

**Minutes of 1248th Meeting of the
Town Planning Board held on 2.7.2021**

Present

Mr Lincoln L.H. Huang

Vice-chairperson

Mr Wilson Y.W. Fung

Mr Stephen L.H. Liu

Dr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Mr K.K. Cheung

Dr C.H. Hau

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Professor T.S. Liu

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Stanley T.S. Choi

Mr L.T. Kwok

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Mr K.W. Leung

Professor John C.Y. Ng

Dr Jeanne C.Y. Ng

Professor Jonathan W.C. Wong

Dr Roger C.K. Chan

Dr Venus Y.H. Lun

Mr C.H. Tse

Dr Conrad T.C. Wong

Chief Traffic Engineer (New Territories East)

Transport Department

Mr Ken K.K. Yip

Chief Engineer (Works), Home Affairs Department

Mr Gavin C.T. Tse

Assistant Director (Environmental Assessment),

Environmental Protection Department

Mr Terence S.W. Tsang

Director of Lands

Mr Andrew C.W. Lai

Director of Planning

Mr Ivan M.K. Chung

Deputy Director of Planning/District

Miss Fiona S.Y. Lung

Secretary

Absent with Apologies

Permanent Secretary for Development

(Planning and Lands)

Ms Bernadette H.H. Linn

Chairperson

Mr Ricky W.Y. Yu

Mr Y.S. Wong

In Attendance

Assistant Director of Planning/Board
Ms Lily Y.M. Yam

Chief Town Planner/Town Planning Board
Ms Caroline T.Y. Tang

Senior Town Planner/Town Planning Board
Mr W.C. Lui

Opening Remarks

1. As the Chairperson had sent apologies for being unable to attend the meeting due to other official engagement, the meeting was chaired by the Vice-chairperson.

2. The Vice-chairperson said that the meeting would be conducted with video conferencing arrangement. The Vice-chairperson and Members then congratulated Mr Wilson Y.W. Fung for being awarded the Medal of Honour in recognition of his dedicated and valuable community service, particularly his contribution to the Town Planning Board and its Metro Planning Committee.

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 1247th Meeting held on 18.6.2021

[The item was conducted in Cantonese.]

3. The draft minutes of the 1247th meeting held on 18.6.2021 were sent to Members on 2.7.2021. Subject to any proposed amendments by Members on or before 5.7.2021, the minutes would be confirmed.

[Post-meeting Note: The minutes were confirmed on 5.7.2021 without amendments.]

Agenda Item 2

[Open Meeting]

Matters Arising

[The item was conducted in Cantonese.]

(i) Court of Appeal's Judgment on Appeals Lodged by Tung Chun Company Limited in respect of the Kwai Chung Outline Zoning Plan

4. The Secretary reported that a judgment was handed down by the Court of Appeal (CA) on appeals lodged by Tung Chun Company Limited (Tung Chun) in respect of its representation (R9) against the building height restriction (BHR) on its site at Cheung Wing Road (the Site) stipulated under the Kwai Chung Outline Zoning Plan (OZP). Tung Chun had separately obtained a section 16 approval for the Site with LWK & Partners (HK) Limited (LWK) as a consultant. The following Members had declared interests on the item:

Mr K.K. Cheung - his firm having current business dealings with LWK;
and

Mr Alex T.H. Lai - his former firm having current business dealings with
LWK.

5. As the item was to report the judgment on a Judicial Review (JR) application and no discussion was required, Members agreed that the above Members could stay in the meeting.

6. The Secretary reported that on 27.5.2021, the CA dismissed Tung Chun's appeals against the orders of the Court of First Instance (CFI) in its JRs in respect of the BHR on the Site (120mPD). Even though the CFI allowed the JRs on 28.6.2018 quashing the decision of Town Planning Board (the Board) on 12.10.2012 not to uphold Tung Chun's representation (R9) objecting to the BHR, and remitting R9 to the Board for reconsideration, Tung Chun lodged the appeals on 31.1.2019 seeking to quash the BHR on the Kwai Chung OZP by the Court directly. A copy of the CA's judgment was sent to Members on 2.6.2021. The CA had the following rulings:

