

TOWN PLANNING BOARD

**Minutes of 378th Meeting of the
Rural and New Town Planning Committee held at 2:30 p.m. on 15.8.2008**

Present

Director of Planning
Mrs. Ava S.Y. Ng

Chairperson

Mr. David W.M. Chan

Mr. Tony C.N. Kan

Mr. Edmund K.H. Leung

Mr. B.W. Chan

Mr. Y.K. Cheng

Ms. Anna S.Y. Kwong

Professor Paul K.S. Lam

Dr. James C.W. Lau

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

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

Assistant Director/New Territories, Lands Department
Mr. Chris Mills

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

Secretary

Absent with Apologies

Mr. Alfred Donald Yap

Vice-chairman

Professor David Dudgeon

Dr. C.N. Ng

Ms. Maggie M.K. Chan

Professor Edwin H.W. Chan

Mr. Rock C.N. Chen

Mr. Timothy K.W. Ma

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

In Attendance

Assistant Director of Planning/Board
Mr. Lau Sing

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

Town Planner/Town Planning Board
Mr. Simon C.K. Cheung

Agenda Item 1

Confirmation of the Draft Minutes of the 377th RNTPC Meeting held on 1.8.2008

[Open Meeting]

1. The draft minutes of the 377th RNTPC meeting held on 1.8.2008 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

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/SK-CWBN/4 Application for Amendment to the
Approved Clear Water Bay Peninsula (North)
Outline Zoning Plan No. S/SK-CWBN/3
from “Conservation Area” to “Residential (Group C) 7”
subject to a maximum plot ratio of 0.2,
maximum site coverage of 15% and building height not exceeding 9m
and 3 storeys including carport,
Lots 921RP, 923RP, 926, 927, 933-940, 944RP
and Adjoining Government Land in D.D. 243, Sai Kung
(RNTPC Paper No. Y/SK-CWBN/4)

3. The Committee noted that Mr. Edmund K.H. Leung had declared an interest in

this item as he owned a property near to the application site. Mr. Leung had not yet arrived at the meeting.

4. The Committee also noted that the World Wide Fund Hong Kong (WWF) submitted comments on the application. The following Members had declared interests on this application :

Professor David Dudgeon - being a member of the Mai Po management and Development Committee under the WWF

Dr. James C.W. Lau and Professor Paul K.S. Lam - being ex-members of WWF

5. Professor Dudgeon had tendered apology for being unable to attend the meeting. As Dr. Lau and Professor Lam were previously members of WWF and had not involved in providing comments on the application, they could be allowed to stay in the meeting.

Presentation and Question Sessions

6. Ms. Ann O.Y. Wong, Senior Town Planner/Sai Kung and Islands (STP/SKIs), and the following applicant and his representatives were invited to the meeting at this point :

Mr. Chan Ming Kong - applicant
Ms. Betty Ho)
Mr. Steven S.N. Ho) applicant's representatives
Mr. Stan H.Y. Fung)

7. The Chairperson extended a welcome and briefly explained the hearing procedures. The Chairperson then invited Ms. Ann O.Y. Wong, STP/SKIs, to brief Members on the background of the application. With the aid of a Powerpoint presentation, Ms. Ann O.Y. Wong presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application for amendment to the approved Clear Water Bay Peninsula (North) Outline Zoning Plan (OZP) No. S/SK-CWBN/3. Two rezoning requests (Applications No. Z/DPA/SK-CWBN/2 and Y/SK-CWBN/1) for a similar proposal were made by the same applicant in July 2004 and January 2007. The two cases were rejected by the Committee in 3.3.2006 and 13.4.2007 respectively;
- (b) proposed rezoning from “Conservation Area” (“CA”) to “Residential (Group C) 7” (“R(C)”) to facilitate the house development subject to a maximum plot ratio (PR) of 0.2, maximum site coverage (SC) of 15% and maximum building height of 9m and 3 storeys including carport;

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

- (c) the justifications put forth by the applicant in support of the application as detailed in paragraph 2 of the Paper;
- (d) characteristics of the application site and its surrounding area as detailed in paragraph 7 of the Paper;
- (e) the planning and landuse zoning history of application site as detailed in paragraphs 4 and 5 of the Paper;
- (f) departmental comments were detailed in paragraph 9 of the Paper, highlighting that Transport Department had reservation on the rezoning proposal as the cumulative traffic impacts on the road network nearby including Clear Water Bay Road had not been assessed and ascertained in the submission. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), Planning Department objected to the application from landscape planning points of view. The CTP/UD&L also raised concern that the approval of the application might set an undesirable precedent and approval of such similar requests would create adverse cumulative impacts on the visual attributes and landscape character in the area. Environmental Protection Department was also of the view that there was no strong justification or planning gain for changing the zoning of the site

from “CA” to “R(C)7”;

- (g) six public comments were received during the statutory publication period. All of them objected to the application on the grounds that the proposed rezoning would pose serious threats to the existing woodland and nearby habitat and might have adverse impacts on the existing landscape and ecology of the area, setting undesirable precedent leading to adverse cumulative impacts on the existing transport network, natural environment and landscape character of the area; and
- (h) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessment made in paragraph 11 of the Paper. As compared with the previous rezoning proposals, there was no major change to the development parameters of the current proposal except the provision of a public service lane at the Clear Water Bay Road eastbound direction to address the concerns on traffic safety and a reduction of the total gross floor area from 480m² to 418m². The proposed rezoning site formed part of the woodland and dense vegetation extended from Silverstrand in the northwest to Ng Fai Tin in the northeast. The “CA” zoning was considered appropriate. The proposed house development was considered incompatible with the surrounding land uses and the proposed rezoning would set an undesirable precedent for similar requests and lead to adverse visual impacts arising from sporadic developments along Clear Water Bay Road as well as adverse impacts on the nearby road network, natural environment and landscape character in the area.

8. The Chairperson then invited the applicant and his representatives to elaborate on the application. With the aid of a Powerpoint presentation, Ms. Betty Ho made the following main points :

- (a) the application site currently covered by trees was accessible from Clear Water Bay Road. Its adjacent land uses were mainly low-rise residential developments and village houses. To the immediate south-east was a sub-standard bus lay-by;

- (b) there were some illegal dumping activities in the past but they were not done by the applicant. In this regard, there was a need for proper on-site management;
- (c) the applicant purchased the land in 1960s. After returning to Hong Kong from the United States, the applicant would now like to build his own house on the land for retirement;
- (d) as compared with the previous rezoning proposals, the current proposal involved a reduction in total gross floor area. A piece of land (about 310m²) in the application site would be surrendered to Government to improve road safety by providing a 'public service lane' (including a bus lay-by, a 4m wide footpath and the ingress/egress of the proposed development) at the Clear Water Bay Road eastbound direction;
- (e) Transport Department had no objection to the proposed development access arrangement (including the public service lane) in the current proposal. Regarding the cumulative traffic impacts on the nearby road network and the setting of undesirable precedent for other similar applications in the "CA" zone, it was understood that there was not much private land in the area that was suitable for development. Should there be similar development requested by other landowners, they were required to submit s.12A rezoning applications to the Committee for consideration. As there was no information on the intention of other private landowners in the area, the applicant was unable to assess the cumulative traffic impacts. Nevertheless, the proposed public service lane would improve the road safety in the area, and the application would not set an undesirable precedent for similar applications;
- (f) in response to Environmental Protection Department's concerns on the lack of planning gain, it was considered that the current proposal would improve the road safety in the area. Agriculture, Fisheries and Conservation Department had no strong view against the development as the scale of the

proposed development was small;

- (g) in response to the Chief Town Planner/Urban Design & Landscape, Planning Department's concerns on the possible precedent effect, cumulative visual impacts, impracticability of transplanting recommendation, adverse impact on the existing landscaping character and the change of the "CA" zoning of the site, it was considered that the current "CA" zoning was not sufficient in preserving the existing natural landscape, as evident from the previous destructions to the site. There was a need for proper on-site management. The current proposal with site coverage of only 15% had demonstrated the applicant's effort in preserving the environment by maximizing landscaping value within the site;
- (h) regarding Lands Department's comments on the existing footpath, the applicant agreed to the reprovisioning and diversion of the footpath. Other concerned Government departments including Drainage Services Department, Fire Services Department, District Officer (Sai Kung) and Water Supplies Department had no objection to or no adverse comments on the application; and
- (i) in conclusion, it was considered that there were no adverse environmental, landscape and visual impacts arising from the proposed development taking into account the small scale of development, proper treatment on discharge and preservation of existing large and mature trees. More effective environmental conservation measures would be implemented in the current proposal, and the proposed public service lane could improve the traffic and road safety in the area.

9. With the aid of a Powerpoint presentation, Mr. Steven S.N. Ho made the following main points :

- (a) the existing bus lay-by near the application site was substandard which might easily result in tailback and unsafe overtaking. The proposed public service lane was of standard design which could help overcome this

problem; and

- (b) the ingress/egress of the proposed development would be accessed from the proposed public service lane hence traffic on the Clear Water Bay Road would be affected by the development. The proposed vehicular access arrangement complied with Transport Planning & Design Manual (TPDM) and TD had no adverse comment. Furthermore, as the proposed development involved one house only, the traffic generated was considered insignificant.

10. With the aid of a Powerpoint presentation, Mr. Stan H.Y. Fung, made the following main points :

- (a) the application site was a piece of fallow and abandoned agricultural land. The application site was currently covered by some 90 trees which were common species. More than half of them were *Acacia confusa* (台灣相思) which could only last for 40 to 50 years; and
- (b) the existing dense tree belt along the southern boundary would form a visual buffer along the Clear Water Bay Road and nearby residential uses. Compensatory trees to be planted would act as screening buffer to minimize the visual impact of the development as well as enhancing amenity of the site. The proposed house would achieve positive environmental benefit through upgrading and enhancement of the landscape qualities of the site.

11. In response to a Member's enquiry on the provision and maintenance responsibilities of the proposed public service lane, Ms. Betty Ho replied that the proposed public service lane would be provided by the applicant in accordance with Transport Department's and Highways Department's standard. Upon completion, the proposed public service lane would be handed over to Highways Department for maintenance.

12. In response to the same Member's enquiry, Ms. Ann O.Y. Wong replied that to the south of Clear Water Bay Road and the Silvertrand area were mainly low-rise residential

developments and village houses. The application site formed part of the natural woodland to the north of Clear Water Bay Road extended from Silverstrand to Ng Fai Tin. It was necessary to protect and retain the existing natural landscape, ecological and topographical features of the woodland. There were about 20 ha of private agricultural land which fell within “Conservation Area” zone. Approval of the application would set an undesirable precedent for similar requests and the cumulative impact of approving these requests would have adverse impacts on the natural environment and landscape character in the area.

