

TOWN PLANNING BOARD

Minutes of 572nd Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 13.1.2017

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Ivan C.S. Fu

Ms Janice W.M. Lai

Mr H.F. Leung

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Dr C.H. Hau

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Chief Traffic Engineer/New Territories East,
Transport Department
Mr K.C. Siu

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

Principal Environmental Protection Officer (Strategic Assessment),
Environmental Protection Department
Mr C.F. Wong

Assistant Director/Regional 3,
Lands Department
Mr Edwin W.K. Chan

Deputy Director of Planning/District
Ms Jacinta K.C. Woo

Secretary

Absent with Apologies

Mr H.W. Cheung

Professor K.C. Chau

Ms Christina M. Lee

Mr Philip S.L. Kan

In Attendance

Assistant Director of Planning/Board
Miss Fiona S.Y. Lung

Chief Town Planner/Town Planning Board
Ms Sally S.Y. Fong

Town Planner/Town Planning Board
Ms Winnie W.Y. Leung

Agenda Item 1

Confirmation of the Draft Minutes of the 571st RNTPC Meeting held on 23.12.2016

[Open Meeting]

1. The draft minutes of the 571st RNTPC meeting held on 23.12.2016 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

2. The Secretary reported that on 6.1.2017, the secretariat received an email from a member of the public addressed to the Chairman and Town Planning Board (TPB) Members expressing concern on the minutes of the Rural and New Town Planning Committee (PC) meeting on 9.12.2016, which did not include a gist of public comments on the cases but only made reference to the relevant paragraph in the paper. That would amount to a change of policy of the TPB without any consultation with the public or any notice to this effect.

3. The Secretary went on to say that the TPB/PC papers were available for public viewing in the Planning Enquiry Counters of the Planning Department for at least three months. The audio recording of the proceedings of meetings was also available on the TPB's website. Members were fully aware of the public comments received during the publication of the application, which had been included in the respective TPB/PC papers, and such information was available for public viewing. As such, it was not necessary to recapitulate the details of public comments in the minutes of meeting, which was not intended to be verbatim. Subject to Members' agreement, the secretariat would reply to that Member of the public along the above lines.

4. Mr Alex T.H. Lai declared an interest and said that the member of the public who sent in the email worked for his company on a contract basis from time to time. The Committee noted Mr Lai's declaration on the item.

5. After deliberation, the Committee agreed that the secretariat would reply to that member of the public accordingly.

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/NE-KTS/10 Application for Amendment to the Approved Kwu Tung South Outline Zoning Plan No. S/NE-KTS/14, To rezone the application site from “Agriculture” to “Residential (Group C) 6”, Lots 1435, 1436 RP, 1442 S.A RP, 1584 S.B ss.3, 1585 S.B RP, 1592 S.B ss.2, 1592 S.B RP, 1593 S.A, 1594 S.A, 1594 RP, 1601 S.A RP, 1601 S.B RP, 1602, 1603, 1604 S.A RP, 1604 RP, 1605 RP, 1606 and 1607 in D.D. 100, Fan Kam Road, Kwu Tung South, New Territories
(RNTPC Paper No. Y/NE-KTS/10)

6. The Secretary reported that the application was submitted by Sanyear Investments Limited which was a subsidiary of New World Development Company Limited (NWD) with MLA and Associates (MLA), MVA Hong Kong Limited (MVA), Ramboll Environ Hong Kong Limited (Environ) and AECOM Asia Company Limited (AECOM) as four of the consultants of the applicant. The following Members had declared interests on the item:

- | | |
|--------------------|---|
| Mr Ivan C.S. Fu | - having current business dealings with NWD, MVA, Environ and AECOM |
| Ms Janice W.M. Lai | - having current business dealings with NWD, MLA, Environ and AECOM |
| Dr C.H. Hau | - being a principal lecturer and programme director of the University of Hong Kong where K11 Concept Limited of NWD had sponsored a project of his students and having current business dealings with AECOM |

Mr Stephen L.H. Liu - having current business dealings with NWD

7. The Committee noted that the applicant had requested a deferral of consideration of the application and agreed that Mr Fu, Ms Lai and Mr Liu whose interests were direct should be allowed to stay in the meeting but should refrain from participating in the discussion. The Committee also agreed that Dr Hau could stay in the meeting as he had no involvement in the application.

8. The Committee noted that the applicant's representative requested on 21.12.2016 for deferment of the consideration of the application for two months so as to allow time for preparation of a new Visual Impact Assessment, revised Traffic Impact Assessment and revised Sewerage Impact Assessment to address the comments of relevant government departments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the application had submitted further information to address comments of concerned departments.

9. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information. Since it was the third deferment and a total of six months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.

Sai Kung and Islands District

[Ms S.H. Lam, Ms Amy M.Y. Wu and Mr William W.T. Wong, Senior Town Planners/Sai Kung and Islands (STPs/SKIs), were invited to the meeting at this point.]

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/I-LWKS/2 Proposed Temporary Warehouse (for Construction Materials, Manufactured Goods and Tools), Workshop and Domestic Use for a Period of 3 Years as well as Filling and Excavation of Land in “Green Belt” zone, Lot No. 288 in D.D. 311, Lower Keung Shan, Lantau Island, New Territories

(RNTPC Paper No. A/I-LWKS/2A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary warehouse (for construction materials, manufactured goods and tools), workshop and domestic use for a period of three years as well as filling and excavation of land;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The District Lands Officer/Islands, Lands Department objected to the application as the Site was an Old Schedule agricultural lot and erection of buildings for the proposed uses was not permitted under the lease. The Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) objected to the application and considered the proposed use incompatible with the surrounding

environment. Site formation and excavation would result in adverse impact on existing landform and vegetation but there was no information on the extent of impacts and how to mitigate those impacts. Approval of the application would set an undesirable precedent and the cumulative effect would result in degradation of the landscape quality and character of such areas, and undermining the intactness of the “Green Belt” (“GB”) zone. The Director of Agriculture, Fisheries and Conservation had reservation on the application as the proposed development might require extensive tree felling and cause adverse impact on the natural stream. The Director of Fire Services (D of FS) did not support the application as the warehouse and workshop was incompatible with the staff occupancy use on the upper floor. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, twelve adverse public comments were received from Kadoorie Farm and Botanic Garden Corporation, Green Power, World Wide Fund for Nature Hong Kong, Green Lantau Association, Hong Kong Bird Watching Society, Living Islands Movement and individuals. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “GB” zone and there was a general presumption against development within the zone. There was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis. The proposed development did not comply with the Town Planning Board Guidelines No. 10 on various aspects including land use compatibility, landscape, visual, natural conservation, environmental, transport facilities and slope stability. The application was a “Destroy First, Build Later” case. D of FS considered the application unacceptable from fire safety point of view. Approval of the application would set an undesirable precedent for similar applications within the “GB” zone. Regarding the public comments, the

comments of government departments and planning assessments above were relevant.