- (a) in respect of the argument for substantive and procedural legitimate expectations, Tung Chun argued that when the Board approved a proposed development scheme, it represented (and an applicant was thereby entitled to expect) that the Board would not impose any further planning restrictions over the Site, as there was a risk that the Building Authority might refuse to give its consent to the commencement of building works on the basis that the plans no longer complied with the extant OZP over the Site, thereby jeopardising or "frustrating" the approved scheme. Such an expectation

would not have been legitimate and reasonable. In fact, Tung Chun failed to identify a clear or unambiguous policy/representation made by the Government/the Board that there would not be any BHR in respect of the Site. Urban planning necessarily involved the constant adaptation of existing plans to meet changing societal needs and conditions. The statutory policy of the Board under the Town Planning Ordinance (the Ordinance) envisaged the continual preparation and amendment of plans “with a view to the promotion of the health, safety, convenience and general welfare of the community”. Hence, the Board’s own policy was affirmed that it could make amendments to statutory plans that rendered existing development proposals non-compliant with the latest zoning restrictions. Therefore, an approved development scheme under section 16 of the Ordinance would not create legitimate expectation in freezing all further planning restrictions in future over the Site;

- (b) in respect of the argument that the BHR and related urban design appraisal were irrational, the Board must be accorded a wide margin of discretion in its exercise of planning judgment and the Court should only interfere on grounds of Wednesbury unreasonableness in a compelling case. In the present case, no Wednesbury unreasonableness was found; and
- (c) regarding the challenge in respect of property right protected under Articles 6 and 105 of the Basic Law, the CFI was correct in adopting the “manifestly without reasonable foundation” test to assess whether the BHR was a proportionate means of achieving the planning objective. Generally speaking, a measure would only be manifestly without reasonable foundation if it was exceptionally unreasonable.

7. The Secretary further said that as Tung Chun’s appeals had been determined by CA and no appeal to the Court of Final Appeal was lodged by Tung Chun by the deadline on 24.6.2021, the Board was required to complete the reconsideration of R9 as ordered by the CFI but previously stayed due to the appeals. The Secretariat would follow up with the arrangement of the reconsideration of the representation.

8. Members noted the CA's judgement and the reconsideration of Tung Chung's representation to be undertaken in due course.

[Mr K.K. Cheung joined the meeting at this point.]

(ii) Appeal Lodged by Royal Billion Investment Limited against the Court of First Instance's Order for Judicial Review Application against the Decision of Town Planning Board on Section 12A Application No. Y/ST/38 (CACV 279 of 2021) _____

9. The Secretary reported that an appeal was lodged by Royal Billion Investment Limited (the Applicant) against the Court of First Instance (CFI)'s orders for judicial review (JR) in relation to the decision of the Rural and New Town Planning Committee (RNTPC) on 15.6.2018 not to agree to a section 12A application (No. Y/ST/38) to rezone a site at Tung Lo Wan Hill Road, Sha Tin (the Site) from "Green Belt" and "Government, Institution or Community" to "Residential (Group B) 4" ("R(B)4"). Ronald Lu & Partners (Hong Kong) Limited (RLP) and AECOM Asia Company Limited (AECOM) were two of the consultants of the applicant. The following Members had declared interests on the item:

Mr Thomas O.S. Ho - having current business dealings with RLP and AECOM;

Mr K.K. Cheung - his firm having current business dealings with RLP;

Mr Alex T.H. Lai - his former firm having current business dealings with RLP; and

Dr C.H. Hau - having past business dealings with AECOM.

10. As the item was to report the judgment on a JR application and the appeal lodged by the applicant and no discussion was required, Members agreed that the above Members could stay in the meeting.

11. The Secretary reported that on 30.4.2021, the CFI handed down a judgment on the JR. The JR was dismissed with costs to the Town Planning Board (the Board). In general, all the

grounds of the JR were rejected by the Court.

12. On 26.5.2021, the Applicant lodged an appeal against CFI's order for the JR. Specifically, the Applicant requested the Court of Appeal to grant (i) an Order of Certiorari to bring up and quash the Decision; and (ii) an Order of Mandamus to direct the Board to reconsider the Decision in accordance with the law. The appeal date was yet to be fixed.