13. In response to the Chairperson’s enquiry about the distribution of the 20 ha of private agricultural land, Ms. Ann O.Y. Wong said that there was no information in hand, but she referred Members to Plan Z-1 and indicated farm land pattern to the east of Twin Bay Villas that there were private agricultural land.

14. The Chairperson sought clarification from Mr. Y.M. Lee on the provision of bus lay-by along Clear Water Bay Road. Mr. Y.M. Lee replied that if there was an operation need, bus lay-by would be provided at appropriate location along Clear Water Bay Road taking into account the road conditions and traffic safety. Any tree felling or land resumption required for such provision would be dealt with in accordance with Transport Department’s and Highways Department’s practice and procedures.

15. 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 application had been completed and the Committee would further deliberate on the application in their absence and inform the applicant of the Committee’s decision in due course. The Chairperson thanked the applicant and his representatives as well as PlanD’s representative for attending the meeting. They all left the meeting at this point.

Deliberation Session

16. A Member indicated support to the application and was of the view that the proposed public service lane in the current proposal to improve road safety was a planning gain and could achieve a win-win situation.

17. Other Members, however, did not support the application and had different views and concerns as follows :

- (a) the application site involved agricultural lots only and there was no building entitlement;
- (b) the application site fell within “CA” zone. Noting that there were some 20 ha of private agricultural land within the “CA” zone, approval of the application would set an undesirable precedent for similar requests and the cumulative impact of which would be of concern;
- (c) to achieve proper on-site management could not be a justification for upzoning to enable the development; and
- (d) there were insufficient planning merits in the proposal which deserved sympathetic consideration or a departure from the planning intention of the “CA” zoning.

18. After further deliberation, the Committee decided not to agree to the application for amendment and the reasons were :

- (a) the rezoning site formed part of the natural woodland to the north of Clear Water Bay Road extended from Silverstrand to Ng Fai Tin. The “Conservation Area” zoning of the rezoning site was considered appropriate to protect and retain the integrating of the existing natural landscape, ecological and topographical features of the site;
- (b) the proposed rezoning proposal would necessitate tree felling and clearance of vegetation for site formation including the proposed public service lane and footpath. Thus, the green environment and landscape character of the site and the adjoining area would be adversely affected;
- (c) the proposed house development was considered incompatible with the surrounding land uses and the proposed rezoning would set an undesirable

precedent for similar requests and lead to adverse visual impacts arising from sporadic developments along Clear Water Bay Road; and

- (d) the cumulative impact of approving similar requests would also lead to adverse impacts on the road network nearby, including Clear Water Bay Road, natural environment and landscape character in the area.

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

Sha Tin, Tai Po and North District

19. As not all the applicant's representatives for Application No. Y/NE-WKS/1 under Agenda Item 4 had arrived, the Committee agreed to deal with Agenda Item 5 first.

Agenda Item 5

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/NE-TK/4 Application for Amendment to the
Draft Ting Kok Outline Zoning Plan No. S/NE-TK/14
from "Agriculture" to "Village Type Development",
Various Lots in D.D. 29 and Adjoining Government Land,
Shan Liu Road, Tai Po
(RNTPC Paper No. Y/NE-TK/4)

20. The Chairperson said that reasonable notice had been given to the applicant but the applicant informed the Secretariat that they would not attend or be represented at the hearing. Members agreed to proceed with the hearing in the absence of the applicant.

21. Mr. W.K. Hui, District Planning Officer/Shan Tin, Tai Po and North (DPO/STN), and Ms. Lisa L.S. Cheng, Senior Town Planner/Shan Tin, Tai Po and North (STP/STN), were invited to the meeting at this point and briefed Members on the background to the application.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed rezoning from “Agriculture” (“AGR”) to “Village Type Development” (“V”);
- (c) departmental comments – Lands Department (LandsD) pointed out that as a basic requirement, applications for Small House sites should be inside the environs of a recognised village. However, consideration would be given to applications for Small House development within a “V” zone, which encircled a recognized village. In this application, the site was well defined by the physical features of Shan Liu Road, river course and the existing village cluster. It could be considered to be a natural extension to the existing “V” zone of Ting Kok Village, which was a recognized village. Other concerned Government departments had no objection to or no adverse comments on the application;
- (d) four public comments were received during the statutory publication period, of which one indicated support and three objected to the application on grounds of road access problem. The District Officer (Tai Po) advised that one of the Indigenous Inhabitant Representatives (IIRs) and Resident Representatives of Ting Kok indicated support to the application. The rest of the IIRs of Ting Kok had no objection to the application; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment made in paragraph 9 of the Paper. As advised by LandsD, the 10-year Small House demand and the number of outstanding Small House applications for Ting Kok Village were 85 and 500 respectively. Based on the latest estimation, about 2.82ha (or

equivalent to about 84 Small House sites) of land were available within the “V” zone of Ting Kok Village. The amount of land available was insufficient to meet the estimated future Small House demand (about 585 Small House sites). Regarding the public concerns, concerned Government departments, including LandsD, Transport Department and Fire Services Department, had no comment on the public comments.

23. As Members had no question to raise, the Chairman thanked DPO/STN and STP/STN for attending the meeting. They left the meeting at this point.

Deliberation Session

24. The Chairperson commented that the application site could be considered as an extension to the existing “V” zone of Ting Kok Village. Members agreed.

25. After deliberation, the Committee decided to agree to the application, an amendment to the draft Ting Kok Outline Zoning Plan No. S/NE-TK/14 would be submitted to the Committee for agreement prior to exhibition under section 7 of the Town Planning Ordinance.

Agenda Item 4

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/NE-WKS/1 Application for Amendment to the
Approved Wo Keng Shan Outline Zoning Plan No. S/NE-WKS/8
from “Green Belt” to “Other Specified Uses (Landfill)”,
Various Lots in DD 79 and Adjoining Government Land,
Wo Keng Sha, Ta Kwu Ling
(RNTPC Paper No. Y/NE-WKS/1)

26. The Committee noted that Mr. C.W. Tse had declared an interest on this item for being the representative of the Director of Environmental Protection, which was the applicant of this item.

[Mr. C.W. Tse left the meeting temporarily at this point.]

Presentation and Question Sessions

27. Mr. W.K. Hui, District Planning Officer/Shan Tin, Tai Po and North (DPO/STN), and Ms. Lisa L.S. Cheng, Senior Town Planner/Shan Tin, Tai Po and North (STP/STN), and the following applicant's representatives were invited to the meeting at this point :

Dr. Ellen Chan

Mr. Alex Kong

Ms. Polly Mok

Mr. Lawrence Lau

Mr. C.F. Wong

28. The Chairperson extended a welcome and briefly explained the hearing procedures. The Chairperson then invited Mr. W.K. Hui, DPO/STN, to brief Members on the background of the application. Mr. W.K. Hui presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application for amendment to the approved Wo Keng Shan Outline Zoning Plan No. S/NE-WKS/8;
- (b) proposed rezoning from "Green Belt" ("GB") to "Other Specified Uses (Landfill)" ("OU(Landfill)") to facilitate a proposed extension of the existing North East New Territories (NENT) Landfill;
- (c) the justifications put forth by the applicant in support of the application as detailed in paragraph 2 of the Paper;
- (d) characteristics of the application site and its surrounding areas as detailed in paragraph 6 of the Paper;
- (e) departmental comments were detailed in paragraph 8 of the Paper. The

Chief Town Planner/Studies and Research (CTP/SR), Planning Department advised that, apart from Tong To Shan Tsuen, the odour impact on Lin Ma Hang Village should also need to be addressed. Other concerned Government departments, including Transport Department, Drainage Services Department, Highways Department, Agriculture, Fisheries and Conservation Department, the Urban Design and Landscape Section of PlanD, Lands Department, Civil Engineering & Development Department and Fire Services Department, had no objection to the application;

- (f) one public comment was received during the statutory publication period, raising objection to the application on grounds of environmental impact and hygiene problem caused to the surrounding areas. The District Officer (North) advised that local objections were received on grounds of environmental and fung shui impacts to the area; and
- (g) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 10 of the Paper. The application site was situated in a valley of Wo Keng Shan adjoining the existing NENT Landfill. The ridges of Wo Keng Shan formed a natural visual/noise barrier to the surrounding areas making the application site generally suitable for consideration as landfill extension. The landfill extension site was not closed to surrounding villages, with the nearest “Village Type Development” zone of Wo Keng Shan and village environs of Lin Ma Hang Village about 230m and 600m away respectively. As the Environmental Impact Assessment (EIA) report conducted for the landfill extension project was endorsed by the Advisory Council on the Environment and approved by the Director of Environment Protection under the Environmental Impact Assessment Ordinance (EIAO) and other technical impact assessments were considered acceptable by concerned Government departments, it was anticipated that with the implementation of the mitigation measures, the potential impacts on the surrounding areas would be at an acceptable level. Regarding the local concerns, it was considered that the proposed landfill was a necessary facility in Hong Kong for waste management and the EIA report had already confirmed that no

adverse environmental impacts would be imposed on the surrounding areas and that the landfill would not affect the fung shui woodlands as stated by the villagers. As regards the CTP/SR's comments, the applicant advised that the EIA report had already covered the odour impact assessment for the surrounding areas including Lin Ma Hang Village, Wo Keng Shan Tsuen, Ping Yeung, etc. and the odour impact would be at an acceptable level.

29. The Chairperson then invited the applicant's representatives to elaborate on the application. With the aid of a Powerpoint presentation, Dr. Ellen Chan and Mr. Alex Kong made the following main points :

- (a) the waste management strategy in Hong Kong mainly comprised three aspects, namely, educating the public to reduce waste generation, to encourage waste recycling, and to manage the disposal of waste properly;
- (b) with the increasing wasteloads about 5 to 6 million tonnes of wastes landfilled each year, more space for landfill was required. There were three existing landfills in Hong Kong, namely the West New Territories (WENT) Landfill in Nim Wan, the South East New Territories (SENT) Landfill in Tseung Kwan O and the North East New Territories (NENT) Landfill in Wo Keng Shan. In 2003, the Government completed a strategic study which recommended extension of all three landfills, including an extension of the existing NENT Landfill, as a feasible and intermediate solution;
- (c) the application site with a target landfilling capacity of about 20 million m³ was situated in a valley adjoining the existing NENT Landfill. The ridges formed a natural barrier to the surrounding villages making the application site suitable for landfill extension. It was estimated that the existing NENT Landfill would be completely filled up before mid 2010s. By then, the landfill activities would move eastwards to the subject landfill extension which would commence to operate for 8 to 10 years;

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

- (d) the application site fell mainly within Government land with only a small portion held under private ownership (about 3.7% of the application site). 13 nos. of graves were affected that required clearance within 3 years. Compensatory planting comprising about 27 ha of woodland, 19 ha of shrubland and 17 ha of grassland would be provided;
- (e) four layout options had been formulated and Option 4 with avoidance of Lin Ma Hang Village, Lin Ma Hang stream and catchments, Tong To Shan Tsuen and major part of Tong To Shan archaeological site was selected;
- (f) an EIA report conducted for the landfill extension project based on Option 4 was endorsed by the Advisory Council on the Environment and approved by the Director of Environmental Protection. The drainage impact assessment concluded that the drainage impact to downstream area was insignificant and no mitigation measure was required. The traffic impact assessment concluded that no adverse traffic impact was expected as the landfill extension would only operate after the closure of the existing NENT Landfill; and
- (g) a continuous public involvement approach was adopted for the landfill extension project. Public consultation activities like informal meetings, site visits, school education programmes and road shows were/would be conducted. To enhance public understanding of the project, a project website was constructed. Through the public consultation activities under the EIA process, the public and local community including relevant district council and rural committees, green groups as well as individual villages around the landfill extension site were informed and involved in various stages of the landfill development. Their concerns and comments had been addressed and reflected in the design.