11. A Member raised the following questions:

- (a) the kind of building materials to be stored in the proposed temporary warehouse; and
- (b) whether the proposed use was feasible as there was no vehicular access to the site.

12. Ms S.H. Lam, STP/SKIs, made the following responses:

- (a) the proposed temporary warehouse would be used for storage of construction materials including wooden boards; and
- (b) despite the applicant's claim that there was a vehicular access to the site, the site was only accessible by footpath and it was noted that construction materials were transported to the site by using trolley. Relevant government departments had doubts on the feasibility of the operation of the proposed temporary warehouse without a vehicular access to the site.

Deliberation Session

13. After deliberation, the Committee decided to reject the application. The reasons were :

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone, which is primarily intended for defining the limits of development areas by natural features and to preserve the existing natural landscape as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;

- (b) the proposed development does not comply with the Town Planning Board Guidelines for application for development within “GB” zone in that its development scale and intensity are incompatible with the surrounding area. It would involve extensive clearance of existing natural vegetation and affect the existing natural landscape. No information has been provided in the submission to demonstrate that the proposed development would not have adverse impacts on visual, landscape, environment, nearby stream, traffic and slope stability;
- (c) the proposed industrial use on the lower floor is not compatible with the proposed domestic use (for staff resting) on the upper floor and is unacceptable from fire safety point of view; and
- (d) approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “GB” zone. The cumulative effect of approving the similar applications would result in a general degradation of the natural environment.”

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/I-TCTC/56 Proposed Temporary Shop and Services (Fast Food Shop) for a Period of 4 Years in “Other Specified Uses” annotated “Pier” zone, Part of Ground Floor, Tung Chung Development Pier, New Territories
(RNTPC Paper No. A/I-TCTC/56)

Presentation and Question Sessions

14. Ms Amy M.Y. Wu, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary shop and services (fast food shop) for a period of four years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received;
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The Premises were located at the G/F of the pier, which was zoned “Other Specified Uses” annotated “Pier” and the proposed fast food shop was considered not incompatible with the pier use. Concerned government departments had no objection to or no adverse comment on the application. To address the concerns of Drainage Services Department and Environmental Protection Department on drainage and sewerage impacts, approval conditions on the maintenance of drainage facilities and submission and implementation of sewerage impact assessment and sewerage facilities were recommended.

15. Some Members raised the following questions:

- (a) whether a longer approval period could be granted; and
- (b) whether the previous restaurant had obtained planning permission.

16. Ms Amy M.Y. Wu, STP/SKIs, made the following responses:

- (a) since ‘Shop and Services’ was a column 2 use, the applicant could, in fact, apply for planning permission on a permanent basis. As submitted by the

applicant, a temporary period of four years was proposed based on business consideration; and

- (b) the previous restaurant did not require a planning permission as the pier was not covered by the Outline Zoning Plan at that time.

Deliberation Session

17. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 4 years until 13.1.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the existing drainage facilities on the premises shall be maintained at all times during the planning approval period;
- (b) the submission of sewerage impact assessment (SIA) within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 13.7.2017;
- (c) in relation to (b) above, the implementation of sewerage facilities identified in the SIA within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 13.10.2017;
- (d) the provision of fire services installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.7.2017;
- (e) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (f) if any of the above planning conditions (b), (c) or (d) is not complied with by the specified date, the approval hereby given shall cease to have effect

and shall on the same date be revoked without further notice.”

18. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix II of the Paper.

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

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/250 Proposed House and Minor Relaxation of Plot Ratio from 0.2 to 0.27 in “Recreation” Zone and area shown as ‘Road’, Lots No. 101 S.A (Part), 102 S.A, S.B, S.C (Part) & S.E (Part), 103 S.A (Part) & S.B (Part), 104 S.A & RP, 105 S.A & RP, 107 S.A to S.C (Part) & S.D to S.H, 108 S.A, S.B, S.C & RP, 109 S.A & RP, 110 to 111 in D.D. 247 and Adjoining Government Land in Ho Chung, Sai Kung, New Territories (RNTPC Paper No. A/SK-HC/250C)

19. The Secretary reported that LWK & Partners (Hong Kong) Limited (LWK) and AECOM Asia Company Limited (AECOM) were two of the consultants of the applicant. The following Members had declared interests on the item:

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|---------------------|---|---|
| Mr Ivan C.S. Fu | - | being the Director of LWK and having current business dealings with AECOM |
| Ms Janice W.M. Lai |] | |
| |] | having current business dealings with AECOM |
| Dr C.H. Hau |] | |
| Mr Stephen L.H. Liu | - | having current business dealings with LWK |

20. The Committee agreed that Mr Fu should be invited to leave the meeting temporarily for the item as his interest was direct. The Committee also agreed that Ms Lai, Dr Hau and Mr Liu could stay in the meeting as they had no involvement in the application.

[Mr Ivan C.S. Fu left the meeting temporarily at this point.]

Presentation and Question Sessions

21. Mr William W.T. Wong, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed eight houses and minor relaxation of plot ratio from 0.2 to 0.27;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Director of Environmental Protection (DEP) did not support the application as the applicant had yet to demonstrate that the proposed sewage treatment plant for the proposed eight houses could sustainably attain the stringent treatment standard set out in the Water Pollution Control Ordinance (WPCO). The Chief Engineer/Construction, Water Supplies Department (WSD) objected to the application as the site was within Upper Indirect Water Gathering Ground (WGG) and the applicant had not yet demonstrated that the proposed sewerage treatment plant were effective in preventing and containing the pollution effect and that the proposed development would not cause irreversible damage, unacceptable risks or negative impacts on water environment and water quality. Other concerned government departments had no objection to or no adverse comment on the application; and

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

- (d) during the first three weeks of the three statutory publication periods, a total of 760 adverse public comments were received from Sai Kung Rural Committee, members of Ho Chung Village, Village Affairs Committee, Designing Hong Kong Limited, a District Council member and individuals. Major objection grounds were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. The proposed house development was not in line with the planning intention of the “Recreation” (“REC”) zone and no strong justification had been provided in the submission for a departure from the planning intention. Besides, there was no strong justification for the proposed relaxation of plot ratio from 0.2 to 0.27 for accommodating the ancillary facilities of the proposed development. Both DEP and WSD objected to the application. Approval of the application would set an undesirable precedent for similar applications within the “REC” zone in Ho Chung and the cumulative impact would cause adverse environmental impact on the area. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

22. Members had no question on the application.

Deliberation Session

23. After deliberation, the Committee decided to reject the application. The reasons were :

- “(a) the proposed house development is not in line with the planning intention of the “Recreation” (“REC”) zone in Ho Chung area, which is primarily for recreational developments for the use of the general public and encourages the development of active and/or passive recreation and tourism/eco-tourism. No strong justification has been provided in the submission for a departure from the planning intention;

- (b) there is no strong justification for the proposed plot ratio relaxation from 0.2 to 0.27;
- (c) the application site falls within the Upper Indirect Water Gathering Ground (WGG) in Ho Chung. The applicant fails to demonstrate that the proposed sewage treatment plant is effective in preventing and containing the pollution effect and that the proposed development will not cause irreversible damage, unacceptable risks or negative impacts on water environment and water quality within the WGG; and
- (d) approval of the application would set an undesirable precedent for similar application within “REC” zone in Ho Chung. The cumulative impact of approving those applications would cause adverse environmental impact on the area.”