13. Members agreed that the Secretary would represent the Board in all matters relating to the appeal in the usual manner.

(iii) Reference Back of Approved Outline Zoning Plan

14. The Secretary reported that on 22.6.2021, the Chief Executive in Council referred the Approved Sha Tin Outline Zoning Plan (OZP) No. S/ST/34 to the Town Planning Board for amendment under section 12(1)(b)(ii) of the Town Planning Ordinance. The reference back of the said OZP was notified in the Gazette on 2.7.2021.

Sha Tin, Tai Po and North District

Agenda Item 3

[Open meeting (Presentation and Question Sessions only)]

Review of Application No. A/NE-LK/135

Proposed House (New Territories Exempted House - Small House) in "Agriculture" Zone,
Lot 1406 S.A ss. 1 in D.D. 39, Ma Tseuk Leng, Sha Tau Kok
(TPB Paper No. 10745)

[The item was conducted in Cantonese.]

Presentation and Question Sessions

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

PlanD

Ms Jessica H.F. Chu - District Planning Officer/Shau Tin, Tai Po and North (DPO/STN)

Mr Tim T.Y. Fung - Senior Town Planner/North

Applicant's Representatives

Honest Land Surveys Company

Mr Lee Koon Hung

Mr Mok Kwok Kon

Mr Fong Chung Kwok

16. The Vice-chairperson extended a welcome and explained the procedure of the review hearing. He then invited PlanD's representative to brief Members on the review application.

17. With the aid of a PowerPoint presentation, Ms Jessica H.F. Chu, DPO/STN, briefed Members on the background of the review application including the consideration of the application by the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board), departmental and public comments, and planning considerations and assessments as detailed in TPB Paper No. 10745 (the Paper).

18. The Vice-chairperson then invited the applicant's representatives to elaborate on the review application.

[Mr Franklin Yu and Dr Jeanne C.Y. Ng joined the meeting at this point.]

19. Mr Lee Koon Hung, the Chairman of Sha Tau Kok District Rural Committee (STKDRC), the applicant's representative, made the following main points:

Lack of Available Land within the "Village Type Development" ("V") Zone

(a) Ma Tseuk Leng village and Shek Kiu Tau village were two individual villages and hence the land available for Small House development for each

village should be estimated separately. Cross-village applications would be objected by the respective villagers;

- (b) the existing Ma Tseuk Leng village was rather compact. There was no space for parking, not to mention land for building Small Houses. Some vacant land such as steep slopes and areas with tree clusters or near to the stream was not suitable for development. For Tso/Tong land, it would usually take several years to obtain consent from all clan members under the concerned Tso/Tong especially when some of them were residing overseas. To estimate the actual land available within the “V” zone, old schedule house lots, land in front of ancestral hall, private gardens, areas reserved for planned roads, site subject to Small House grant applications and government land should not be included in the calculation. Taking the above into consideration, a review conducted by their surveyor revealed that the number of Small Houses that could be accommodated in Ma Tseuk Leng village was much fewer than that estimated by PlanD, which was insufficient to meet the 10-year demand forecast of 138 Small Houses in the village. PlanD’s estimates on land availability, which were based on a broad-brush desktop study, were unrealistic and appeared to be overestimated;

Special Circumstances of the Application

- (c) unlike developers, the applicant, being an individual villager, only intended to build a Small House to meet his own housing need. With the assistance of the village representative and STKDRC, the applicant attempted to find a suitable site within the “V” zone, including Tso/Tong land and other private lots, for his development but in vain. Also, the applicant could not afford a high land price. Sympathetic consideration should be given to the application;

Suitability of the Site for Small House Development

- (d) although the application site (the Site) was not located within the “V” zone, it fell entirely within the village ‘environs’ of Ma Tseuk Leng and was close to the village cluster, and the proposed Small House was considered compatible with the surrounding uses; and
- (e) the adverse comment from the Agriculture, Fisheries and Conservation Department (AFCD) was very general in that the Site fell within the “Agriculture” (“AGR”) zone and AFCD considered that the Site possessed potential for agricultural rehabilitation. While PlanD did not support the application mainly on the ground that there was still land available within the “V” zone, the proposed Small House would not generate adverse impact on the surrounding area. Other concerned government departments had no objection to the application.