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

30. Ms. Polly Mok continued the presentation by showing Members a 3D digital model of the landfill extension project.

31. In response to a Member's enquiry on the future zoning of the application site upon restoration of the landfill, Mr. W.K. Hui said that planning was an on-going process. Upon closure of the existing landfill site before mid 2010s, a land use review would be conducted with a view to ascertaining the appropriateness of the zoning of the site and the surrounding areas. Dr. Ellen Chan supplemented that upon completion of the landfill operation, the landfill site would be restored for passive recreation use as the land was not yet suitable for normal building development.

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

32. In response to another Member's enquiry on the environmental impact and hygiene problem, Dr. Ellen Chan said that Food and Environmental Hygiene Department would undertake regular checks to ensure that pest and flies were controlled during the operation of the landfill. It was expected that the operation life of the landfill extension was about 8 to 10 years. In order to reduce the visual and environmental impacts, the landfill site would be restored in phases during the operation of the landfill.

33. A Member asked whether the waterproofing layer would affect the underground water and nearby villages. In reply, Mr. Alex Kong explained that two waterproofing layers would be provided at the base of the landfill. One layer was used to collect the underground water while another layer was used to collect the waste liquid, which would be diverted to other wastewater treatment facilities. In this regard, the underground water would not be contaminated.

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

Deliberation Session

35. The Chairperson said that if the application was approved, an amendment to the Wo Keng Shan Outline Zoning Plan would be submitted to the Committee for agreement prior to gazetting. Hearing arrangement would then be made if representations were received.

36. After further deliberation, the Committee decided to agree to the application. A submission to the Chief Executive in Council would be made to refer the approved Wo Keng Shan Outline Zoning Plan (OZP) No. S/NE-WKS/8 to the Town Planning Board. Upon reference back of the OZP, an amendment to the Plan would be submitted to the Committee for approval prior to gazetting under section 5 of the Town Planning Ordinance.

[Mr. C.W. Tse returned to join the meeting at this point.]

Sai Kung and Islands District

[Ms. Ann O.Y. Wong, STP/SKIs, was invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/163 Redevelopment of Two Houses (New Territories Exempted House)
in “Conservation Area” zone,
Lot 604 in D.D. 247 and Adjoining Government Land,
Ngau Pui Wo, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/163)

37. The Committee noted that the World Wide Fund Hong Kong (WWF) submitted comments on the application. The following Members had declared interests on this

application :

- | | |
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| Professor David Dudgeon | - being a member of the Mai Po management and Development Committee under the WWF |
| Dr. James C.W. Lau and Professor Paul K.S. Lam | - being ex-members of WWF |

38. Professor Dudgeon had tendered apology for being unable to attend the meeting. As Dr. Lau and Professor Lam were previously members of WWF and had not involved in providing comments on the application, they could be allowed to stay in the meeting and participate in the discussion.

Presentation and Question Sessions

39. With the aid of a Powerpoint presentation, Ms. Ann O.Y. Wong, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the redevelopment of two Houses (New Territories Exempted Houses (NTEHs));

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

- (c) departmental comments – Lands Department did not support the application as the proposed built-over area (about 123.3m²) exceeded the registered area of the Lot of 0.02 acre (about 80.9m²) under the lease. Transport Department had reservation on the application as approval of unplanned and sporadic development could result in cumulative traffic impacts on the road network nearby and set an undesirable precedent for other similar applications in the “Conservation Area” (“CA”) zone. In addition, the cumulative traffic impacts on the road network nearby including Ho Chung

Road and Hiram's Highway had not been assessed and ascertained. Agriculture, Fisheries and Conservation Department also had reservation on the proposed access road as the proposed access road would affect a number of trees. The Chief Town Planner/Urban Design and Landscape, Planning Department objected to the application from landscape planning point of view as the proposed two NTEHs and the proposed access would require clearance of all vegetation within the application site and some trees along the existing track and would cause adverse impacts to the landscape character of the "CA" zone;

- (d) seven public comments were received during the statutory publication period. All public commenters objected to/had reservation on the application due to the need to widen and hard pave a proposed access road within the conservation area, and on grounds of environmental, traffic, visual and ecological impacts and incompatible land use zoning; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessment made in paragraph 11 of the Paper. The application was not in line with the planning intention of "CA" zone. Based on the site records of LandsD and the series of aerial photographs taken in 1963, 1964 and 1977 and subsequent years, it was considered that the two ruined structures existing on the application site at present were in fact the same structures which existed prior to 1981 which had a surveyed total built-over area of about 32m². While the applicant submitted a setting out plan for Lot 604 with a revised site boundary to include the two ruined structures, there was no information in the submission to demonstrate that the proposed built-over area of about 123m² was the same as that of the houses existed on the application site on or before 17.8.1990. Approval of unplanned and sporadic development would result in cumulative infrastructural and traffic impacts and set an undesirable precedent for other similar applications in the "CA" zone.

40. In response to the Chairperson's enquiry, Ms. Ann O.Y. Wong replied that as advised by Lands Department, the maximum permitted built-over area of the Lot under the

lease should be 0.02 acre (about 80.9m²). The application site was the subject of a previous application (No. A/SK-HC/60) for rebuilding two 3-storey NTEHs with a total built-over area of 80.9m² approved with conditions by the Committee on 19.6.1998. The previously approved application expired on 19.6.2001 and no application for renewal of planning approval was received. The proposed built-over area in the current application was larger than that of the previously approved application and maximum permitted built-over area under the lease.

Deliberation Session

41. Referring to a case in Lautau recently considered by the Committee at which Members considered only under exceptional circumstances and subject to infrastructures assessment, development might be allowed, having regard to the land right of the subject site, the Chairperson indicated that the lease entitlement of the application site should be 0.02 acre (about 80.9m²). Approving the application exceeding the lease entitlement without good justification would set an undesirable precedent, creating a host of adverse impacts to the surrounding environment.

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

- (a) the application was not in line with the planning intention of “Conservation Area” (“CA”) zone which was to protect and retain the existing natural character and landscape of the area for conservation and to separate sensitive natural environment from the adverse effects of development. No strong justifications had been provided in the development proposal to merit a departure from the planning intention;
- (b) there was no information in the submission to demonstrate that the two New Territories Exempted Houses proposed were redeveloped to the plot ratio, site coverage and height of the houses which existed on the Site on or before 17.8.1990;
- (c) there was no information in the submission to demonstrate that the

proposed redevelopment of two houses and the proposed access road would not have significant landscape impact; and

- (d) the approval of the application would set an undesirable precedent for other similar applications within the “CA” zone. The cumulative impacts of approving such application would result in encroachment in “CA” zone by developments and create adverse landscape, traffic and infrastructural impacts.

[Mr. David W.M. Chan left the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-PK/159 Proposed Six Houses
(New Territories Exempted Houses - Small Houses)
in “Green Belt” and “Village Type Development” zones,
Lots 1090 sA (Part), 1090 sB (Part), 1090 sC (Part), 1090 sD, 1090 sE,
1090 sF and 1090 RP (Part) in DD 217 and Adjoining Government Land,
Kau Sai San Tsuen, Sai Kung, New Territories
(RNTPC Paper No. A/SK-PK/159)

43. The Committee noted that the World Wide Fund Hong Kong (WWF) submitted comments on the application. The following Members had declared interests on this application :

- | | |
|---|---|
| Professor David Dudgeon | - being a member of the Mai Po management and Development Committee under the WWF |
| Dr. James C.W. Lau and
Professor Paul K.S. Lam | - being ex-members of WWF |

44. Professor Dudgeon had tendered apology for being unable to attend the meeting. Though Dr. Lau and Professor Lam were previously members of WWF, they had not involved in providing comments on the application and were allowed to stay in the meeting.

Presentation and Question Sessions

45. With the aid of a Powerpoint presentation, Ms. Ann O.Y. Wong, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed six Houses (New Territories Exempted Houses (NTEHs) - Small Houses);
- (c) departmental comments – Agriculture, Fisheries and Conservation Department had reservation on the application from tree preservation point of view as the application site was located on the fringe of a woodland where some existing mature trees might be affected by the proposed development. The Chief Town Planner/Urban Design and Landscape, Planning Department objected to the application from landscape planning point of view;
- (d) a total of four public comments on the application and the further information on the application were received during the statutory publication period. Two commented on/indicated support and two objected to the application on grounds of incompatible land use zoning, environmental and ecological impacts; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessment made in paragraph 13 of the Paper. The proposed development of the six Small Houses would require the forming of elevated platforms and a barrier wall as slope stabilization works. The application site and the elevated platforms, which involved a total land area of about 976m², fell mainly within the “Green Belt” (“GB”)

zone (about 57%) and partly within the “Conservation Area” (“CA”) zone (6%). The proposed development and the elevated platforms were not in line with the planning intention of the “GB” zone and did not comply with the interim criteria for assessing planning applications for New Territories Exempted Houses/Small House development. Also, buildable land was still available within the “Village Type Development” zone of Kau Sai San Tsuen. The buildable land within the village should be utilized first and the proposed development in the “GB” and “CA” zones were not justified.

46. Members had no question on the application.

Deliberation Session

47. The Chairperson remarked that the proposed six Houses with an elevated platform as slope stabilization works resulting a larger total land area of about 976m² was considered unacceptable. However, as the application site fell within the Village ‘Environs’ of Kau Sai San Tsuen, sympathetic consideration might be given if the scale of Small House development was reduced.

