “Village Type Development” and “Agriculture” zones,
Lots 882B and 882C in DD 79,
Ping Yeung Village,
Fanling
(RNTPC Paper No. A/NE-TKL/294)
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Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed Houses (New Territories Exempted Houses (NTEHs) – Small Houses);
- (c) departmental comments – the Director of Agriculture, Fisheries and Conservation (DAFC) did not favour the application site as it comprised good quality agricultural land;
- (d) no public comment was received during the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for reasons given in paragraph 11.1 of the Paper. Although DAFC was not in favour of the application, the proposed Small Houses complied with the interim criteria for assessing planning application for NTEH/Small House development and were considered not incompatible with the surrounding village settlement.

24. Members had no question on the application.

Deliberation Session

25. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 23.2.2011, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

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

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

- (a) the Chief Engineer/Development (2), Water Supplies Department's comments that:
 - (i) to extend their inside services to the nearest Government water mains for connection, and to resolve any land matter (such as private lots) for with the provision of water supply and should be responsible for construction, operation and maintenance of the inside services within private lots to Water Supplies Department's standards;
 - (ii) water mains in the vicinity of the application site could not provide the standard fire-fighting flow;
 - (iii) the application site was located within the flood pumping catchment area associated with River Indus and River Ganges pumping stations. The applicants should comply with the latest Environmental Protection Department discharge standards and should connect the foul/sewage system to the public sewers when they became available;

and

- (b) 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) would comply 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.

[Open Meeting (Presentation and Question Sessions Only)]

- (iv) A/NE-TK/225 Proposed Public Utility Installation
(Electricity Package Transformer)
in “Green Belt” zone,
Lot 768RP(Part) in DD 28,
Tai Mei Tuk Village,
Tai Po
(RNTPC Paper No. A/NE-TK/225)
-

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed public utility installation (electricity package transformer);
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) no public comment was received during the statutory publication period;
and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the

application for reasons given in paragraph 11.1 of the Paper.

28. Members had no question on the application.

Deliberation Session

29. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 23.2.2011, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the submission and implementation of landscape proposals to the satisfaction of the Director of Planning or of the Town Planning Board; and
- (b) the provision of firefighting water supplies and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.

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

- (a) the applicant should apply to the District Lands Officer/Tai Po, Lands Department for a short term waiver;
- (b) as the proposed package transformer was considered as non-exempted building works, building plans should be submitted to the Building Authority for approval prior to commencement of works;
- (c) emergency vehicular access arrangement should comply with Part VI of the Code of Practice for Means of Access for Firefighting and Rescue administered by Buildings Department;
- (d) to extend his inside services to the nearest suitable Government water mains for connection. The applicant should resolve any land matter (such as private lots) associated with the provision of water supply and should be

responsible for the construction, operation and maintenance of the inside services within the private lots to Water Supplies Department's standards; and

- (e) water mains in the vicinity of the site could not provide the standard fire fighting flow.

[Open Meeting (Presentation and Question Sessions Only)]

- (v) A/TP/386 Proposed Six Houses (New Territories Exempted Houses (NTEHs) — Small Houses)
in “Green Belt” zone,
Lots 829B, 829C, 829D, 829E , 829F and 829G in DD 5,
San Wai Tsai Village,
Tai Po
(RNTPC Paper No. A/TP/386)
-

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed six Houses (New Territories Exempted Houses) (NTEHs) - Small Houses;
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) no public comment was received during the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the

application for reasons given in paragraph 12.1 of the Paper.

32. Members had no question on the application.

Deliberation Session

33. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 23.2.2011, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the submission and implementation of landscape proposals to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the submission and provision of drainage facilities to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- (c) the provision of firefighting access, firefighting water supplies and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.