[Dr Frankie W.C. Yeung and Dr C.H. Hau joined the meeting at this point.]

20. As the presentations from PlanD’s representative and the applicant’s representative had been completed, the Vice-chairperson invited questions from Members.

Land Availability within the “V” Zone

21. In response to a Member’s enquiry on the location and amount of land available for Small House development within the “V” zone, Ms Jessica H.F. Chu, DPO/STN, with reference to Plan R-2c of the Paper, said that a major portion of available land could be found in the middle part of the “V” zone. The total amount of available land within the “V” zone was about 2.25 hectares which was equivalent to 89 Small House sites based on an assumption of one hectare of land for 40 Small Houses.

22. Mr Lee Koon Hung, the applicant’s representative, did not agree with PlanD’s estimation. By referring to a layout plan prepared by their surveyor for Ma Tseuk Leng at Annex E1 of the Paper, Mr Lee pointed out that some areas in the middle part of the “V” zone were subject to Small House grant applications being processed by the Lands Department

(LandsD) and should not be included. According to their estimation, only 26 Small Houses could be accommodated within the “V” zone of Ma Tseuk Leng instead of 89 Small Houses as advised by PlanD.

23. In response to a Member’s enquiry regarding the discrepancies in the estimation of available land within the “V” zone identified by the applicant and PlanD, Mr Lee Koon Hung, the applicant’s representative, said that in their review exercise, sites of the existing Small Houses, land in front of ancestral hall, land subject to Small House grant applications, old schedule house lots, private gardens, ponds, playgrounds, slope, land for drainage facilities, etc. had been excluded from the calculation. Besides, contrary to PlanD’s estimation, some areas necessary for the provision of access road or emergency vehicular access (EVA) had not been included in their estimation.

24. Regarding the provision of access road or EVA, Ms Jessica H.F. Chu, DPO/STN, clarified that the plan prepared by PlanD (Plan R-2c of the Paper) was to illustrate broadly the available land within the “V” zone, which was not a detailed plan showing the village layout. The assumption of one hectare of land for 40 Small Houses had already taken into account the space required for the provision of public facilities, including access road or EVA, in the village. On that basis, the land take of Small Houses accounted for about 26% only. In other words, about 74% of the available land could be used for other purposes such as roads and other community facilities.

25. The Vice-chairperson enquired on the meaning of the term “application already submitted (double counting)” as shown in the legend of the layout plan submitted by the applicant at Annex E1 of the Paper. In response, Mr Fong Chung Kwok, the applicant’s representative, explained that one of the sites, which was the subject of a Small House grant application being processed by LandsD, was considered as being double counted as available land in PlanD’s estimation. Ms Jessica H.F. Chu, DPO/STN, clarified that as shown on Plan R-2c of the Paper, land subject to Small House grant applications being processed by LandsD was included as available land within the “V” zone. In response to the applicant’s justifications in the review application, the available land of 1.54 ha in Ma Tseuk Leng was equivalent to 61 Small House sites which were capable of meeting the 51 outstanding Small House applications in the village.

26. A Member asked the reasons why the old schedule house lots and Tso/Tong land in

the “V” zone could not be used for Small House development. In response, Mr Lee Koon Hung, the applicant’s representative, said that the old village houses could be redeveloped directly by the concerned landowners without exercising the indigenous villager’s right. Traditionally, those old houses/land were inherited from their ancestors and they would unlikely be sold. For Tso/Tong land, it would take a long time to obtain unanimous consent from all clan members for selling such land in particular when some of them were residing overseas. To his understanding, the Home Affairs Department (HAD) and Heung Yee Kuk had set up a working group to examine matters relating to Tso/Tong including the sale of Tso/Tong land.