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

- (a) the proposed development of six Small Houses would require the forming of elevated platforms and barrier wall. The application site and the elevated platforms, which involved a total land area of about 976m², fell mainly within the “Green Belt” (“GB”) zone (about 57%) and partly within the “Conservation Area” (“CA”) zone (6%). The proposed development and the elevated platforms were not in line with the planning intention of the “GB” zone which was to define limits of urban development areas by natural features, and the “CA” zone which was to protect and retain the existing natural landscape, ecological and topographical features of the area respectively. There was no strong justification in the submission to merit a departure from the planning intention;

- (b) the proposed development and the elevated platforms were not in line with the Town Planning Board Guidelines No. 10 (TPB PG-No. 10) for ‘Application for Development within “Green Belt” zone under section 16 of the Town Planning Ordinance’ in that it would involve clearance of natural vegetation, mature trees and affect the existing landscape. There was also no information in the submission to illustrate adverse impact of the proposed development with the elevated platforms, and to demonstrate that it would not have adverse conservation, landscape and visual impacts on the surrounding area;

- (c) the proposed development and the elevated platforms did not comply with the interim criteria for assessing planning applications for New Territories Exempted Houses/Small House development in that there was no shortage of land within the “Village Type Development” (“V”) zone of Kau Sai San Tsuen to meet the demand forecast for Small House development. There was insufficient information in the submission to demonstrate why suitable sites within the areas zoned “V” could not be made available for the proposed development; and

- (d) approval of the application would set an undesirable precedent for other similar applications within the “GB” and “CA” zones. The cumulative effect of approving such applications would result in the encroachment on the “GB” and “CA” zones by development and cause adverse conservation, landscape and visual impacts in the area.

[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 Ms. Lisa L.S. Cheng, Senior Town Planner/Shan Tin, Tai Po and North (STP/STN), were invited to the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/380 Proposed Minor Relaxation of Plot Ratio
for Permitted House Development
in “Residential (Group C)” zone,
Lots 896 RP (Part) in D.D. 83,
Ma Liu Shui San Tsuen, Fanling
(RNTPC Paper No. A/NE-LYT/380)

Presentation and Question Sessions

49. Mr. W.K. Hui, DPO/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the minor relaxation of plot ratio for permitted house development;
- (c) departmental comments – no adverse comments from concerned Government departments were received;
- (d) no public comment was received during the statutory publication period. The District Officer (North) advised that the Chairman of Fanling District Rural Committee, an Indigenous Inhabitants Representatives (IIR) of Lung Yeuk Tau and an IIR of Ma Liu Shui San Tsuen and a Residents’ Representative of Ma Liu Shui San Tsuen raised objection to the

application on grounds of possible drainage and traffic impacts; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessment made in paragraph 10 of the Paper. The proposed development with a Plot Ratio of 0.4 within the “Residential (Group C)” (“R(C)”) zone was considered excessive and not in line with the planning intention of the “R(C)” zone. The approval of the application would set an undesirable precedent for similar applications in the future, causing in substantial cumulative adverse impacts to the area.

50. In response to the Chairperson's enquiry, Mr. W.K. Hui replied that as advised by Lands Department, the registered area of the lot before resumption was about 1,040.5m² not 1,106m² as quoted by the applicant. As the area of the application site was about 754.7 m², the area of land resumption for Lung Ma Road improvement works would be about 280 m² and the loss of domestic gross floor area would be about 56 m².

Deliberation Session

51. In response to a Member's enquiry on land resumption for road works, Mr. W.K. Hui said that the Lung Ma Road improvement works had been gazetted and would be implemented as scheduled. Affected lot owners would be compensated under the Roads (Works, Use and Compensation) Ordinance. The Chairperson said that whilst the site area would be reduced due to land resumption for road works, such reduction would be duly compensated under the Ordinance. In this regard, there was no strong justification for the proposed minor relaxation of plot ratio.

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

- (a) the proposed relaxation of plot ratio from 0.2 to 0.4 was not minor in nature;
- (b) the proposed development intensity was excessive and there was no strong justification in the submission for such relaxation of development

restriction; and

- (c) the approval of the application would set an undesirable precedent for similar applications in the future, resulting in substantial cumulative adverse impacts in the area.

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/407

Proposed House

(New Territories Exempted House - Small House)

in “Green Belt” zone,

Lot 426, S.C. in D.D.5,

San Wai Tsai, Tai Po

(RNTPC Paper No. A/TP/407)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed House (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments – concerned Government departments had no objection to the application;
- (d) no public comment was received during the statutory publication period and no local objection was received from the District Officer; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 12 of the Paper.

54. Members had no question on the application.

Deliberation Session

55. The Chairperson remarked that the proposed Small House development complied with the interim criteria for assessing planning application for NTEH/Small House development. In addition, the Chairperson suggested PlanD to review the boundaries of the “Green Belt” and “Village Type Development” zones for San Wai Tsai Village as there were many existing Small Houses found outside the “Village Type Development” zone. Members agreed.

56. After further deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 15.8.2012, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

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

57. The Committee also agreed to advise the applicant :

- (a) to assess the need to extend his 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;

- (b) to consult the Environmental Protection Department regarding the sewage treatment/disposal method for the proposed development;
- (c) to note that there were no existing Drainage Services Department maintained public stormwater drains available for connection in this area. The proposed development should have its own stormwater collection and discharge system to cater for the runoff generated within the subject site as well as overland flow from the surrounding areas. The applicant was required to maintain such systems properly and rectify the systems if they were found to be inadequate or ineffective during operation. The applicant should also be liable for and should indemnify claims and demands arising out of damage or nuisance caused by a failure of the systems;
- (d) to take all necessary measures to avoid affecting the streamcourse nearby; and
- (e) to note that detailed fire safety requirements would be formulated upon receipt of formal application referred by Lands Department.

Agenda Item 10

Section 16A Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/90-2 Proposed Houses (Amendment to Approved Scheme)
in “Comprehensive Development Area” zone,
Fan Kam Road, Kwu Tung South, Sheung Shui
(RNTPC Paper No. A/NE-KTS/90-2)

Presentation and Question Sessions

58. The Committee noted that on 30.7.2008, the applicant requested for deferment of the consideration of the application to allow time to prepare further information to address departmental concerns.

Deliberation Session

59. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending further 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 further 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.

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

Tuen Mun and Yuen Long District

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

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/370 Proposed House (Redevelopment of Existing House)
 in “Green Belt”, “Government, Institution or Community”
 and ‘Road’ zone,
 436, Castle Peak Road, Tuen Mun
 (Lot 977RP and Extension in DD 131)
 (RNTPC Paper No. A/TM/370)

60. The Committee noted that Mr. B.W. Chan had declared an interest in this item as he was the applicant’s legal representative in purchasing the application site.

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

Presentation and Question Sessions

61. Ms. S.H. Lam, STP/TMYL, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed House (redevelopment of existing house);
- (c) departmental comments – concerned Government departments had no objection to or no adverse comments on the application;
- (d) a total of four public comments on the application and the further information on the application were received during the statutory publication period, two of which raised concerns on tree reservation and pedestrian and traffic safety. The other two had no adverse comments on the application; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 10 of the Paper. The application site was currently occupied by a single house of about 100m² and was subject to lease conditions restricting development to a maximum site coverage of 66.67% and 2 storeys (equivalent to a plot ratio of about 1.33 for the lot). According to the Town Planning Board Guidelines for “Application for Development within Green Belt Zone”, redevelopment of existing residential development would generally be permitted up to the intensity of the existing development. For the subject application, the proposed redevelopment to a single house with a gross floor area of about 852.72m² (equivalent to a plot ratio of about 0.4), though exceeded the development intensity of the existing development, was still permissible under the lease. Given that the design and layout of the proposed development were compatible with the character of the surrounding area, no extensive clearance of existing natural vegetation would be affected, and no significant adverse visual impact was expected, sympathetic consideration might be given to the application. The application site was included in a larger site which was the subject of a previous application (No. A/TM/263) approved by the Committee on 16.6.2000 for similar redevelopment of existing houses at a plot ratio of 0.4. There was no material change in planning circumstances or change in the land use of the surrounding areas since the previous approval was granted. Regarding the local concern on tree reservation, an approval condition requiring the applicant to submit and implement the tree preservation proposals was imposed. As regards the concerns on pedestrian and traffic safety, Transport Department had no adverse comments on such aspects.

62. Members had no question on the application.

Deliberation Session

63. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 15.8.2012, and after the said date, the permission should cease to have

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

- (a) the submission of Geotechnical Planning Review Report, and natural terrain hazard study if required, before Building Plan submission and the implementation of any necessary mitigation measures to the satisfaction of the Director of Civil Engineering and Development or of the TPB;
- (b) the provision of water supplies and fire services installations and equipment to the satisfaction of the Director of Fire Services or of the TPB; and
- (c) the submission and implementation of landscape and tree preservation proposals to the satisfaction of the Director of Planning or of the TPB.

64. The Committee also agreed to advise the applicant :

- (a) to note the District Lands Officer/Tuen Mun's comments that the owners were required to apply to his office for a lease modification upon obtaining the planning approval from the TPB and the lease modification, if approved, would be subject to such terms and conditions as considered appropriate including the payment of administrative fee and premium. As the north-eastern corner of an existing building, named “蓮圍” which was mainly situated on Lot No. 976 s.A. in D.D. 131, located to the south of the application site and encroached onto the subject lot, the lot owners were required to resolve the encroachment issue before submitting the formal application for the proposed lease modification;
- (b) to note the Chief Highway Engineer/New Territories West, Highways Department (HyD)'s comments that the applicant should be responsible for his own access arrangement; and if any run-in/out was approved by Transport Department, the applicant should construct it according to HyD's standard drawing H1113 and H1114, or H5115 and H5116, to match the existing pavement condition;

- (c) to note the Chief Building Surveyor/New Territories West, Buildings Department's comments that the development intensity should not exceed the permissible as stipulated under the First Schedule of the Building (Planning) Regulations (B(P)R). If the site did not abut on a road not less than 4.5m wide, the development intensity should be determined under B(P)R 19(3). Any internal streets, if required, would have to be excluded from the site area for the purpose of plot ratio and site coverage calculations under the B(P)R. Any covered areas under the residential blocks, covered landscaped/play areas, covered walkways and buildings/structures at the garden area accountable for gross floor area and site coverage under the Buildings Ordinance (BO). The applicant's attention should be drawn to the provision of emergency vehicular access under B(P)R 41D. Formal submission by an authorized person for the proposed development was required under the BO;
- (d) to note the comments of the Director of Leisure and Cultural Services that a full set of cartographic and photographic survey of the existing building, i.e. Liu Yuan within the application site, should be submitted to her Office for record purpose and access should also be made available to the staff of her Office before the redevelopment of the site;
- (e) to note the Chief Engineer/Mainland North, Drainage Services Department's comments that detailed sewerage connection proposal and drainage proposal for the development should be provided for information and comment;
- (f) to note the comments of the Director of Fire Services that the applicant should be reminded that the arrangement on emergency vehicular access should comply with Part VI of the Code of Practice for Means of Access for Firefighting and Rescue which was administrated by Buildings Department;
- (g) to note the Chief Engineer/Development (2), Water Supplies Department (WSD)'s comments that the existing water mains would be affected and the

developer should bear the cost of any necessary diversion works affected by the proposed development. In case it was not feasible to divert the affected water mains, a waterworks reserve within 1.5 metres from the centreline of the water main should be provided to WSD. No structure should be erected over this waterworks reserve and such area should not be used for storage purposes. The Water Authority and his officers and contractors, his or their workmen should have free access at all times to the said area with necessary plant and vehicles for the purpose of laying, repairing and maintenance of water mains and all other services across, through or under it which the Water Authority might require or authorize; and

- (h) to note the Chief Town Planner/Urban Design & Landscape, Planning Department's comments that the proposed boundary walls and noise barriers should be designed to minimize the adverse visual impact to the surrounding environment.