34. The Committee also agreed to advise the applicants of the following :

- (a) to provide proper drainage facilities for the proposed development at their own expenses and to note that there were no public stormwater drainage facilities in the vicinity of the application site;
- (b) to consult the Environmental Protection Department regarding the preferred sewage treatment/disposal method for the proposed development as public sewerage connection was available for the application site but at some distance away (about 30m);
- (c) to assess the need to extend their inside services to the nearest Government water mains for connection, and to sort out the land matters related to the

construction, operation and maintenance of the inside services within the private lots;

- (d) to observe the “Code of Practice on Working near Electricity Supply Lines” when carrying out works in the vicinity of electricity supply lines. Before commencement of construction works, the applicants and their contractors should liaise with CLP Power Hong Kong Limited to divert the existing low voltage overhead lines away from the vicinity of the proposed development; and
- (e) to implement adequate measures to avoid affecting trees nearby.

[Open Meeting (Presentation and Question Sessions Only)]

- (vi) A/TP/388 Proposed Private Swimming Pool for a House in “Recreation Priority Area” zone, House No. 17, Constellation Cove, 1 Hung Lam Drive, Tai Po Town Lot 150(Part), Tai Po
(RNTPC Paper No. A/TP/388)
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35. The application was submitted by a company with CM Wong & Associates Ltd. (CMW) being the consultant. Dr. James C.W. Lau, having current business dealings with CMW, declared an interest in this item.

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

Presentation and Question Sessions

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

- (a) background to the application;

- (b) proposed private swimming pool for a house;
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) no public comment was received during the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons given in paragraph 10.1 of the Paper .

37. Members had no question on the application.

Deliberation Session

38. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the condition that the submission of a sewerage impact assessment to the satisfaction of the Director of Drainage Services or of the TPB. The permission should be valid until 23.2.2011, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed.

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

- (a) the Chief Engineer/Mainland North, Drainage Services Department's comments that the discharge from the proposed swimming pool was contaminated water and should not be discharged into any public stormwater drainage system or natural stream course; and
- (b) to consult the Director of Environmental Protection on the treatment of contaminated water before discharging it into the public sewerage system.

[Dr. James C.W. Lau returned to join the meeting and Mr. Edmund K.H. Leung left the meeting temporarily at this point.]

[Open Meeting (Presentation and Question Sessions Only)]

- (vii) A/ST/647 Proposed Government Refuse Collection Point
in “Green Belt” zone,
Sha Tin Town Lot 421(Part),
Tung Lo Wan Hill Road,
Sha Tin
(RNTPC Paper No. A/ST/647)
-

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed government refuse collection point (RCP);
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) two public comments were received during the statutory publication period. One commenter, the operator of an elderly home, raised concerns on the possible transportation and staff safety problems in carrying substantial rubbish to the proposed RCP which was further away from its existing location. The other commenter raised objection to the application for adverse traffic and environmental impacts as well as noise/ air/odour nuisances on the nearby residents; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for reasons given in paragraphs 12.1 to 12.3 of the Paper. The concern raised by the operator of an elderly home could be forwarded to the concerned Government department for investigation and possible actions. Regarding the concern raised by the other commenter, parking and manoeuvring space for refuse vehicle would be provided within the site. A planting buffer would also be provided to screen the proposed RCP from

Tung Lo Wan Hill Road and minimize the impacts of its operation. Concerned Government departments had no adverse comment on the application.

41. Members had no question on the application.

Deliberation Session

42. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 23.2.2011, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the submission and implementation of fire-fighting access, water supplies and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (b) the submission and implementation of landscape and tree preservation proposals to the satisfaction of the Director of Planning or of the Town Planning Board.

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

- (a) to consider using native species for the proposed compensatory planting as far as possible;
- (b) the existing water mains would be affected and the applicant should bear the cost of any necessary diversion works affected by the proposed development;
- (c) if site formation works were required for the proposed development, a site formation plan should be submitted to the Buildings Department under the provision of the Buildings Ordinance; and

- (d) to note the Environmental Protection Department's advice on the design of the refuse collection point to minimize the environmental impact as stated in paragraph 10.1.3 of the Paper.