[Mr Ivan C.S. Fu returned to join the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/265 Filling of Land for House Development (Private Access Ancillary to Houses) in “Green Belt” zone and an area shown as ‘Road’, Lots 36 (Part), 37 (Part), 38 (Part), 42 (Part), 45 (Part), 46 RP (Part) and 47 RP (Part) in D.D. 210, Pak Wai, Sai Kung, New Territories
(RNTPC Paper No. A/SK-HC/265)

Presentation and Question Sessions

24. Mr William W.T. Wong, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) private access road ancillary to houses and filling of land;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Commissioner for Transport (C for T) raised concern on the cumulative adverse traffic impact of approving the proposed access road. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as noticeable impact to the existing landscape resources had been taken place prior to the application. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, 22 public comments were received. Amongst them, five public comments from the residents of Yu Chai Chung Village supported the application while seventeen public comments from Sai Kung Rural Committee, Kadoorie Farm & botanic Garden Corporation, Sai Kung Planning Concern Front and individuals objected to the application. Major grounds of supporting and objection were set out in paragraph 11 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed access road was not in line with the planning intention of the “Green Belt” (“GB”) zone. There was no strong planning justification in the submission for a departure from the planning intention. The proposed access road was not a continuous access connecting to Yu Chai Chung Village. It was doubtful as to whether the proposed access road could really serve as emergency vehicular access (EVA) for the existing village. Relevant government departments had not designated the site as an EVA. Approval of the application would set an undesirable precedent and the cumulative effect would result in a general degradation of the environment and bring about adverse landscape and traffic impacts on the area. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

25. Members had no question on the application.

Deliberation Session

26. After deliberation, the Committee decided to reject the application. The reasons were :

- “(a) the development in not in line with the planning intention of the “Green Belt” (“GB”) zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlet. There is a general presumption against development within this zone. There is no strong justification for a departure from the planning intention; and
- (b) the approval of the application will set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving such applications will result in a general degradation of the environment and bring about adverse landscape and traffic impacts on the area.”

[Mr Peter K.T. Yuen arrived to join the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting]

A/SK-HC/266 Proposed 4 Houses (New Territories Exempted Houses) in “Green Belt” zone, Lots 818 and 823 in D.D. 247, Kau Tsin Uk, Sai Kung, New Territories
(RNTPC Paper No. A/SK-HC/266)

27. The Committee noted that the applicant's representative requested on 9.1.2017 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments of relevant government departments. It was the first time that the applicant requested deferment of the application.

28. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-PK/231 Proposed 3 Houses (New Territories Exempted Houses - Small Houses) in "Green Belt" and "Recreation" and "Village Type Development" zones, Lots 490 S.A ss.1, 490 S.B, 491 S.D ss.1, 491 RP, 492 S.B ss.2, 492 S.E, 492 S.G, 588 S.C RP and 588 RP in D.D. 222, Pak Kong, Sai Kung, New Territories
(RNTPC Paper No. A/SK-PK/231)

Presentation and Question Sessions

29. Mr William W.T. Wong, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) the proposed three houses (New Territories Exempted Houses - Small Houses);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The Commissioner for Transport (C for T) had reservation on the application as such type of developments should be confined within the “Village Type Development” (“V”) zone as far as possible but considered that the application involving construction of three Small Houses only could be tolerated. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one adverse public comment was received from an individual. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the application was not in line with the planning intentions of the “Green Belt” (“GB”) and “Recreation” (“REC”) zones, the sites were mostly vacant or overgrown with grass and shrubs. The Director of Agriculture, Fisheries and Conservation had no adverse comment on the application from nature conservation point of view. For House 3, the site was at the periphery of the “REC” zone close to some approved Small House sites with no active recreational uses. The application generally met the Interim Criteria for Consideration of application for New Territories Exempted House/Small House in the New Territories in that more than 50% of the footprints of the three Small Houses fell within the village ‘environ’ (‘VE’) and there was a general shortage of land in meeting the Small House demand in the “V” zone of Pak Kong Village. The application also generally met the Town Planning Board Guidelines No. 10 in that no extensive clearance of vegetation would be involved. Planning permissions had previously been granted for Small House developments at the sites. Regarding the adverse public comment

received, the comments of government departments and planning assessments above were relevant.

30. Members had no question on the application.

Deliberation Session

31. Considering that the land within “V” zone of Pak Kong Village had nearly been used up for Small House developments, a Member suggested that PlanD should consider reviewing the “V” zone boundary to include areas falling within “GB” and the ‘VE’ to meet the future Small House demand in the village. The Chairman said that the Member’s suggestion would be referred to PlanD for consideration.

32. 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 13.1.2021, 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 septic tank for House 3, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB;
- (b) the provision of sewerage connection to the existing sewer for Houses 1 and 2 to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (c) the submission and implementation of landscaping proposals to the satisfaction of the Director of Planning or of the TPB.”

33. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VII of the Paper.

Agenda Item 10

Section 16 Application

[Open Meeting]

A/SK-SKT/14 Proposed Flat and Proposed Minor Relaxation of Plot Ratio (from 2 to 2.036) in “Residential (Group E)1” zone and an area shown as ‘Road’, Nos. 7-9 Hong Ting Road, Sai Kung, New Territories (Lots 963 (Part), Ext. to 963 (Part) and 991 (Part) in D.D. 215)
(RNTPC Paper No. A/SK-SKT/14A)

34. The Secretary reported that Ramboll Environ Hong Kong Limited (Environ) was one of the consultants of the applicant. The following Members had declared interests on the item:

Mr Ivan C.S. Fu]	
]	having current business dealings with Environ
Ms Janice W.M. Lai]	

35. The Committee noted that the applicant had requested a deferral of consideration of the application and agreed that Mr Fu and Ms Lai could stay in the meeting as they had no involvement in the application.