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/172 Temporary Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in "Green Belt" zone, Lot 164 (Part), 165, 166 (Part), 167 (Part), 180 RP (Part), 189 (Part), 191 and 192 (Part) in D.D. 132 and Adjoining Government Land, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/172)

Presentation and Question Sessions

65. The Committee noted that on 28.7.2008, the applicant requested for deferment of the consideration of the application to allow time to address some departmental and public comments.

Deliberation Session

66. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending further 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 further 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.

[The Chairperson thanked Ms. S.H. Lam, STP/TMYL, for her attendance to answer Members' enquiries. Ms. Lam left the meeting at this point.]

Agenda Item 13 and 14

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

Agenda Item 13

A/YL-PN/20 Place of Recreation, Sports or Culture (Fishing Ground)
in "Agriculture" and "Green Belt" zones,
Lots 80 (Part) and 81 (Part) in D.D. 135
and Adjoining Government Land,
Pak Nai, Yuen Long
(RNTPC Paper No. A/YL-PN/20)

Agenda Item 14

A/YL-PN/21 Temporary Fishing Ground
for a Period of 3 Years
in "Coastal Protection Area" zone,
Lot 121RP (Part) in D.D. 133 and Adjoining Government Land,
Ha Pak Nai, Yuen Long
(RNTPC Paper No. A/YL-PN/21)

67. Noting that the two applications (No. A/YL-PN/20 and 21) were similar in nature, Members agreed to consider the two applications together.

Presentation and Question Sessions

68. Mr. W.M. Lam, STP/TMYL, presented the two applications and covered the following aspects as detailed in the Papers :

- (a) background to the applications;
- (b) the place of recreation, sports or culture (fishing ground) in “Agriculture” and “Green Belt” zones for Application No. A/YL-PN/20, and temporary fishing ground for a period of 3 years in “Coastal Protection Area” zone for Application No. A/YL-PN/21;
- (c) departmental comments – concerned Government departments including Transport Department, Agriculture, Fisheries and Conservation Department, Food and Environmental Hygiene Department, Environmental Protection Department, Drainage Services Department and the Chief Town Planner/Urban Design and Landscape, Planning Department, had no objection to or no adverse comments on the applications;
- (d) three public comments were received during the statutory publication period for Application No. A/YL-PN/20, raising concerns on traffic, ecological and conservation grounds. For Application No. A/YL-PN/21, one public comment was received during the statutory publication period, raising concern on traffic ground; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applications based on the assessment made in paragraph 11 of the Papers. A temporary approval for 3 years was recommended for Application No. A/YL-PN/20 so as to continue monitoring the situation. Regarding the local concerns, concerned Government departments including Transport

Department, Agriculture, Fisheries and Conservation Department and Highways Department, had no objection to or no adverse comments on the applications.

69. Members had no question on the application.

Deliberation Session

70. The Chairperson remarked that the application sites (for Applications No. A/YL-PN/20 and 21) were the subject of two previously approved applications (No. A/YL-PN/8 and 9) respectively for the similar use.

71. After deliberation, the Committee decided to approve the applications on a temporary basis for a period of 3 years up to 15.8.2011, on the terms of the applications as submitted to the Town Planning Board (TPB). Each permission was subject to the following conditions :

- (a) no night-time operation between 9:00 p.m. and 7:00 a.m. was allowed on the site during the planning approval period;
- (b) the submission of a tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 15.2.2009;
- (c) in relation to (b) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 15.5.2009;
- (d) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 15.2.2009;
- (e) in relation to (d) above, the provision of drainage facilities proposed within 9 months from the date of planning approval to the satisfaction of the

Director of Drainage Services or of the TPB by 15.5.2009;

- (f) the provision of a 9-litre water type/3kg dry powder fire extinguisher in each of the proposed rain shelter within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 15.2.2009;
- (g) if the above planning condition (a) was not complied with during the planning approval period, the approval hereby given should cease to have effect and should be revoked immediately without further notice; and
- (h) if any of the above planning conditions (b), (c), (d), (e) or (f) was not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

72. The Committee agreed to remind the applicant that prior planning permission should have been obtained before commencing the applied use at the application site.

73. For Application No. A/YL-PN/20, the Committee also agreed to advise the applicant :

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the application site;
- (b) to note that the site should be kept in a clean, tidy and hygienic condition at all times;
- (c) to note the District Lands Officer/Yuen Long's comments to apply for Short Term Waiver and Short Term Tenancy to regularise the irregularities on the site;
- (d) to note the Chief Town Planner/Urban Design and Landscape, Planning Department's comment that the tree preservation and landscape proposal

should have an objective to provide screen tree planting around the site perimeter;

- (e) to note the Chief Building Surveyor/New Territories West, Buildings Department's comments on the removal of unauthorized structures within the site which were liable to action under section 24 of the Buildings Ordinance (BO). The granting of this planning approval should not be construed as condoning to any unauthorized structures existing on the site under the BO and the allied regulations. Actions appropriate under the said Ordinance or other enactment might be taken if contravention was found. Formal submission of any proposed new works, including any temporary structure for approval under the BO was required;
- (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 minimise any possible environmental nuisances;
- (g) to note the Director of Agriculture, Fisheries and Conservation's comment that appropriate measures should be taken to prevent any disturbance and environmental hygiene problems that might affect the fish culture activities nearby due to the increased number of visitors;
- (h) to note the Chief Engineer/Development (2), Water Supplies Department's comments that there was a water works reserve on site. No structure should be erected over the waterworks reserve and such area should not be used for storage purposes. The Water Authority and his officers and contractors, his or their workmen should have free access at all times to the said area with necessary plant and vehicles for the purpose of laying, repairing and maintenance of water mains and all other services across, through or under it which the Water Authority might require or authorize; and
- (i) to note the Director of Food and Environmental Hygiene (DFEH)'s

comments that appropriate licences issued by the DFEH should be obtained if food business was carried out. Attention should be drawn to the Food Business Regulation made under section 56 of the Public Health and Municipal Services Ordinance, Cap 132. The operation should not cause any environmental nuisance to the surrounding. The refuse generated by the proposed temporary fishing ground were regarded as trade refuse. The management or owner of the site was responsible for its removal and disposal at their expenses.

74. For Application No. A/YL-PN/21, the Committee also agreed to advise the applicant :

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the application site;
- (b) to note that the site should be kept in a clean, tidy and hygienic condition at all times;
- (c) to note the District Lands Officer/Yuen Long's comments to apply for Short Term Waiver and Short Term Tenancy to regularise the irregularities on the site;
- (d) to note the Chief Building Surveyor/New Territories West, Buildings Department's comments on the removal of unauthorized structures within the site which were liable to action under section 24 of the Buildings Ordinance (BO). The granting of this planning approval should not be construed as condoning to any unauthorized structures existing on the site under the BO and the allied regulations. Actions appropriate under the said Ordinance or other enactment might be taken if contravention was found. Formal submission of any proposed new works, including any temporary structure for approval under the BO was required;
- (e) to note the Chief Engineer/Development (2), Water Supplies Department (WSD)'s comment that the applicant might need to extend the inside

services to the nearest suitable government water mains for connection for provision of water supply to the development. The applicant should resolve any land matter associated with the provision of water supply and should be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards;

- (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 minimise any possible environmental nuisances;
- (g) to note the Director of Agriculture, Fisheries and Conservation's comment that appropriate measures should be taken to prevent any disturbance and environmental hygiene problems that might affect the fish culture activities nearby due to the increased number of visitors; and
- (h) to note the Director of Food and Environmental Hygiene's comments that appropriate licences issued by the Director of Food and Environmental Hygiene should be obtained if food business was carried out. Attention should be drawn to the Food Business Regulation made under section 56 of the Public Health and Municipal Services Ordinance, Cap 132. The operation should not cause any environmental nuisance to the surrounding. The refuse generated by the proposed temporary fishing ground were regarded as trade refuse. The management or owner of the site was responsible for its removal and disposal at their expenses.

[The Chairperson thanked Mr. W.M. Lam, STP/TMYL, for his attendance to answer Members' enquiries. Mr. Lam left the meeting at this point.]

[Mr. Edmund K.H. Leung and Professor Paul K.S. Lam left the meeting while Mr. B.W. Chan returned to join the meeting at this point.]

Agenda Item 15 to 21

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

Agenda Item 15

A/YL-LFS/174 Proposed House (New Territories Exempted House - Small House)
in “Green Belt” and “Village Type Development” zones,
Lots 2662 S.F and 2663 S.L in D.D. 129,
Sha Kong Wai, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/174)

Agenda Item 16

A/YL-LFS/175 Proposed House (New Territories Exempted House - Small House)
in “Green Belt” zone,
Lot 2663 S.G in D.D. 129,
Sha Kong Wai, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/175)

Agenda Item 17

A/YL-LFS/176 Proposed House (New Territories Exempted House - Small House)
in “Green Belt” zone,
Lot 2663 S.H in D.D.129,
Sha Kong Wai, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/176)

Agenda Item 18

A/YL-LFS/177 Proposed House (New Territories Exempted House - Small House)
in “Green Belt” and “Village Type Development” zones,
Lot 2663 S.J in D.D. 129,
Sha Kong Wai, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/177)

Agenda Item 19

A/YL-LFS/178 Proposed House (New Territories Exempted House - Small House) in “Green Belt” and “Village Type Development” zones, Lots 2662 S.I and 2663 S.M in D.D. 129, Sha Kong Wai, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/178)

Agenda Item 20

A/YL-LFS/179 Proposed House (New Territories Exempted House - Small House) in “Green Belt” and “Village Type Development” zones, Lots 2660 S.D, 2661 S.W and 2662 S.H in D.D. 129, Sha Kong Wai, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/179)

Agenda Item 21

A/YL-LFS/180 Proposed House (New Territories Exempted House - Small House) in “Green Belt” and “Village Type Development” zones, Lot 2663 S.I in D.D. 129, Sha Kong Wai, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/180)

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the proposed seven Houses (New Territories Exempted Houses (NTEHs) - Small Houses);
- (c) departmental comments – the Chief Town Planner/Urban Design and Landscape, Planning Department had reservation on the proposed developments from landscape point of view. Fire Services Department

advised that Emergency Vehicular Access would be required, but no information on this aspect had been provided in the applications;

- (d) two public comments were received during the statutory publication period, raising objection to the application on ground of fung shui impact; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the applications based on the assessment made in paragraph 13 of the Paper. The proposed developments were not in line with the planning intention of the “Green Belt” (“GB”) zone. The proposed developments were not in line with the Town Planning Board Guidelines for Application for Development within “GB” Zone Under Section 16 of the Town Planning Ordinance (TPB PG-No. 10). Applications No. A/YL-LFS/174, 175, 176, 177, 179 and 180 did not comply with the interim criteria in that more than 50% of the sites and proposed NTEH footprints fell outside the “Village Type Development” (“V”) zone. Although 59% of the proposed NTEH footprint fell inside the “V” zone under the Application No. A/YL-LFS/178, there was no general shortage of land in meeting the demand of Small House development in the related “V” zone. Since there was sufficient land in the subject “V” zone of Sha Kong Wai, Ngau Hom and San Hing Tsuen to meet the demand of village houses, the current applications did not warrant sympathetic consideration.