[Mr. Edmund K.H. Leung returned to join the meeting at this point.]

Agenda Item 7

Section 16A Application

[Open Meeting (Presentation and Question Sessions Only)]

A/MOS/61-3 Application for Amendments to the Master Layout Plan
under Application No. A/MOS/61
Comprehensive Residential Development
with Commercial and Government, Institution or Community Facilities
in "Comprehensive Development Area(1)" zone,
Various Lots in DD 206 and Adjoining Government Land,
Area near Lok Wo Sha,
Ma On Shan
(RNTPC Paper No. A/MOS/61-3)

44. The application was submitted by a subsidiary of Henderson Land Development Co. Ltd. (HLD). Mr. Alfred Donald Yap, having current business dealings with HLD, declared an interest in this item. The Committee noted that Mr. Yap had tendered his apology for not being able to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) comprehensive residential development with commercial and Government, institution or community facilities – proposed amendments to the Master

Layout Plan (MLP) under Application No. A/MOS/61;

- (c) departmental comments – no objection from concerned Government departments was received;
- (d) no public comment was received during the statutory publication period. One local objection was received from the District Officer/Shu Tin raising concerns on pedestrian and cyclist access, ‘wall effect’ of the proposed development and increase in car parking spaces; and

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

- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for reasons given in paragraphs 8.1 to 8.3 of the Paper. The local objection was basically the same as that lodged against the previous applications. The concerns related to the pedestrian and cyclist access had been addressed. A segregated, direct and convenient public pedestrian walkway would be provided within the development as required in the approved planning brief. Regarding the ‘wall effect’ of the proposed development, the view corridors/breezeways as proposed in the approved schemes were retained in the current MLP. The current proposed change in the disposition of residential towers T11 to T13 was considered minor. Regarding the increase in car parking spaces, the proposed amendment had been approved in the previous application No. A/MOS/61-2. Concerned Government departments had no adverse comment on the traffic and visual aspects of the proposed amendments.

46. Referring to the site at the north-eastern part of the “Comprehensive Development Area (1)” (“CDA(1)”) zone which was capable of separate alienation, Ms. Eugina Fok asked whether it was possible to stipulate the control on maximum GFA only instead of pre-determining the layout of building blocks as shown on MLP in order to allow flexibility for future design and layout of the site which would be for disposal separately. The Secretary said that the whole site was zoned “CDA(1)” on the Outline Zoning Plan and intended for medium-density residential development with commercial and Government, institution or community facilities to be developed in a comprehensive manner. The “CDA”

zoning was to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints. Pursuant to section 4A(2) of the Town Planning Ordinance, applications for permission in areas zoned “CDA” had to be submitted in the form of MLPs covering the entire site to demonstrate the comprehensive and integrated design of the development scheme. Since the submission of MLP was a statutory requirement, it had to be complied with. Should the future developer of the site subject to separate alienation wish to change the approved MLP, he could submit a revised MLP under the planning permission system to the Committee for consideration.

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

47. Referring to para. 8.3 and Drawing AA-5 of the Paper, the Vice-chairman asked whether the proposed development would result in ‘wall effect’ and the impact on air ventilation in the adjacent area. Referring to Drawing AA-3 of the Paper, Mr. W.K. Hui, DPO/STN, responded that the four visual corridors/breezeways to be provided, as shown on the MLP, would help avoid the ‘wall effect’. The proposed building height profile stepping downward from 32 storeys to 10 storeys would provide a smooth transition in building heights from the future high-rise development at Wu Kai Sha station to the future low-rise development in Whitehead. The Chairperson remarked that the proposed development was in line with the planning intention for medium-density residential development, which was subject to a maximum domestic plot ratio of 3 and a maximum non-domestic GFA of 10,000m². There was no change to the major development parameters in the proposed amendments to the MLP.