36. The Committee noted that the applicant’s representative requested on 11.7.2016 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments of relevant government departments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information with revised technical assessments to address comments from relevant government departments.

37. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s

consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information. Since it was the second deferment and a total of four months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 11

Section 16 Application

[Open Meeting]

A/SK-SKT/16 Proposed 19 Houses and Minor Relaxation of Plot Ratio Restriction (from 0.75 to 0.756) in “Green Belt” and “Residential (Group E)2” zones, Lots 8 S.B, 9 S.A and 9 S.B in D.D. 212 and Adjoining Government Land, Hong Kin Road, Sai Kung, New Territories (RNTPC Paper No. A/SK-SKT/16B)

38. The Committee noted that the applicant requested on 20.12.2016 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments of relevant government departments. It was the third time that the applicant requested deferment of the application. Since the first and second deferments, the applicant had not submitted further information.

39. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information. Since it was the third deferment and a total of six months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-TLW/6 Proposed 5 Houses (New Territories Exempted Houses - Small Houses) in “Village Type Development” zone, Government Land in D.D. 275, Ham Tin, Tai Long Wan, Sai Kung, New Territories
(RNTPC Paper No. A/SK-TLW/6B)

Presentation and Question Sessions

40. Mr William W.T. Wong, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed five houses (New Territories Exempted Houses (NTEH) - Small Houses);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix III of the Paper. The Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department (LCSD) considered that the proposed NTEHs were compatible with the existing village houses in terms of design and disposition. The overall integrity of the village was also respected. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservation on the application as pruning works would be required during construction and the construction access might affect offsite trees. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, 9,819 public comments were received. Among them, 9,208 comments from individuals supported the application while 611 comments from World

Wide Fund For Nature Hong Kong, Kadoorie Farm and Botanic Garden Corporation, Makara Surf Company Limited, Designing Hong Kong Limited, the Hong Kong Bird Watching Society and individuals objected to the application. Major support and objection grounds were set out in paragraph 10 of the Paper; and

- (e) PlanD's views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was in line with the planning intention of the “Village Type Development” (“V”) zone. The application site fell entirely within the “V” zone and village ‘environ’ and there was a general shortage of land in meeting the future Small House demand in the village. The proposed 2 to 3 storeys Small Houses were generally compatible with the rural character of the area occupied mainly by village house clusters and some vegetation. Ham Tin Tsuen had a proposed Grade 2 historic building status and many village houses in Ham Tin Tsuen had group value for preservation. The AMO of LCSD advised that efforts had been made by the applicant to harmonize the new Small Houses with the existing historic village houses in terms of style, architectural language and colours and the proposed development would not affect the integrity of the existing village setting. Technical requirements of concerned government departments could be addressed by imposition of appropriate approval conditions. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

41. A Member enquired about the criteria adopted by the Lands Department (LandsD) for considering the Small House applications as the design of the proposed Small Houses did not follow the typical design of a NTEH. In response, Mr Edwin W.K. Chan, Assistant Director/Regional 3 (AD/R3), LandsD, stated that while NTEH generally referred to the maximum dimension of building works, i.e. the building height not more than three storeys (8.23m) and the maximum roof-over area not exceeding 700 square feet, in respect of which a certificate of exemption would be granted under Cap. 121, LandsD would consider to specify a more restrictive design of the Small Houses under the lease to accord with conditions approved by the Town Planning Board (TPB).

42. Some Members raised the following questions:
- (a) whether and how future change in the built form and design of the proposed Small Houses, e.g. renovation work to change the colour of the façade, could be monitored after planning permission was granted; and
 - (b) whether there was any existing monitoring mechanism to ensure the design and construction materials of the Small Houses as agreed by AMO would be adhered to.
43. Mr William W.T. Wong, STP/SKIs, made the following responses:
- (a) the built form and design of the proposed Small Houses could be controlled through imposition of appropriate approval conditions. In this regard, an approval condition requiring the submission of construction methods and design to the satisfaction of LCSD or of the TPB was recommended. Specific design requirements of the proposed Small Houses could be followed up by LandsD at the Small House grant application stage;
 - (b) if there were material changes to the development proposal or major modification to the approved scheme in the future, further planning permission from the TPB would be required;
 - (c) the applicants were required to comply with the approval condition by submitting the construction and design details of the proposed Small Houses to the satisfaction of AMO of LCSD. Consideration could be given to control subsequent changes in the colour of the houses through land lease if considered appropriate; and
 - (d) the grading of historic buildings by AMO was administrative in nature. At present, AMO had no mechanism to monitor the subsequent changes of the design of the Small Houses in the long term.

44. The Chairman and some Members raised the following questions:
- (a) the location of the proposed Small Houses as compared to the previous applications;
 - (b) whether the five previous applications were submitted by the same applicant of the current application; and
 - (c) the reasons for rejecting the previous applications.
45. Mr William W.T. Wong, STP/SKIs, made the following responses:
- (a) the five previous applications (each for one Small House development) were submitted by the same applicant and four other indigenous villagers of Tai Long. With the aid of a site plan (Plan A-2a of the Paper), he showed the location of the application sites of the five previous applications, which were different from that currently proposed. In the current submission, the disposition and orientation of the proposed Small Houses were aligned along the existing footpath with due respect to the existing village setting; and
 - (b) the previous rejection reasons included that the applicants failed to demonstrate that the new village houses would be in harmony with the existing village setting and approval of the applications would set an undesirable precedent for other similar applications and the cumulative effect of approving such similar applications would affect the heritage features of Tai Long Wan.
46. Some Members raised the following questions:
- (a) in anticipation that approval of the subject application might encourage more applications for Small House developments in the area, how the historical ambience of the existing village setting could be preserved; and

- (b) whether there was similar restriction on Small House developments within “V” zone in other Outline Zoning Plans (OZPs).

47. In response, Mr William W.T. Wong, STP/SKIs, stated that applications for Small House developments in the area would be referred to AMO for consideration on a case-by-case basis. AMO would consider whether the proposed developments were in harmony with the existing village houses and whether the integrity of the historical ambience could be preserved. The Chairman also stated that apart from the Tai Long Wan OZP in which “House (NTEH only)” was put under Column 2 in the Notes, similar restriction was being considered in the Pak Sha O OZP, the plan-making process of which had not yet completed.

48. A Member raised the following questions:

- (a) how the construction materials would be transported to the site during construction stage as there was no existing vehicular access; and
- (b) whether there was any video to show the transportation route of the construction materials.