76. In response to a Member's enquiry, Mr. Anthony C.Y. Lee said that as advised by Lands Department, the outstanding Small House applications in Sai Kong Wai, Ngau Hom and San Hing Tsuen were 148 houses and the Small House demand in the next 10 years in the said villages were estimated to be 260 houses. There was still about 14.5 ha (equivalent to 580 Small House sites) of land available within the “V” zone of Sha Kong Wai, Ngau Hom and San Hing Tsuen for Small House development. In this regard, there was sufficient land in the “V” zone of the three villages to meet the demand of village houses.

Deliberation Session

77. The Chairperson remarked that the applications did not comply with the interim

criteria for assessing planning applications for New Territories Exempted House/Small House development. There was also sufficient land in the “V” zone to meet the demand of village houses.

78. After deliberation, the Committee decided to reject the Applications No. A/YL-LFS/174, 175, 176, 177, 179 and 180 and the reasons were :

- (a) the proposed developments were not in line with the planning intention of the “Green Belt” (“GB”) zone which was primarily to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl, as well as to provide passive recreational outlets. No strong justification had been given in the submissions for a departure from such planning intention;
- (b) the proposed developments were not in line with the Town Planning Board Guidelines for Application for Development within “GB” Zone Under Section 16 of the Town Planning Ordinance (TPB PG-No. 10) as there was a general presumption against development within this zone;
- (c) the proposed developments did not comply with the interim criteria for assessing planning applications for New Territories Exempted House (NTEH)/Small House development in that more than 50% of the sites and proposed NTEHs footprints were outside the “Village Type Development” (“V”) zone. There was insufficient information in the submission to demonstrate why suitable sites within the areas zoned “V” could not be made available for the proposed developments; and
- (d) the proposed developments were incompatible with the surrounding rural area. There was insufficient information/technical assessment in the submissions to demonstrate that the developments would not generate adverse landscape impact on the surrounding areas.

79. After deliberation, the Committee decided to reject the Application No. A/YL-LFS/178 and the reasons were :

- (a) the proposed development was not in line with the planning intention of the “Green Belt” (“GB”) zone which was primarily to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl, as well as to provide passive recreational outlets. No strong justification had been provided in the submission for a departure from the planning intention;
- (b) the proposed development was not in line with the Town Planning Board Guidelines for Application for Development within “GB” Zone Under Section 16 of the Town Planning Ordinance (TPB PG-No. 10) as there was a general presumption against development within this zone;
- (c) the proposed development did not comply with the interim criteria for assessing planning applications for New Territories Exempted House/Small House development in that there was insufficient information in the submission to demonstrate why other suitable sites within the areas zoned “Village Type Development” could not be made available for the proposed development; and
- (d) the proposed development was incompatible with the surrounding rural area. There was insufficient information/technical assessment in the submission to demonstrate that the development would not generate adverse landscape impact on the surrounding areas.

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/166 Proposed Comprehensive Residential Development
to include Wetland Restoration Area
in “Other Specified Use” annotated
“Comprehensive Development to include Wetland Restoration Area”
and “Village Type Development” zones,
Lots 43ARP(Part) and 50 in DD 101, Lots 1266RP(Part), 1267(Part)
and 1268(Part) in DD 105 and Adjoining Government Land,
Wo Shang Wai, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/166)

80. The application was submitted by a subsidiary of Henderson Land Development Co. Ltd.. The Committee noted that Mr. Alfred Donald Yap had declared an interest in this item as he had current business dealings with Henderson Land Development Co. Ltd.. Nevertheless, the applicant had requested to defer consideration of the application. Mr. Yap had tendered apology for being unable to attend the meeting.

Presentation and Question Sessions

81. The Committee noted that on 7.8.2008, the applicant requested for deferment of the consideration of the application to allow time to address the technical questions raised by the Government departments.

Deliberation Session

82. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending further 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 further 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 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/299 Proposed Filling of Pond for Permitted Houses
(New Territories Exempted House - Small House)
in “Village Type Development” zone,
Lots 754A to Q, 754R(Part), 754S(Part), 754T(Part),
754U(Part), 754V(Part), 754W(Part), 754X(Part), 754Y, 754Z,
754AA to AG, in DD 109,
Shui Mei Tsuen, Kam Tin, Yuen Long

(RNTPC Paper No. A/YL-KTN/299)

83. The Committee noted that Dr. James C.W. Lau had declared an interest on this item as he had current business dealings with Ho Tin & Associates Consulting Engineers Ltd., which was the consultant for the application. As the applicant had requested to defer consideration of the application, Dr. Lau could be allowed to stay at the meeting.

Presentation and Question Sessions

84. The Committee noted that on 8.8.2008, the applicant requested for deferment of the consideration of the application to allow time to prepare further supplementary information to address the outstanding departmental comments.

Deliberation Session

85. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending further 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 further 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 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/300 Proposed Houses
in “Other Specified Uses” annotated
“Comprehensive Development and “Wetland Enhancement Area” zones,
Lots 111RP, 112RP, 114RP, 115RP, 116RP, 120RP, 260RP(Part),
261RP, 264(A-D)RP, 264 S(E-H)RP, 266BRP, 268(A-B)(Part), 268CRP
and 269B(Part) in DD 109 and Adjoining Government Land,
Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/300)

Presentation and Question Sessions

86. The Committee noted that on 4.8.2008, the applicant requested for deferment of the consideration of the application to allow time to prepare supplementary information in coordination with relevant government departments.

Deliberation Session

87. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending further 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 further 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 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/304 Animal Boarding Establishment with Ancillary Facilities
in “Agriculture” zone,
Lot 1493 in D.D. 107 and Adjoining Government Land,
Shui Mei Tsuen, Kam Tin,
Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTN/304)

Presentation and Question Sessions

88. The Committee noted that on 30.7.2008, the applicant requested for deferment of the consideration of the application for one month to allow time for preparation of supplementary information in support of his application.

Deliberation Session

89. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending further 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 further information from the applicant. The Committee also agreed to advise the applicant that one month was allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/426 Proposed Comprehensive Residential Development
in “Comprehensive Development Area” zone,
Lots 547RP(Part) and 2160RP in DD 106
and Adjoining Government Land,
Kam Tin South, Yuen Long
(RNTPC Paper No. A/YL-KTS/426)

90. The application was submitted by a subsidiary of Henderson Land Development Co. Ltd.. The Committee noted that Mr. Alfred Donald Yap had declared an interest in this item as he had current business dealings with Henderson Land Development Co. Ltd.. Nevertheless, the applicant had requested to defer consideration of the application. Mr. Yap had tendered apology for being unable to attend the meeting.

Presentation and Question Sessions

91. The Committee noted that on 31.7.2008, the applicant requested for deferment of the consideration of the application to allow time to prepare supplementary information to address departmental comment.

Deliberation Session

92. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending further 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 further 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 27 to 35

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

Agenda Item 27

A/YL-KTS/428 Proposed House (New Territories Exempted House - Small House)
in “Agriculture” zone,
Lots 191 S.B ss.4 and 191 S.C ss.1 in D.D. 113,
Cheung Po, Pat Heung,
Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/428)

Agenda Item 28

A/YL-KTS/429 Proposed House (New Territories Exempted House - Small House)
in “Agriculture” zone,
Lot 191 S.B ss.3 in D.D. 113,
Cheung Po, Pat Heung,
Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/429)

Agenda Item 29

A/YL-KTS/430 Proposed House (New Territories Exempted House - Small House)
in “Agriculture” zone,
Lots 191 S.B ss.2 and 192 S.E ss.1 in D.D. 113,
Cheung Po, Pat Heung,
Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/430)

Agenda Item 30

A/YL-KTS/431 Proposed House (New Territories Exempted House - Small House)
in “Agriculture” zone,
Lot 191 S.C ss.2 in D.D. 113,
Cheung Po, Pat Heung,
Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/431)

Agenda Item 31

A/YL-KTS/432 Proposed House (New Territories Exempted House - Small House)
in “Agriculture” zone,
Lot 191 S.C ss.4 in D.D. 113,
Cheung Po, Pat Heung,
Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/432)

Agenda Item 32

A/YL-KTS/433 Proposed House (New Territories Exempted House - Small House)
in “Agriculture” zone,
Lots 191 S.B ss.1 and 192 S.H ss.1 in D.D. 113,
Cheung Po, Pat Heung,
Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/433)

Agenda Item 33

A/YL-KTS/434 Proposed House (New Territories Exempted House - Small House)
in “Agriculture” zone,
Lot 191 S.C ss.6 in D.D. 113,
Cheung Po, Pat Heung,
Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/434)

Agenda Item 34

A/YL-KTS/435 Proposed House (New Territories Exempted House - Small House)
in “Agriculture” zone,
Lot 191 S.C ss.3 in D.D. 113,
Cheung Po, Pat Heung,
Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/435)

Agenda Item 35

A/YL-KTS/436 Proposed House (New Territories Exempted House - Small House)
in “Agriculture” zone,
Lot 191 S.C ss.5 in D.D. 113,
Cheung Po, Pat Heung,
Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/436)

Presentation and Question Sessions

93. Miss Paulina Y.L. Kwan, STP/TMYL, presented the applications and covered the following aspects as detailed in the Papers :

- (a) background to the applications;
- (b) the proposed nine Houses (New Territories Exempted Houses (NTEHs) - Small Houses);
- (c) departmental comments – Electrical and Mechanical Services Department objected to Applications No. A/YL-KTS/431, 432, 434, 435 and 436 as the five NTEHs under these applications encroached on the existing CLP Power Hong Kong Limited (CLPP)’s low voltage overhead lines;
- (d) five public comments were received during the statutory publication period, of which one commented on and four raised objection to the applications on grounds of noise, air quality, traffic, drainage and fung shui impacts, and

safety/security problem; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the applications based on the assessment made in paragraph 12 of the Paper. The proposed developments were not in line with the planning intention of the “Agriculture” zone. The proposed developments did not comply with the interim criteria for assessing planning applications for New Territories Exempted Houses/Small Houses development in that there was no shortage of land within the “Village Type Development” (“V”) zone of Cheung Po and Tai Wo to meet the demand forecast for Small House development.