Deliberation Session

48. The Chairperson remarked that the current scheme was in compliance with the requirements set out in the approved planning brief. As all the proposed amendments under application were considered minor in nature, the application could be considered for approval.

49. After deliberation, the Committee decided to approve the Master Layout Plan (MLP) and the application, under sections 4A and 16 of the Town Planning Ordinance, on the terms of the application as submitted to the Town Planning Board. The permission should

be valid until 20.5.2009, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the submission and implementation of a revised MLP taking into account conditions (b), (c), (d), (f), (g), (h), (i), (j) and (k) below to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the submission of a revised MLP showing separate alienation of Government land in the north-eastern part of the site to the satisfaction of the Director of Lands or of the Town Planning Board;
- (c) the submission and implementation of a revised landscape master plan, including tree felling and preservation proposals as well as a management plan for the woodland areas, to the satisfaction of the Director of Planning or of the Town Planning Board;
- (d) the implementation of the noise mitigation measures identified in the revised noise impact assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (e) the submission of an Environmental Monitoring and Audit (EM&A) Manual and the implementation of the EM&A Programme identified therein, including but not limited to audit of the construction phase mitigation measures to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (f) the provision of vehicular access, pedestrian circulation system, parking spaces, loading/unloading and lay-by facilities to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (g) the submission of a revised traffic impact assessment and the implementation of traffic improvement measures identified therein to the satisfaction of the Commissioner for Transport or of the Town Planning Board;

- (h) the provision of footbridge connection and public pedestrian walkway(s) from the Ma On Shan Rail Wu Kai Sha Station to the Whitehead headland to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (i) the provision of emergency vehicular access and fire safety measures to the satisfaction of Director of Fire Services or of the Town Planning Board;
- (j) the provision of a kindergarten to the satisfaction of the Secretary for Education and Manpower or of the Town Planning Board;
- (k) the submission of a revised cultural heritage impact assessment, including an archaeological survey and a historical survey, and the implementation of recommendations identified therein to the satisfaction of the Director of Leisure and Cultural Services or of the Town Planning Board;
- (l) the submission of a revised drainage impact assessment and the implementation of the drainage facilities identified therein to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (m) the submission of a revised sewerage impact assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (n) the implementation of the sewerage facilities identified in the revised sewerage impact assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (o) the diversion of water mains to be affected by the proposed development to the satisfaction of the Director of Water Supplies or of the Town Planning Board; and
- (p) the submission of an implementation programme, with phasing proposals to

tie in with the completion of the major infrastructural facilities serving the proposed development and the proposed traffic improvement measures, to the satisfaction of the Director of Planning or of the Town Planning Board.

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

- (a) to note the approved MLP, together with a set of approval conditions, would be certified by the Chairperson of the Town Planning Board and deposited in the Land Registry in accordance with section 4A(3) of the Town Planning Ordinance. Efforts should be made to incorporate the relevant approval conditions into the revised MLP for deposition in the Land Registry as soon as practicable;
- (b) to note the proposed new roads leading to the proposed development required under the Buildings Ordinance should be completed prior to application for occupation permit; and
- (c) to liaise with CLP Power Hong Kong Limited to ensure the additional electricity demand for the proposed development could be supplied from the existing electricity network.

[The Chairperson thanked Mr. W.K. Hui, DPO/STN, and Mr. W.W. Chan, STP/STN, for their attendance to answer Members' enquiries. Messrs. Hui and Chan left the meeting at this point.]

Tuen Mun and Yuen Long District

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

[Ms. Anna S.Y. Kwong joined the meeting at this point.]

Agenda Item 8

[Open Meeting (Presentation and Question Sessions Only)]

- (i) Further Consideration of Application No. A/YL-PS/260
Proposed Temporary Bus Washing Plant with Water Recycling Plant
for a Period of 3 Years
in “Comprehensive Development Area” zone,
Short Term Tenancy No. 1313(Part),
Hung Shui Kiu, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/260)
-

51. The application was submitted by a company with David S.K. Au & Associates Ltd. (DAA) being the consultant. Dr. James C.W. Lau, having current business dealings with DAA, declared an interest in this item.