49. Mr William W.T. Wong, STP/SKIs, made the following responses:

- (a) as submitted by the applicant, the transportation of construction materials would be by sea and via the existing footpath; and
- (b) with the aid of some video clips, Mr Wong showed Members the site conditions including the existing footpath leading to the existing houses.

[Mr Alex T.H. Lai left the meeting at this point.]

Deliberation Session

50. The Chairman briefly recapitulated the background on the control of “V” zone on the OZP. He said that when the first draft Tai Long Wan OZP was exhibited in 2000, there

was general public aspiration for preserving the ambience of the historic village of Ham Tin. To partially meet the objections, TPB had decided to put “House (NTEH only)” under Column 2 in the Notes of “V” zone. There were five previous applications for Small Houses. As the applicants had not provided any detailed information regarding the design of the houses and no detailed technical assessment had been submitted, the applications were rejected by the Committee. He further said that Members’ comments on the current application would form the basis for consideration of future similar applications in the area.

Long-term Monitoring and Role of the Committee

51. Some Members raised the following main points:

- (a) the current design proposed in the submission was acceptable but there was concern on whether any long term monitoring mechanism was available to control the subsequent changes in design. The applicant might not follow the proposed design upon obtaining the necessary approvals and build the typical NTEHs instead; and
- (b) given that the Board’s intention of putting “House (NTEH only)” under Column 2 was to preserve the historical ambience, the landscape setting and the village environment, it was important not only to ensure any new developments in the area to be in line with such intention, but also to consider how to monitor the design of these developments in the long term. It was not sure whether AMO or other relevant departments had the authority on future monitoring of the proposed Small Houses; and

52. However, some Members had different views and considered that it would be unfair to reject the application simply because there was no effective means to control the future changes of the proposed Small Houses. Some Members also expressed that it might not be reasonable to prohibit the change in colour of the houses. The Committee should take into account departmental comments including AMO’s advice on the design. For future monitoring, AMO’s advice could also be sought on whether the proposal might affect the historical ambience of the village on a case-by-case basis.

53. The Chairman said that approval conditions were recommended in the Paper requiring the applicant to submit design details and construction methods to AMO's satisfaction. Any non-compliance with the approval condition would amount to a development without planning permission. Mr Edwin W.K. Chan, AD/R3 of LandsD, supplemented that the special design requirement of the Small Houses, if specified in the lease conditions, should be adhered to. Otherwise, LandsD could refuse to issue the Certificate of Compliance.

Planning Intention

54. Some Members raised the following main points:

- (a) noting that the previous applications were rejected mainly for the reason of failing to demonstrate that the proposed Small Houses would be in harmony with the existing village setting, whether the Committee was in a position to decide if the current design proposed by the applicant was acceptable;
- (b) the planning intention of the "V" was to cater for village type development. To put "House (NTEH only)" under Column 2 in the Notes of "V" zone was for the purpose of controlling the design of Small Houses so as to conserve the historic and archaeological value of the existing village. As reflected in the submission, the design and disposition of the proposed Small Houses had been arranged to respect the existing village setting. The proposed Small Houses were located to avoid affecting the trees and the floor areas had also been reduced to resemble the built form of the existing houses. The above measures demonstrated that the applicant had made genuine effort to work out some good design for the proposed Small Houses. The Committee should consider whether the current submission had addressed Members' previous concerns;
- (c) at present, there were hardly any villagers living in the area. Approval of the application would help revitalise the area and gave a positive message

of encouraging good design to respect and preserve the integrity of the village.

55. The Chairman drew Members' attention to the planning intention as stipulated in the Notes of the Tai Long Wan OZP and paragraphs 7.1 and 8 of the explanatory statement (ES). Such planning intention could provide a basis for Members to consider the current application. AMO's advice on the proposed development would also be relevant consideration of the TPB.

56. A Member supported the application and was of the view that given the intention for Small House development in the "V" zone, the TPB should allow such development if its design was considered acceptable to achieve the purpose set out in the Notes and ES. Otherwise, the Committee would be subject to challenge for not following the provision under the OZP.

Setting of Precedent and Read Across Implication

57. A Member noted that the applicant alone applied for five Small Houses, which would not be in line with the intention that each Small House should be for one male indigenous villager. Approval of the application might set an undesirable precedent and open a floodgate for similar applications in the area.

58. Another Member shared the concern on the precedent effect which would eventually result in more newly built houses than the existing village houses that might contravene the intention of heritage preservation. That Member wondered if there was any cap on the number of new houses.

59. Considering that more applications for Small House development might be forthcoming, a Member also raised concern on whether TPB could refuse future applications for Small Houses.

60. The Chairman clarified that the current application was submitted by one of the applicants as representative. The five Small Houses were to be developed by five indigenous villagers and their names were the same as those of the five previous applications.

The application sites in both the current and previous applications fell within government land, which were different from some other Small House applications on private land. The Chairman referred Members to the Paper and said that land available within the subject “V” zone could only cater for development of about 27 Small Houses. The ES of the OZP also stated that future Small House demand should be met outside the Tai Long Wan area.

61. A Member considered the threat of more Small House development in the area should not be a concern in view of the limited land suitable for Small House development as most land in the area were densely vegetated. Furthermore, the requirements for the submission of various technical reports including Tree Preservation Proposal and Archaeological Impact Assessment Report etc were demanding and not many indigenous villagers would have the capability to fulfil the various requirements.

62. A Member expressed concern on approving this application which might have read across implication on other OZP with similar restrictions. In response, the Chairman said that similar restriction for “V” zone was being contemplated for the Pak Sha O OZP and the planning context of Pak Sha O area was different from the Tai Long Wan area. He pointed out that given the general planning intention for Tai Long Wan was to preserve the historic value and ambience of the area, Small House developments in the area should be carefully considered, while paying due regard to the opportunity brought by new developments for revitalising the area.

Others

63. A Member pointed out that while an ecological impact assessment was not required, a rare plant species, i.e. *Glochidion philippicum* (菲島算盤子), was found within the village which should be included in the Tree Preservation Proposal.

64. In conclusion, Members in general were in favour of approving the application. To address a Member’s concern on the rare plant species, the Chairman suggested to add an advisory clause to require the rare plant species be included in the tree/vegetation survey and be taken account of in the Tree Preservation Proposal. Regarding Members’ concern on the future monitoring of the proposed Small Houses, the Chairman said that the application was approved as submitted and the applicants had to follow the proposed design. Any major

alteration and modification to the approved Small Houses in the future would require planning permission as stipulated in the Notes of the OZP. PlanD would further liaise with LandsD to ensure that the approved design would be translated onto the land grant so as to maintain proper control.