27. Some Members raised the following questions:

- (a) any information on cross-village Small House applications in Ma Tseuk Leng and Shek Kiu Tau;
- (b) whether the old schedule house lots and Tso/Tong land should be counted as available land for Small House development; and
- (c) clarification on land availability of two areas in the western end of the “V” zone with no particular annotation as shown on Plan R-2c of the Paper, and whether such land was available for Small House development.

28. In response, Ms Jessica H.F. Chu, DPO/STN, made the following main points:

- (a) it was noted from LandsD’s record that there were approved applications from indigenous villagers of Ma Tseuk Leng for development of Small Houses in Shek Kiu Tau within the same “V” zone;
- (b) from the planning perspective, the main consideration for estimating the land available for Small House development was whether the land could be used for such development. Land ownership or status, e.g. whether it was an old schedule house lot or not, was not a criterion in working out such estimation; and

- (c) the two areas in the western end of the “V” zone with no particular annotation were an abandoned village school and a pond. Both sites were not included in the available land estimation.

29. As regards cross-village Small House applications, Mr Lee Koon Hung, the applicant’s representative, supplemented that cross-village applications in Ma Tseuk Leng and Shek Kiu Tau were not common and such applications would normally not be allowed unless under exceptional circumstances, such as those applicants had close family relationship with the receiving village. All cross-village applications would be processed by LandsD in accordance with the established mechanism. The village representative and Rural Committee would be consulted during the process. Only those applications with no objection received from the respective villagers would be approved by LandsD.

Other Issues

30. Some Members raised the following questions to the applicant’s representatives:

- (a) whether there were any special circumstances of the subject application that might warrant sympathetic consideration;
- (b) elaboration on the concept of ‘permanent garden’ on a private lot as claimed by the applicant’s representative;
- (c) whether consent from the concerned landowners had been obtained for the proposed access road as indicated on the applicant’s layout plan; and
- (d) whether it would be possible to use land outside the “V” zone to provide ancillary facilities for the village rather than taking up land within the “V” zone.

31. In response, Mr Lee Koon Hung, the applicant’s representative, made the following main points:

- (a) the proposed Small House was only intended to meet the applicant's own housing need. The applicant had made genuine efforts in identifying suitable sites for the Small House development since the rejection of his previous application by RNTPC in 2019 but in vain. The Site was considered suitable for Small House development and compatible with the surrounding area where five similar applications had been approved. The proposed Small House would not generate adverse impact on the surroundings;
- (b) the so-called 'permanent garden' was where land was left idle after the old village house was ruined. There was some sort of agreement reached between the concerned landowner and his/her neighbour that the vacant site could be used for gardening purpose as there was no plan yet to rebuild the house. Such land should not be included in the estimation of available land for Small House development;
- (c) the proposed access road mainly involved government land with a small portion encroaching onto private land. As the proposed access road was mainly to serve the villagers, there should be no problem in obtaining consent from the concerned landowners. The village representative would liaise with the concerned landowners prior to seeking LandsD's approval; and
- (d) based on the past experience in proposing a footpath in the village of Wu Kau Tang, he was given to understand that planning permission was required for constructing a footpath outside the "V" zone (e.g. the "Green Belt" ("GB")). Thus, it would be more desirable to reserve such access road within the "V" zone.

32. Regarding the use of government land within the "V" zone for the provision of ancillary facilities in the village, Ms Jessica H.F. Chu, DPO/STN, said that the "V" zone was primarily intended to provide land for Small House developments. Some community facilities, such as public toilets, would mainly be provided on government land to serve the villagers. Should any private land be involved in cases such as reserving a passageway to access to

individual houses, it would be subject to agreement among villagers. In general, local public works, road works and such other public works co-ordinated or implemented by the Government were always permitted, except for some conservation zones such as “Conservation Area” zone in which any filling/excavation of land, if involved, would require planning permission from the Board.

33. As Members had no further question to raise, the Vice-chairperson said that the hearing procedure for the review application had been completed. The Board would further deliberate on the review application in the absence of the applicant’s representatives and inform the applicant of the Board’s decisions in due course. The Vice-chairperson thanked the representatives of the applicant and PlanD for attending the meeting. They left the meeting at this point.