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary bus washing plant with water recycling plant for a period of 3 years;
- (c) departmental comments – the Director of Environmental Protection objected to the application. Given the nearest residential structures were only about 10m from the site, the operation of the proposed washing plant and recycling plant in addition to the existing bus manoeuvring and parking activities on site would likely cause excessive noise impacts on the nearby sensitive receivers. The Director of Drainage Services advised that no drainage proposal was provided in the submission;

- (d) no public comment was received during the statutory publication period;
and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application for reasons given in paragraph 3.1 of the Paper in that there was insufficient information to demonstrate that the development would not cause adverse environmental and drainage impacts on the surrounding areas.

53. In response to a Member's enquiry, Mr. Wilson Y.L. So, DPO/TMYL, said that no technical assessment was submitted by the applicant to substantiate his argument that noise impacts generated by the bus washing plant would comply with the requirements of Noise Control Ordinance.

Deliberation Session

54. The Chairperson remarked that as no information was submitted by the applicant to address the possible noise nuisances and drainage impacts arising from the proposed bus washing plant on the surrounding environment, the application could not be approved.

55. After deliberation, the Committee decided to reject the application and the reason was that there was insufficient information to demonstrate that the development would not pose adverse environmental and drainage impacts on the surrounding areas.

[Dr. James C.W. Lau returned to join the meeting at this point.]

[Open Meeting (Presentation and Question Sessions Only)]

- (ii) A/YL-PS/265 Temporary Covered and Open Storage of Waste Metal for a Period of 3 Years in “Village Type Development” zone, Lots 153RP, 154 and 155RP in DD 121, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/265)
-

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary covered and open storage of waste metal for a period of 3 years;
- (c) departmental comments – the Director of Environmental Protection did not support the application as there were sensitive uses in the vicinity of the site and/or access road, and environmental nuisance was expected. The Chief Town Planner/Urban Design and Landscape of Planning Department did not support the application as no information had been provided to demonstrate that there would be no adverse impact on the existing landscape. The Director of Drainage Services advised that details of drainage proposal were not provided in the submission. The Assistant Commissioner for Transport/New Territories of Transport Department advised that the approval of the application might set an undesirable precedent and induce cumulative adverse traffic impact on the nearby road network;
- (d) during the statutory publication period, five public comments were received objecting to the application on the grounds that the applied use would cause traffic accidents, environmental pollution, noise nuisances, hygiene and health problems to the local residents; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application for reasons given in paragraphs 12.2 and 12.3 of the Paper in that the applied use was not in line with the planning intention of the “Village Type Development” (“V”) zoning and was not compatible with the residential dwelling nearby. There was no information in the submission to demonstrate that the applied use would not generate adverse environmental, traffic and landscape impacts on the surrounding areas, and the approval of the application would set an undesirable precedent for similar uses to proliferate in the “V” zone.

57. Members had no question on the application.

Deliberation Session

58. The Chairperson remarked that the application fell within Category 4 areas under the Town Planning Board Guidelines No. 13D and there were no exceptional circumstances to merit approval of the application.

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

- (a) the occupation of the site for temporary covered and open storage was not in line with the planning intention of the “Village Type Development” (“V”) zoning which was to designate both existing and recognised villages and areas of land considered suitable for village expansion. No justification had been given in the submission for a departure from the planning intention even on a temporary basis;
- (b) the development did not comply with the Town Planning Board Guidelines No. 13D for Application for Open Storage and Port Back-up Uses in that there were no exceptional circumstances to merit approval and the applied use was not compatible with the residential dwelling nearby;
- (c) there was no information in the submission to demonstrate that the use

would not generate adverse environmental, traffic and landscape impacts on the surrounding areas; and

- (d) the approval of the application would set an undesirable precedent for similar uses to proliferate in the "V" zone. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.