65. 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 13.1.2021, 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 Tree Preservation Proposal, including detailed tree pruning proposal within the vicinity during the construction of the New Territories Exempted Houses, to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission of construction methods and details to substantiate the conceptual design of the proposed development from the heritage conservation perspective before commencement of works to the satisfaction of the Director of Leisure and Cultural Services or of the TPB;
- (c) the submission and implementation of comprehensive mitigation measures to safeguard the existing historic village houses in Ham Tin Tsuen before commencement of works to the satisfaction of the Director of Leisure and Cultural Services or of the TPB;
- (d) the submission of detailed Archaeological Impact Assessment Report prior to the commencement of any excavation works and implementation of the mitigation measures identified therein to the satisfaction of the Director of Leisure and Cultural Services or of the TPB; and
- (e) the provision of septic tanks, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB.”

66. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper in addition to the following:

“ the tree/vegetation survey undertaken by the applicant should identify whether there are any native tree species and any other rare plant species, including *Glochidion philippicum*, within the site and its immediate vicinity and appropriate mitigation measures to protect such native tree species and any other rare plant species should be included in the Tree Preservation Proposal.”

[The Chairman thanked Ms S.H. Lam, Ms Amy M.Y. Wu and Mr William W.T. Wong, STPs/SKIs, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

[The meeting was adjourned for a 5-minute break.]

[Mr David Y.T. Lui left the meeting at this point.]

Sha Tin, Tai Po and North District

Agenda Item 13

Section 16 Application

[Open Meeting]

A/NE-KLH/524 Proposed House (New Territories Exempted House - Small House) in “Green Belt” zone, Lot 708 S.C. in D.D. 9, Yuen Leng Village, Tai Po, New Territories
(RNTPC Paper No. A/NE-KLH/524)

67. The Committee noted that the applicant’s representative requested on 19.12.2016 for deferment of the consideration of the application for two months so as to allow time for preparation of further information on sewerage proposal in support of the application. It was the first time that the applicant requested deferment of the application.

68. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 14

Section 16 Application

[Open Meeting]

A/NE-LT/594 Proposed House (New Territories Exempted House) in "Agriculture" zone, Lot 1282 in D.D. 10 and Adjoining Government Land, Ng Tung Chai, Tai Po, New Territories
(RNTPC Paper No. A/NE-LT/594)

69. The Committee noted that the applicant's representative requested on 4.1.2017 for deferment of the consideration of the application for two months so as to allow time for preparation of a detailed sewerage connection proposal to address the comments of relevant government departments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had confirmed with the Lands Department on the house entitlement of the Site.

70. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were

allowed for preparation of the submission of further information. Since it was the second deferment and a total of four months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.

[Mr C.T. Lau and Mr Wallace W.K. Tang, Senior Town Planners/Sha Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/596 Proposed House (New Territories Exempted House - Small House) in
 “Agriculture” zone, Lot 261 S.A in D.D. 8, Tai Yeung Che Village,
 Lam Tsuen, Tai Po, New Territories
 (RNTPC Paper No. A/NE-LT/596)

Presentation and Question Sessions

71. Mr C.T. Lau, 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 - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site had high potential for rehabilitation of agricultural activities. The Commissioner for Transport (C for T) had reservation on the application as such type of development should be confined within the “Village Type Development” (“V”) zone as far as possible but considered that the

application involving development of one Small House only could be tolerated. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, two public comments were received from individuals objecting to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not incompatible with the surrounding areas which were predominantly rural in character with village houses, fallow agricultural land and tree groups. The application generally complied with the Interim Criteria for Consideration of Application for New Territories Exempted House /Small House in New Territories (Interim Criteria) as more than 50% of the proposed Small House footprint fell within the village 'environ' of Tai Mong Che and the proposed Small House would be able to be connected to the planned sewerage system in the area. Although having reservation on the application, C for T considered that the construction of one Small House could be tolerated. Other concerned government departments, except DAFC, had no objection to or adverse comment on the application. The site was the subject of a previously approved application for the same type of development and there had been no significant change in planning circumstances since the previous approval. Thirteen similar applications within the same "Agriculture" zone in the vicinity were approved by the Committee. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

72. Members had no question on the application.

Deliberation Session

73. 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 13.1.2021, 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) submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (b) connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Water Supplies or of the TPB; and
- (c) provision of protection measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or of the TPB.”

74. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VII of the Paper.

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/597 Proposed 2 Houses (New Territories Exempted Houses - Small Houses) in “Agriculture” zone, Lots 413 S.B ss.1 S.A, 413 S.B ss.2, 413 S.B ss.4, 414 S.B ss.1 S.A, 414 S.B ss.2 and 414 S.B ss.3 in D.D. 10, Chai Kek Village, Tai Po, New Territories
(RNTPC Paper No. A/NE-LT/597)

Presentation and Question Sessions

75. Mr C.T. Lau, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed two houses (New Territories Exempted Houses - Small Houses);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site had high potential for rehabilitation of agricultural activities. The Commissioner for Transport (C for T) had reservation on the application as such type of development should be confined within the “Village Type Development” (“V”) zone as far as possible but considered that the application involving development of two Small Houses only could be tolerated. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” zone and there was no strong planning justification in the current submission for a departure from the planning intention. Land was still available within the “V” zone of Chai Kek and Wo Liu. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. Five similar cases were rejected by the Committee. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

76. Members had no question on the application.

Deliberation Session

77. After deliberation, the Committee decided to reject the application. The reasons were :

- “(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 also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the current submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zone of Chai Kek and Wo Liu which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 17

Section 16 Application

[Open Meeting]

A/NE-TK/600 Proposed Religious Institution (Proposed Additional Accommodation for Second Buddhist Resource Centre) and Minor Relaxation of Restrictions in Gross Floor Area and Site Coverage in “Government, Institution or Community (1)” zone, Tai Po Town Lot 198, 88 Universal Gate Road, Tai Po, New Territories
(RNTPC Paper No. A/NE-TK/600)

78. The Committee noted that the applicant’s representative requested on 9.1.2017 for deferment of the consideration of the application for one month so as to allow time for

preparation of further information to address the comments of relevant government departments. It was the first time that the applicant requested deferment of the application.

79. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that one month was allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 18

Section 16 Application

[Open Meeting]

A/TP/611 Proposed Religious Institution and Columarium in "Government, Institution or Community" zone, Lot No. 1006 R.P. in D.D. 5, No. 2 Mui Shue Hang Village, Tai Po, New Territories
(RNTPC Paper No. A/TP/611A)

80. The Committee noted that the applicant's representative requested on 22.12.2016 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments of relevant government departments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a revised traffic impact assessment, a new Geotechnical Planning Review Report, revised tree survey/compensatory planting plans to address departmental and public comments mainly on traffic, geotechnical and landscape issues.

81. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending submission of further information from the applicant.