[Mr Alex T.H. Lai left the meeting during the question and answer session.]

Deliberation Session

34. The Vice-chairperson briefly recapitulated RNTPC’s reasons for rejecting the application, namely the proposed development was not in line with the planning intention of the “AGR” zone and land was still available within the “V” zone of Ma Tseuk Leng, Ma Tseuk Leng San Uk Ha and Shek Kiu Tau for Small House development. He then invited Members’ views on the review application.

35. Members, in general, considered that PlanD’s estimation on land availability for Small House development was more reasonable and reliable as compared with the applicant’s submission. Members noted that PlanD had all along adopted a consistent approach in assessing land availability within the “V” zone for similar applications. In estimating the available land within the “V” zone, land occupied by roads, existing village houses, steep slopes, major tree clusters, stream buffer, etc. would be deducted, while government land and old schedule house lots would be included unless they were constrained by other factors. PlanD’s assumption of one hectare of land for 40 Small Houses was not unreasonable. As regards the other areas claimed by the applicant’s representative as not suitable for Small House development such as the old schedule house lots, private gardens and sites with Small House grant applications being processed by LandsD, most of the Members considered them a source of land supply and

agreed on their inclusion in the calculation. Two Members, however, held the view that old schedule house lots might be excluded from land availability estimation as they could be redeveloped anytime by the respective landowners without involving the right of indigenous villagers. A Member remarked that in some cases, the landowners were unable to sell the old schedule house lots to others even if they so wished since they failed to provide ownership proof to the LandsD due to lapse of time. Mr Andrew C.W. Lai, Director of Lands, advised that old schedule house lots, similar to other private lots, could be sold or purchased in the market and should thus be treated as the sources of land supply from the land administration point of view. The majority of Members shared the view that in considering land availability, land ownership was not a material consideration as it could be subject to change and land parcel could be subdivided to suit development needs. Some Members, whilst acknowledging the complication of land ownership of old schedule house lots, considered that incentives might be given with a view to speeding up redevelopment/rebuilding on vacant old schedule house lots and to avoid leaving land resources idle and creating problems such as environmental hygiene and building safety.

36. With regard to the issue of Tso/Tong land, some Members noted the difficulty in securing the sale of such land as the concerned District Officer would not issue consent to the sale decision as long as objection was raised by members of the clan and considered a relaxation of such administrative procedural constraints would not only enhance land supply within the “V” zone but also help meet the villagers’ needs in general. Mr Andrew C.W. Lai, Director of Lands, added that HAD was reviewing the relevant policy with a view to facilitating development of land owned by Tso/Tong whilst respecting the customs and views of the clans.

37. As for the exclusion of the proposed access road from land availability calculation adopted by the applicant’s representative, some Members expressed doubt on such an assumption as the access road serving the village houses was only a conceptual proposal without obtaining consent from the concerned land owners and hence its implementability was in doubt.

38. On the basis of PlanD’s estimation, Members noted that while land available within the “V” zone (equivalent to 89 Small House sites) was insufficient to fully meet the 10-year Small House demand forecast of 518 Small Houses, it was capable of meeting the 57 outstanding Small House applications. Given the adoption of a more cautious approach in considering applications for Small House development in recent years, Members generally considered that the current application could not be supported as it was considered more appropriate to

concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services. The proposed Small House development was also not in line with the planning intention of the “AGR” zone, and AFCD objected to the application as the Site possessed potential for agricultural rehabilitation. There was no change in the planning circumstances since the consideration of the subject application by the RNTPC and there were no special circumstances which warranted sympathetic consideration of the application.

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

- “ (a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zone of Ma Tseuk Leng, Ma Tseuk Leng San Uk Ha and Shek Kiu Tau village cluster where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for orderly development pattern, efficient use of land and provision of infrastructures and services. ”

[Mr Thomas O.S. Ho, Dr Jeanne C.Y. Ng and Miss Winnie W.M. Ng left the meeting during the deliberation session.]

Agenda Item 4

[Open Meeting]

Any Other Business

40. There being no other business, the meeting was closed at 11:05 a.m.