Deliberation Session

94. In response to a Member's enquiry, the Chairperson indicated that the applications did not comply with the interim criteria for assessing planning applications for New Territories Exempted House/Small House development. There was also sufficient land within the “V” zone to meet the demand of village houses.

95. After deliberation, the Committee decided to reject the Applications No. A/YL-KTS/428, 429, 430 and 433 and the reasons were :

- (a) the proposed developments were not in line with the planning intention of the “Agriculture” zone which was to retain and safeguard good agricultural land for agricultural purpose and to retain fallow arable land with good potential for rehabilitation. No strong justification had been given in the submission for a departure from such planning intention; and
- (b) the proposed developments did not comply with the interim criteria for assessing planning applications for New Territories Exempted Houses/Small Houses (SH) development in that there was no shortage of land within the “Village Type Development” (“V”) zone of Cheung Po and Tai Wo to meet the demand forecast for SH development. There was insufficient information in the submission to demonstrate why suitable sites within the areas zoned “V” could not be made available for the proposed

development.

96. After deliberation, the Committee decided to reject the Applications No. A/YL-KTS/431, 432, 434, 435 and 436 and the reasons were :

- (a) the proposed developments were not in line with the planning intention of the “Agriculture” zone which was to retain and safeguard good agricultural land for agricultural purpose and to retain fallow arable land with good potential for rehabilitation. No strong justification had been given in the submission for a departure from such planning intention;
- (b) the proposed developments did not comply with the interim criteria for assessing planning applications for New Territories Exempted Houses (NTEHs)/Small Houses (SH) development in that there was no shortage of land within the “Village Type Development” (“V”) zone of Cheung Po and Tai Wo to meet the demand forecast for SH development. There was insufficient information in the submission to demonstrate why suitable sites within the areas zoned “V” could not be made available for the proposed development; and
- (c) there was no information in the submission to demonstrate that the proposed NTEHs would not affect the low voltage overhead lines in the vicinity.

[The Chairperson thanked Mr. Anthony C.Y. Lee, STP/TMYL, for his attendance to answer Members’ enquiries. Mr. Lee left the meeting at this point.]

[Mr. Chris Mills left the meeting at this point.]

[A short break of 5 minutes was taken.]

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/439 Proposed Houses
in “Residential (Group D)” zone,
Lots 1276, 1277RP, 1335 S.A, 1335 RP, 1336 RP,
1337 RP, 1338, 1339, 1342 and 1343 RP in D.D. 106
and Adjoining Government Land,
Kong Ha Wai, Kam Tin,
Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/439)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed Houses;
- (c) departmental comments – Agriculture, Fisheries and Conservation Department (AFCD) did not favour the application from agricultural development point of view. No adverse comments from other concerned Government departments were received;
- (d) four public comments were received during the statutory publication period, of which one indicated support on the application while three raised concerns on adverse environmental, traffic and drainage impacts and flooding problem; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper.

The current scheme was a revision to the previously approved schemes (Applications No. A/YL-KTS/174, 174-1 and 174-2) with a relocated run-in/run-out point at the southeast corner and substantial reduction in car parking provision (from 74 spaces to 29 spaces) to address Government departments' concerns on the need to resolve the right-of-way problem and to be in line with the car-parking ratio in current Hong Kong Planning Standards and Guidelines. Regarding the AFCD's concern, it should be noted that the subject "Residential (Group D)" site was planned to cater for low-rise low-density residential developments rather than agricultural use. As regards the local concerns on adverse environmental, traffic and drainage impacts and flooding problem, concerned departments including Environmental Protection Department, Transport Department and Drainage Services Department had no adverse comment on these aspects.

98. Members had no question on the application.

Deliberation Session

99. The Chairperson remarked that the application site was the subject of previously approved applications for the same use.

100. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 15.8.2012, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the submission of Landscape Master Plan including a comprehensive tree survey with tree preservation proposal and compensatory planting scheme prior to commencement of any site works to the satisfaction of the Director of Planning or of the TPB;
- (b) the implementation of the approved Landscape Master Plan including the tree preservation proposal and compensatory planting scheme to the

satisfaction of the Director of Planning or of the TPB;

- (c) the submission of a Drainage Impact Assessment and implementation of flood mitigation measures identified therein to the satisfaction of the Director of Drainage Services or of the TPB;
- (d) the provision of emergency vehicular access, water supply for fire-fighting and fire services installations to the satisfaction of the Director of Fire Services or of the TPB;
- (e) the submission of a detailed Archaeological Investigation to assess the archaeological impact of the proposed construction works at the application site before any construction works commence and implementation of appropriate mitigation measures if the site was proved to be of archaeological significance to the satisfaction of the Executive Secretary of the Antiquities and Monuments Office, Leisure and Cultural Services Department or of the TPB; and
- (f) the design and provision of a local access road along the western and northern boundaries of the site for reprovisioning of the existing local track to serve the land lots to the west of the site to the satisfaction of the Director of Lands or of the TPB.

101. The Committee also agreed to advise the applicant :

- (a) to note the District Lands Officer/Yuen Long, Lands Department's comments that the proposed local access along the western boundary of the site should be carved out and surrendered free of costs to the Government for future maintenance after its completion. If the applicant insisted to manage and maintain the proposed local access, it should be excluded from the land exchange application and the proposed reprovisioning of the existing local track should be covered by separate agreement. The applicant might be required to maintain the existing local track for public use until the proposed reprovisioning of local access was completed to the

Government's satisfaction. The detailed design of the proposed local access should also be clarified. Besides, a land exchange application for the proposed development should be submitted to his office for consideration. However, there was no guarantee that the land exchange application would eventually be approved;

- (b) to note the Chief Building Surveyor/New Territories West, Buildings Department's comments that the subject site did not abut on a street of not less than 4.5m wide and hence the development intensity of the site would be determined by the Building Authority under Building (Planning) Regulation (B(P)R) 19(3). In view of the size of the site, the area of internal street required under the Buildings Ordinance (BO) s16(1)(p) might have to be deducted from the site area for the purposes of plot ratio and site coverage calculations under the BO. The proposed local access road along the western site boundary should be deducted from the site area. Besides, the proposed club house should be accountable for gross floor area under the BO, unless otherwise exempted. The applicant's attention was also drawn to the provision of emergency vehicular access under B(P)R 41D. Detailed comment would be made upon formal submission of building plans;
- (c) to note the Project Manager (New Territories North and West), Civil Engineering and Development Department's comments that a section of Kam Shui South Road was under the jurisdiction of his office, which was anticipated to be handed over to Highways Department/Transport Department by end 2008. The proposed development should not affect the handing over of the concerned section of Kam Shui South Road;
- (d) to note the comments of the Director of Fire Services that the emergency vehicular access provisions should comply with the standard as stipulated in Part VI of the Code of Practice for Means of Access for Firefighting and Rescue under the B(P)R 41D and detailed fire safety requirements would be formulated upon receipt of formal submission of general building plans;

- (e) to note the Executive Secretary of Antiquities and Monuments Office, Leisure and Cultural Services Department's comments that the Grade III historic building on the site should be preserved in-situ and integrate it as far as possible into the redevelopment scheme;
- (f) to note the Chief Engineer/Land Drainage, Drainage Services Department's comments that there was no public sewerage in the vicinity of the area. The applicant should seek approval from Environmental Protection Department on the proposed means of disposal of the sewage generated from the development;
- (g) to note the Director of Agriculture, Fisheries and Conservation's comments that the proposed development should avoid affecting the mature trees at the northern area of the site as far as practicable;
- (h) to note the Secretary for Security's comments that the proposed development should comply with the air height restrictions of the Shek Kong Airfield;
- (i) to note the Director-General of Civil Aviation's comments that as air traffic increases, there was a possibility that take-offs would take place from both runways of the Hong Kong International Airport independently. Under this scenario, there would be a departure flight path close to the Kam Tin area and the developer of any noise sensitive uses in Kam Tin should note that their sites would be affected by aircraft noise, and the noise might particularly audible when the background noise was low. Besides, the site might also be subject to aircraft noise of the Shek Kong aerodrome; and
- (j) to note the comments of the Director of Electrical and Mechanical Services that the "Code of Practice on Working near Electricity Supply Lines" established under the Electricity Supply Lines (Protection) Regulation should be observed by the applicant and his contractors when carrying out works in the vicinity of electricity supply lines. Prior to establishing any structure in the vicinity of the LV (low voltage)/HV (high voltage)

electricity supply lines, the applicant and his contractors should liaise with CLP Power Hong Kong Limited (CLPP) and ask CLPP to divert the existing electricity supply lines away from the vicinity of the proposed development.

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/225 Temporary Open Storage of Private Vehicles
for a Period of 3 Years
in “Village Type Development” zone,
Lots 4773 RP (Part) and 4776 (Part) in D.D. 116,
Tai Tong Road, Yuen Long, New Territories
(RNTPC Paper No. A/YL-TT/225)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage of private vehicles for a period of 3 years;
- (c) departmental comments – Environmental Protection Department did not support the application as there were sensitive receivers including residential dwellings in the vicinity of the site, and environmental nuisances were expected. Drainage Services Department advised the applicant to submit drainage proposal to demonstrate that the development would not create adverse drainage impact on the surrounding area;
- (d) one public comment was received during the statutory publication period,

raising objection to the application on grounds of traffic impact and pedestrian safety. The District Officer (Yuen Long) advised that the Village Representatives of Shung Ching San Tsuen objected to the application on grounds of environmental and noise impact and pedestrian safety; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessment made in paragraph 12 of the Paper. The development was not in line with the planning intention of the “Village Type Development” zone. The development was not in line with the Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” (TPB PG-No. 13D). Two areas were zoned “Open Storage” (“OS”) on the Tai Tong OZP to cater for the use under application. There was no information in the submission to demonstrate why suitable sites within these “OS” zones could not be made available for the development. Approval of the application would set an undesirable precedent for other similar uses to proliferate into the zone.