The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information. Since it was the second deferment and a total of four months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/615 Proposed House (New Territories Exempted House - Small House) in
"Green Belt" and "Village Type Development" zones, Government
land in D.D. 32, Ha Wong Yi Au, Tai Po, New Territories
(RNTPC Paper No. A/TP/615)

Presentation and Question Sessions

82. Mr C.T. Lau, 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 - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper. The Chief Town Planner, Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as the application would involve site formation and clearance of existing vegetation and the approval of the

application would set an undesirable precedent which could jeopardize the existing landscape resources and green buffer function of the “Green Belt” (“GB”) zone. The Head of the Geotechnical Engineering Office, Civil Engineering and Development Department advised that the application was required to submit a Geotechnical Planning Review Report in support of the application as the site was overlooked by steep natural hillside. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, three adverse public comments were received from World Wide Fund for Nature Hong Kong, Green Sense and an individual. Major objection grounds were set out in paragraph 11 of the Paper; and

- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “GB” zone. There was no strong planning justification in the submission for a departure from the planning intention. The proposed development did not comply with the Interim Criteria for assessing planning application for New Territories Exempted House/Small House development in New Territories in that the applicant failed to demonstrate that the proposed development would not cause adverse landscape and geotechnical impacts on the surrounding areas. The application did not comply with the Town Planning Board Guidelines for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would affect the existing natural landscape and adversely affect slope stability. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

83. Members had no question on the application.

Deliberation Session

84. After deliberation, the Committee decided to reject the application. The reasons were :

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zoning for the area which is to define the limits of urban development areas by natural physical features so as to contain urban sprawl and to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the proposed development does not comply with the Interim Criteria for assessing planning application for New Territories Exempted House/Small House development in New Territories in that the applicant fails to demonstrate that the proposed development would not cause adverse landscape and geotechnical impacts on the surrounding areas;
- (c) the application does not comply with the Town Planning Board Guidelines for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would affect the existing natural landscape and adversely affect slope stability; and
- (d) land is still available within the “Village Type Development” (“V”) zone of Ha Wong Yi Au village which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/616 Proposed House (Private Swimming Pool Ancillary to House) in
 “Green Belt” zone, Lot 604 (Part) in D.D. 21, Pun Shan Chau, Tai Po,
 New Territories
 (RNTPC Paper No. A/TP/616)

Presentation and Question Sessions

85. Mr C.T. Lau, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed house (private swimming pool ancillary to house);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one adverse public comment was received from an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The application site was the subject of previous approved applications involving rebuilding of a house with building entitlement. The proposed development was not incompatible with the surrounding areas which were predominantly rural in character comprising village houses, temporary structures and tree groups. The application generally complied with the Town Planning Board Guidelines for ‘Application for Development within

“Green Belt” zone under section 16 of the Town Planning Ordinance’ (TPB PG-No. 10) in that the proposed swimming pool was small in scale and was unlikely to have adverse traffic, drainage, sewerage and environmental impacts on the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application. Regarding the adverse public comment received, the comments of government departments and planning assessments above were relevant.

86. Members had no question on the application.

Deliberation Session

87. 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 13.1.2021, 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 condition :

“ provision of fire services installations to the satisfaction of the Director of Fire Services or of the TPB.”

88. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

Agenda Items 21 and 22

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MUP/125 Proposed House (New Territories Exempted House - Small House) in “Agriculture” zone, Lot 560 S.D in D.D. 46, Loi Tung Village, Sha Tau Kok, New Territories

A/NE-MUP/126 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” zones, Lot 560 S.C in D.D. 46, Loi Tung Village, Sha Tau Kok, New Territories
(RNTPC Paper No. A/NE-MUP/125 and 126)

89. The Committee noted that the two applications were similar in nature (New Territories Exempted Houses (NTEH) – Small Houses) and the application sites were located close to each other. The Committee agreed that the two applications would be considered together.

Presentation and Question Sessions

90. Mr Wallace W.K. Tang, STP/STN, drew Members’ attention that there was a typographical error on page 6 of the paper. Regarding the sewerage impact, the advice of the Director of Environmental Protection should read as “in view of the small scale of the proposed developments, the applications alone are *likely* **unlikely** to cause major pollution”. He then presented the applications and covered the following aspects as detailed in the Paper :

- (a) background to the applications;
- (b) the proposed house (NTEH – Small House) at each of the application sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the sites possessed potential for agricultural rehabilitation. The Commissioner for Transport (C for T) had reservation on the applications as such type of developments should be confined within the “Village Type Development” (“V”) zone as far as possible but considered that the application involving development of two Small Houses only could be tolerated. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication periods, three public comments on application No. A/NE-MUP/125 and two public comments on application No. A/NE-MUP/126 were received. Amongst them, a North District Council (NDC) member supported both applications while the Chairman of Sheung Shui District Rural Committee indicated no comment on the applications. An individual objected to application No. A/NE-MUP/125. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Papers. The sites were the subject of previous approved applications each for a Small House but the permission was lapsed. The applications generally complied with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (Interim Criteria) as more than 50% of the footprints of the proposed Small Houses fell within the village 'environ' of Loi Tung Village and land available within the "V" zone of Loi Tung Village was insufficient to fully meet the future Small House demand. Although having reservation on the application, C for T considered that the construction of two Small Houses could be tolerated. Other concerned government departments, except DAFC, had no objection to or no adverse comment on the application. Four similar applications were approved by the Committee. There had not been major change in planning circumstances since the approval of those applications. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

91. Members had no question on the application.

Deliberation Session

92. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 13.1.2021, 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. Each of the permissions was subject to the following conditions :

- “(a) the provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB;
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (c) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

93. The Committee also agreed to advise each of the applicant to note the advisory clauses as set out at Appendix VII of the Paper.

Agenda Items 23 to 29

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/98	Proposed House (New Territories Exempted House - Small House) in “Agriculture” zone, Lots 1594 S.A and 1595 S.E in D.D. 91, Kai Leng, Sheung Shui, New Territories
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A/NE-PK/99	Proposed House (New Territories Exempted House - Small House) in “Agriculture” zone, Lot 1594 S.F in D.D. 91, Kai Leng, Sheung Shui, New Territories
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A/NE-PK/100	Proposed House (New Territories Exempted House - Small House) in “Agriculture” zone, Lot 1511 S.B in D.D. 91, Kai Leng, Sheung Shui, New Territories
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A/NE-PK/101 Proposed House (New Territories Exempted House - Small House) in “Agriculture” zone, Lot 1511 S.C in D.D. 91, Kai Leng, Sheung Shui, New Territories

A/NE-PK/102 Proposed House (New Territories Exempted House - Small House) in “Agriculture” zone, Lot 1511 S.E in D.D. 91, Kai Leng, Sheung Shui, New Territories

A/NE-PK/103 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” zones, Lot 1579 S.A in D.D. 91, Kai Leng, Sheung Shui, New Territories

A/NE-PK/104 Proposed House (New Territories Exempted House - Small House) in “Agriculture” zone, Lot 1579 S.B in D.D. 91, Kai Leng, Sheung Shui, New Territories
(RNTPC Paper No. A/NE-PK/98 to 104)

94. The Committee noted that the seven applications were similar in nature (NTEH – Small Houses) and the application sites were located close to one another. The Committee agreed that the seven applications would be considered together.