[Open Meeting (Presentation and Question Sessions Only)]

- (iii) A/TM/355 Shop and Services (Real Estate Agency)
in "Industrial" zone,
Workshops No. 214(Part) and 215(Part),
G/F, Hang Wai Industrial Centre,
6 Kin Tai Street,
Tuen Mun
(RNTPC Paper No. A/TM/355)
-

60. The application was submitted by a subsidiary of Henderson Land Development Co. Ltd. (HLD). Mr. Alfred Donald Yap, having current business dealings with HLD, declared an interest in this item. The Committee noted that Mr. Yap had tendered his apologies for not being able to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) shop and services (real estate agency);
- (c) departmental comments – no objection from concerned Government departments was received;

- (d) no public comment was received during the statutory publication period;
and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons given in paragraphs 11.2 and 11.3 of the Paper. A temporary approval of three years was recommended in order to monitor the supply and demand of industrial floor space in the area.

62. Members had no question on the application.

Deliberation Session

63. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years up to 23.2.2010, on the terms of the application as submitted to the Town Planning Board and subject to the following conditions :

- (a) the submission and implementation of fire services installations in the subject premises within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 23.8.2007; and
- (b) if the above planning condition 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.

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

- (a) a temporary approval period of three years was given to monitor the supply and demand of industrial floor space in the area;
- (b) the District Lands Officer/Tuen Mun's comments that the applicant should be advised to apply for a waiver which, if approved, would be subject to such terms and conditions to be imposed;

- (c) the Chief Building Surveyor/New Territories West, Buildings Department's comments that the premises should be separated from the adjoining unit/corridor with walls of fire resisting period not less than two hours; and
- (d) the Director of Fire Services' comments that the applicant should be advised to comply with the requirements as stipulated in Code of Practice for Fire Resisting Construction administered by the Buildings Department for matters in relation to fire resisting construction requirements for the premises.

[Open Meeting (Presentation and Question Sessions Only)]

- (iv) A/YL-KTN/271 Proposed Temporary Open Storage of Vehicles
(Private Cars and Lorries Excluding Container Vehicles)
for a Period of 1 Year
in "Other Specified Uses" annotated "Railway Reserve",
Lots 422A, 422B, 433A(Part), 434(Part), 435,
1736A1(Part) and 1736C2(Part) in DD 107,
Yuen Long
(RNTPC Paper No. A/YL-KTN/271)
-

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary open storage of vehicles (private cars and lorries excluding container vehicles) for a period of 1 year;
- (c) departmental comments – the Director of Environmental Protection did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. The Director of Drainage Services advised that the information on drainage aspects provided in the

submission was not adequate. The District Lands Officer/Yuen Long considered that the proposed vehicular access with unauthorised bridge built on Government land and private lots was not appropriate;

- (d) during the statutory publication period, one public comment was received from the landowner of adjoining private land. The commenter raised strong objection to the application on the ground that his land was illegally used by the applicant for the proposed vehicular access to the development; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application for reasons given in paragraphs 12.2 and 12.3 of the Paper in that there were adverse departmental comments on the application and there was insufficient information in the submission to demonstrate that the development would not generate adverse environmental and drainage impacts on the surrounding areas.

66. Members had no question on the application.

Deliberation Session

67. The Chairperson remarked that as there were adverse departmental comments and problem associated with the proposed vehicular access arrangement had not yet been resolved, the application was not supported.

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

- (a) the application did not comply with the Town Planning Board Guidelines No. 13D for Application for Open Storage and Port Back-up Uses in that 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 environmental and drainage impacts on the surrounding areas.