103. Members had no question on the application.

Deliberation Session

104. The Chairperson remarked that the application did not comply with the Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses”.

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

- (a) the development was not in line with the planning intention of the “Village Type Development” zone on the Outline Zoning Plan (OZP), which was to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within the zone was primarily intended for development of Small Houses by indigenous villagers. It was also intended to concentrate village type development within the zone for a

more orderly development pattern, efficient use of land and provision of infrastructures and services. The development was incompatible with the surroundings which was predominantly rural and residential in character. No strong justification had been given in the submission for a departure from the planning intention, even on a temporary basis;

- (b) the development was not in line with the Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” (TPB PG-No. 13D) in that there was no previous planning approval granted for the site and there were adverse departmental comment and local objection against the applied use. Besides, there was no exceptional circumstances to merit approval of the case;
- (c) two areas were zoned “Open Storage” (“OS”) on the Tai Tong OZP to cater for the use under application. There was no information in the submission to demonstrate why suitable sites within these “OS” zones could not be made available for the development;
- (d) there was no information in the submission to demonstrate that the development would not cause adverse environmental, drainage and landscape impacts on the surrounding areas; and
- (e) approval of the application would set an undesirable precedent for other similar uses to proliferate into the zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/226 Temporary Open Storage of Machinery
for a Period of 3 Years
in “Agriculture” zone,
Lots 1301 RP (Part) and 1302 RP (Part) in D.D. 118
and Adjoining Government Land,
Tai Tong, Yuen Long, New Territories
(RNTPC Paper No. A/YL-TT/226)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage of machinery for a period of 3 years;
- (c) departmental comments – the Chief Town Planner/Urban Design and Landscape, Planning Department did not support the application from landscape planning point of view;
- (d) no public comment was received during the statutory publication period and no local objection was received from the District Officer; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessment made in paragraph 12 of the Paper. The development was not in line with the planning intention of the “Agriculture” (“AGR”) zone. The development was not in line with the Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” (TPB PG-No. 13D). Two areas were zoned “Open

Storage” (“OS”) on the Tai Tong Outline Zoning Plan to cater for the use under application. There was no information in the submission to demonstrate why suitable sites within these “OS” zones could not be made available for the development. Approval of the application would set an undesirable precedent for other similar uses to proliferate into the zone.

107. Members had no question on the application.

Deliberation Session

108. The Chairperson remarked that the application did not comply with the Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses”.

109. 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 “Agriculture” (“AGR”) zone, which was to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It was also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. The site was located amid of a large “AGR” zone surrounded by fallow agricultural/vacant lands. The development was incompatible with the surroundings which was generally rural in character. No strong justification had been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the development was not in line with the Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” (TPB PG-No. 13D) in that there was no previous planning approval granted for the site and there was adverse departmental comment on the impacts brought about by the development;
- (c) two areas were zoned “Open Storage” (“OS”) on the Tai Tong Outline

Zoning Plan to cater for the use under application. There was no information in the submission to demonstrate why suitable sites within these “OS” zones could not be made available for the development;

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

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/400 Proposed Public Utility Installation (Electricity Package Substation)
in “Village Type Development” zone,
Lot 374 S.G in D.D. 121,
108 Tai Tao Tsuen, Ping Shan,
Yuen Long, New Territories
(RNTPC Paper No. A/YL-TYST/400)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed public utility installation (electricity package substation);

- (c) departmental comments – no adverse comments from concerned Government departments were received;
- (d) no public comment was received during the statutory publication period and no local objection was received from the District Officer; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper.

111. Members had no question on the application.

Deliberation Session

112. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 15.8.2012, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the submission and implementation of landscape and tree preservation proposal to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission of six-monthly tree monitoring reports beginning at 3 months prior to commencement of site works until completion of all the required landscape and tree preservation works to the satisfaction of the Director of Planning or of the TPB; and
- (c) the submission and implementation of fire service installations proposal to the satisfaction of the Director of Fire Services or of the TPB.

113. The Committee also agreed to advise the applicant :

- (a) to note the District Lands Officer/Yuen Long, Lands Department's comments that Short Term Waiver should be applied for the proposed

installation;

- (b) to note the Chief Highway Engineer/New Territories West, Highways Department's comments that his office did not maintain the local access track between the site and Castle Peak Road;
- (c) to note that there were two mature *Delonix regia* (鳳凰木) along the western boundary of the site. The construction works for the package substation and the cable trench should avoid affecting the existing trees and their roots. Considering that the proposed height of the planter would increase the soil level, which might smother the roots of the existing trees, the height of part of the planter wall was recommended to reduce from 0.6m to 0.1m. As the footing of the boundary wall would be quite massive and might affect the tree roots, it was worth considering whether it was necessary to build a 3m boundary wall instead of boundary fencing. Close-bottomed planter was also not recommended as it might cause water logging problem and damage the health of the existing trees. The extension of the proposed planter eastwards up to the western boundary of the package substation structure was highly recommended for providing more space for the surface roots of the trees and enhancing the landscape quality as a whole. It appeared that at least one more tree could be provided beside the proposed *Melaleuca quinquenervia* (白千層);
- (d) to note the comments of the Director of Electrical and Mechanical Services that based on the information provided by CLP Power Hong Kong Limited (CLPP), there were 11kV underground cables in the vicinity of the site. The 'Code of Practice on Working near Electricity Supply Lines' established under the Electricity Supply Lines (Protection) Regulation should be observed by the applicant and his contractors when carrying out works near the electricity supply lines;
- (e) to note the comments of the Director of Fire Services that detailed fire safety requirements would be formulated upon receipt of formal submission of general building plans. In consideration of the

design/nature of the proposed structures, fire service installations (FSIs) were anticipated to be required. The applicant should submit relevant building plans incorporated with the proposed FSIs to his Department for approval. In formulating the FSIs proposal for compliance with approval condition (c) above, the applicant should make reference to the requirements as stipulated in paragraph 4.24 'Consumer Electrical Equipment' of the current version of the Code of Practice for Minimum Fire Service Installations and Equipment. The applicant should also note that the building plans should be drawn to scale and depicted with dimensions and the location of where the proposed FSIs to be installed should be clearly marked on the building plans; and

- (f) to note the Chief Building Surveyor/New Territories West, Buildings Department's comments that formal submission of any proposed new works, including any temporary structures. If the site did not abut on a specified street having a width of not less than 4.5m, the development intensity should be determined under Building (Planning) Regulation 19(3) at the building plan submission stage.

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/401 Proposed Minor Relaxation of Building Height Restriction from 15m to 15.5m for Permitted Warehouse (excluding Dangerous Goods Godown) Development in "Industrial" zone,
Lot 1300 S.B RP in D.D. 121,
Ping Tong Street South, Tong Yan San Tsuen,
Yuen Long, New Territories
(RNTPC Paper No. A/YL-TYST/401)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed minor relaxation of building height restriction from 15m to 15.5m for permitted warehouse (excluding dangerous goods godown) development for operational needs;
- (c) departmental comments – concerned Government departments had no objection to or no adverse comments on the application;
- (d) two public comments were received during the statutory publication period, raising objection to the application on grounds of noise and traffic impacts and safety problem; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. Regarding the local concerns, the application site was located within a properly planned “Industrial” (“I”) zone. The application was related to a proposed relaxation of the building height restriction and warehouse use was permitted as of right within the “I” zone. Moreover, Transport Department and Environmental Protection Department had no adverse comments on the application.

115. Members had no question on the application.

Deliberation Session

116. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 15.8.2012, and after the said date, the permission should cease to have

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

- (a) the submission of landscape and tree preservation proposal prior to commencement of any site works to the satisfaction of the Director of Planning or of the TPB;
- (b) the implementation of the landscape and tree preservation proposal including provision of quarterly tree preservation monitoring reports beginning at commencement of site works until completion of all the required landscape and tree preservation works to the satisfaction of the Director of Planning or of the TPB;
- (c) the design and provision of vehicular access and car parking and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB; and
- (d) the design and provision of emergency vehicular access (EVA), water supplies for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.

117. The Committee also agreed to advise the applicant :

- (a) to note the District Lands Officer/Yuen Long, Lands Department's comments that the proposed scheme comprising a 3-storey warehouse development with building height of 15.5m contravened the lease conditions. A land exchange to implement the proposal should be applied for at his office. The application, if subsequently submitted, would be considered according to current land policy. There was however no guarantee that such application would be granted as proposed. The details of the proposed storey height of the warehouse would be considered at the building plan submission stage;
- (b) to note the Chief Architect/Advisory and Statutory Compliance,

Architectural Services Department's comments that it would be desirable if more possibilities to further reduce the building bulk and increase the visual permeability of the development were explored, such as providing more openings in lieu of solid walls, more greening on ground and roof areas, suitable architectural treatments including various height profiles to further break down the scale of the building, etc. It would also be useful if photomontages could be provided to illustrate the visual bulk of the proposed development and its compatibility with the surrounding developments in terms of scale and height. The building design could be further refined at the general building plan submission stage when design considerations were to be examined in more details;

- (c) to note that information including at-grade planter details and soil depth for close-bottom planters and podium plantings should be provided in the landscape proposal for compliance with approval condition (a) above;
- (d) to note the Chief Highway Engineer/New Territories West, Highways Department (HyD)'s comments that a run-in should be constructed at the access point and in accordance with the latest version of HyD Standard Drawing Nos. H1113 and H1114 or H5115 and H5116 whichever set as appropriate to suit the type of pavement of adjacent footpath. His office did not maintain the land between the site and Fui Sha Wai Lane beyond the back of footpath;
- (e) to note the comments of the Director of Fire Services that detailed fire safety requirements would be formulated upon receipt of formal submission of general building plans. The emergency vehicular access provision should comply with the standard as stipulated in Part VI of the Code of Practice for Means of Access for Firefighting and Rescue under Building (Planning) Regulation 41D; and
- (f) to note the comments of the Director of Electrical and Mechanical Services that based on the information provided by CLP Power Hong Kong Limited (CLPP), there were low voltage (LV) and 11kV underground cables as well

as LV overhead lines within and in the vicinity of the site. The 'Code of Practice on Working near Electricity Supply Lines' established under the Electricity Supply Lines (Protection) Regulation should be observed by the applicant and his contractors when carrying out works in the vicinity of electricity supply lines. Prior to establishing any structure in the vicinity of electricity supply lines, the applicant and/or his contractors should consult CLPP and, if necessary, ask CLPP to divert the supply lines away from the vicinity of the proposed structure.

[The Chairperson thanked Miss Paulina Y.L. Kwan, STP/TMYL, for her attendance to answer Members' enquiries. Miss Kwan left the meeting at this point.]

Agenda Item 41

Any Other Business

118. There being no other business, the meeting was closed at 5:20 p.m..