[Open Meeting (Presentation and Question Sessions Only)]

- (v) A/YL-KTN/272 Proposed House
(New Territories Exempted House (NTEH))
in “Undetermined” zone,
Lots 85RP and 86RP in DD 103,
Au Tau,
Yuen Long
(RNTPC Paper No. A/YL-KTN/272)
-

69. The application was submitted by an applicant represented by District Lands Officer/Yuen Long of Lands Department. Ms. Eugina Fok, being a representative of Lands Department, declared an interest in this item.

[Ms. Eugina Fok left the meeting temporarily at this point.]

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed House (New Territories Exempted House) (NTEH);
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) no public comment was received during the statutory publication period;
and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for reasons given in paragraph 10.1 of the Paper.

71. Members had no question on the application.

Deliberation Session

72. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the condition that the submission and implementation of the tree preservation and landscape proposals to the satisfaction of the Director of Planning or of the TPB. The permission should be valid until 23.2.2011, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed.

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

- (a) the Chief Highway Engineer/New Territories West, Highways Department (HyD)'s comment that HyD was not/should not be responsible for the maintenance of any existing vehicular access connecting the site and Castle Peak Road;
- (b) the Chief Engineer/Mainland North, Drainage Services Department's comment that the proposed development should not cause hindrance to the existing overland flow and mitigation measures should be provided if otherwise;
- (c) the Director of Fire Services' comment that the emergency vehicular access (EVA), fire hydrant and fire services installations would be required in accordance with the 'New Territories Exempted Houses – A Guide to Fire Safety Requirements' issued by Lands Department. Detailed fire safety requirements on EVA, fire hydrant and fire service installations would be formulated upon the receipt of formal application referred by the District Lands Officer/Yuen Long;
- (d) the Chief Engineer/Development(2), Water Supplies Department (WSD)'s comment that on provision of water supply to the development, the applicant might need to extend her inside services to the nearest suitable Government water mains for connection. The applicant should resolve any land matter (such as private lots) associated with the provision of water

supply and should be responsible for construction, operation and maintenance of the inside services within the private lots to WSD's standards; and

- (e) the Chief Building Surveyor/New Territories West, Buildings Department's comment that all non-exempted ancillary site formation and/or communal drainage works were subject to compliance with the Buildings Ordinance, and Authorised Person must be appointed for the above site formation and communal drainage works.

[Open Meeting (Presentation and Question Sessions Only)]

- (vi) A/YL-PH/537 Proposed Temporary Open Storage of Construction Machinery for a Period of 3 Years in "Residential (Group D)" zone, Lots 98(Part), 99 and 100(Part) in DD 108, Ta Shek Wu, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/537)
-

74. The application was submitted by a company with Top Bright Consultants Ltd. (TBC) being the consultant. Dr. James C.W. Lau, having current business dealings with TBC, declared an interest in this item.

[Dr. James C.W. Lau left the meeting and Ms. Eugina Fok returned to join the meeting at this point.]

Presentation and Question Sessions

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

- (a) background to the application;

- (b) temporary open storage of construction machinery for a period of 3 years;
- (c) departmental comments – the Director of Environmental Protection did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. The Chief Town Planner/Urban Design and Landscape of Planning Department raised objection to the application as the applied use was considered incompatible with the existing landscape character of the area. The Director of Drainage Services advised that no drainage proposal was provided in the submission;
- (d) no public comment was received during the statutory publication period. The Chief Town Planner/Central Enforcement and Prosecution of Planning Department received a complaint from a local resident raising concerns on potential discharge of pollutants such as machine oil and sewage into the adjacent stream through the manhole and mobile latrine on site; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application for reasons given in paragraphs 12.2 to 12.4 of the Paper in that the development was not in line with the planning intention of the “Residential (Group D)” zone. No previous approval had been granted and there were adverse departmental comments on the application. There was insufficient information in the submission to demonstrate that the development would not generate adverse environmental, drainage and landscape impacts on the surrounding areas. Approval of the application would set an undesirable precedent for similar applications to proliferate further into the area.

76. Members had no question on the application.

Deliberation Session

77. The Chairperson remarked that as the development did not comply with the Town Planning Board Guidelines No. 13D with adverse departmental comments and local objection received, the application should not be approved.

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

- (a) the development was not in line with the planning intention of the “Residential (Group D)” zone on the Outline Zoning Plan, which was intended primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It was also intended for low-rise, low-density residential developments subject to planning permission from the Town Planning Board. There was no strong justification provided in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the development did not comply with the Town Planning Board Guidelines No. 13D for Application for Open Storage and Port Back-up Uses in that no previous approval had been granted at the site and there were adverse departmental comments on the application;
- (c) there was insufficient information in the submission to demonstrate that the development would not generate adverse environmental, drainage and landscape impacts on the surrounding areas; and
- (d) approval of the application would set an undesirable precedent for similar applications to proliferate further into the area.

[Open Meeting (Presentation and Question Sessions Only)]

- (vii) A/YL-TT/206 Temporary Open Storage of Machinery
for a Period of 2 Years
in “Village Type Development” zone,
Lots 1562A1B(Part) and 1562A1V in DD 119
and Adjoining Government Land,
Pak Sha Tsuen,
Yuen Long
(RNTPC Paper No. A/YL-TT/206)
-

79. The application was submitted by a company with Top Bright Consultants Ltd. (TBC) being the consultant. Dr. James C.W. Lau, having current business dealings with TBC, declared an interest in this item. The Committee noted that Dr. Lau had already left the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary open storage of machinery for a period of 2 years;
- (c) departmental comments – the Director of Environmental Protection did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. The Chief Town Planner/Urban Design and Landscape of Planning Department raised objection to the application from landscape planning point of view as the landscape proposal was unsatisfactory. The Assistant Commissioner for Transport/New Territories of Transport Department considered that approval of the application might set undesirable precedent for other similar applications and induce cumulative adverse traffic impact on the nearby road network;

- (d) during the statutory publication period, four public comments were received objecting to the application on traffic, environmental, landscape and hygiene grounds; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application for reasons given in paragraphs 12.2 and 12.3 of the Paper in that the proposed development was not in line with the planning intention of the “Village Type Development” (“V”) zone, and the proposed development was not compatible with the residential dwellings and agricultural uses in the vicinity of the site. There were adverse departmental comments and there was insufficient information in the submission to demonstrate that the proposed development would not cause adverse environmental, traffic and landscape impacts on the surrounding areas. Approval of the application would set an undesirable precedent for similar uses to proliferate in the “V” zone.

81. Members had no question on the application.

Deliberation Session

82. The Chairperson remarked that as the proposed development fell within Category 4 areas under the Town Planning Board Guidelines No. 13D and was not compatible with the residential dwellings and agricultural uses in the vicinity of the site, the application should not be approved.

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

- (a) the proposed development was not in line with the planning intention of the “Village Type Development” (“V”) zone which was to designate both existing recognized villages and areas of land considered suitable for village expansion. No strong justification had been given in the submission for a departure from the planning intention, even on a temporary basis;

- (b) the proposed development did not comply with the Town Planning Board Guidelines No. 13D for Application for Open Storage and Port Back-up Uses in that the development was not compatible with the residential dwellings and agricultural uses in the vicinity of the site. There were no exceptional circumstances to merit approval and there were adverse departmental comments on the applied use;
- (c) there was insufficient information in the submission to demonstrate that the proposed development would not cause adverse environmental, traffic and landscape impacts on the surrounding areas; and
- (d) the approval of the application would set an undesirable precedent for similar uses to proliferate in the “V” zone. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.

[The Chairperson thanked Mr. Wilson Y.L. So, DPO/TMYL, and Mr. Anthony C.Y. Lee, STP/TMYL, for their attendance to answer Members’ enquiries. Messrs. So and Lee left the meeting at this point.]

Agenda Item 9

Any Other Business

84. There being no other business, the meeting was closed at 3:40 p.m..