Presentation and Question Sessions

95. Mr Wallace W.K. Tang, STP/STN, presented the applications and covered the following aspects as detailed in the Paper :

- (a) background to the applications;
- (b) the proposed house (NTEH – Small House) at each of the application sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the applications as agricultural activities were active in the vicinity and the sites possessed potential for agricultural rehabilitation. The Commissioner for Transport

(C for T) had reservation on the applications as such type of developments should be confined within the “Village Type Development” (“V”) zone as far as possible but considered that the applications involving development of seven Small Houses only could be tolerated. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication periods, four public comments on applications No. A/NE-PK/98, 100, 101 and 103, and three public comments on applications No. A/NE-PK/99, 102 and 104 were received. Amongst them, a North District Council member supported all the applications while the Chairman of Sheung Shui District Rural Committee indicated no comment on applications No. A/NE-PK/98 and 100 to 104. A local villager objected to applications No. A/NE-PK/98 and 99, an individual objected to all applications and another individual objected to applications No. A/NE-PK/100, 101 and 103. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed Small Houses were not in line with the planning intention of the “Agriculture” (“AGR”) zone, they were not incompatible with the surrounding rural setting dominated by village houses, temporary structures and vacant/fallow agricultural land. The applications generally complied with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (Interim Criteria) as the footprints of the proposed Small Houses fell entirely within the village ‘environ’ of Kai Leng Village and there was insufficient land available within the “V” zone to meet the future Small House demand. Although having reservation on the application, C for T considered that the construction of seven Small Houses could be tolerated. Concerned government departments, except DFAC, had no objection to or no adverse comment on the application. A total of 70 similar applications within the same “AGR” zone in the vicinity of the sites were approved by the Committee. There

had not been any major change in planning circumstances of the area since the approval of those applications. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

96. Members had no question on the application.

Deliberation Session

97. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 13.1.2021, 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. Each of the permissions was subject to the following conditions :

For Applications No. A/NE-PK/98, 99, 101, 102 and 104

- “(a) the provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB; and
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

For Applications No. A/NE-PK/100 and 103

- “(a) the provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB;
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (c) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

98. The Committee also agreed to advise each of the applicants to note the advisory clauses as set out at Appendix VI of the Papers.

Agenda Item 30

Section 16 Application

[Open Meeting]

A/NE-TKL/552 Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Agriculture” zone, Lots No. 1106 RP (Part) and 1107 (Part) in D.D. 82, Ping Che Road, Ta Kwu Ling, New Territories (RNTPC Paper No. A/NE-TKL/552A)

99. The Secretary reported that Mr Alex T.H. Lai had declared an interest on the item as his father co-owned two lots of land in Ping Che area. The Committee noted that the applicant had requested a deferral of consideration of the application and Mr Lai had already left the meeting.

100. The Committee noted that the applicant requested on 23.12.2016 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the further comments of relevant government departments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information in response to departmental comments.

101. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of submission of further information. Since it was the second deferment of the application and a total of four months had been allowed preparation of the

submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/556 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” zone, Lots 1085 S.A, 1086 S.A, 1088 S.A RP(Part) and
1088 S.A ss.17 (Part) in D.D. 82, Tong Fong, Ta Kwu Ling, New
Territories
(RNTPC Paper No. A/NE-TKL/556)

Presentation and Question Sessions

102. Mr Wallace W.K. Tang, 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 – departmental comments were set out in paragraph 9 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The Commissioner for Transport (C for T) had reservation on the applications as such type of developments should be confined within the “Village Type Development” (“V”) zone as far as possible but considered that the application involving development of a Small House only could be tolerated. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, three public comments were received. Amongst them, a North District Council member supported the application while the Chairman of Sheung Shui District Rural Committee indicated no comment on the application. An individual objected to the application. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed Small House was not in line with the planning intention of the “Agriculture” (“AGR”) zone, they were not incompatible with the surrounding rural setting dominated by farmland, village houses and tree groups. The applications generally complied with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (Interim Criteria) as more than 50% of the footprint of the proposed Small House fell within the village ‘environ’ of Tong Fong Village and there was insufficient land available within the “V” zone to meet the future Small House demand. Concerned government departments, except DAFC, had no objection to or no adverse comment on the application. The Site was the subject of a previous application for Small House development approved by the Committee in 2014. The applicant had enlarged the footprint of the proposed Small House in the current application while other major development parameters of the proposed Small House remained unchanged. Nineteen similar applications within the same “AGR” zone in the vicinity of the site were approved by the Committee. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

103. Members had no question on the application.

Deliberation Session

104. 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 13.1.2021, 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 septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB; and
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

105. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VII of the Paper.

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/557 Renewal of Planning Approval for Temporary “Private Car Park” for a Period of 3 Years in “Agriculture” and “Village Type Development” zones, Lot 365 S.C (Part) in D.D. 84, Tai Po Tin Village, Ping Che, New Territories
(RNTPC Paper No. A/NE-TKL/557)

106. The Secretary reported that Mr Alex T.H. Lai had declared an interest on the item as his father co-owned two lots of land in Ping Che area. The Committee noted that Mr Lai had already left the meeting.

Presentation and Question Sessions

107. Mr Wallace W.K. Tang, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) renewal of planning approval for temporary private car park under application No. A/NE-TKL/461 for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Agriculture, Fisheries and Conservation did not favour the application as the site had a potential for agricultural rehabilitation and active agricultural activities were found in the vicinity of the site. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, four public comments were received. Amongst them, a North District Council member supported the application while the Chairman of Sheung Shui District Rural Committee indicated no comment on the application. Two individuals objected to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the development was not in line with the planning intentions of the “Agriculture” (“AGR”) and “Village Type Development” (“V”) zones, approval of the application on a temporary basis for another three years should not jeopardize the long-term planning intentions of the two zones. Concerned government departments, except DAFC, had no objection to or no adverse comment on the application. The application generally complied with the Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No.34B) in that the applicant had complied with all the approval conditions of the four previous planning applications. There had been no material change in planning circumstances since the previous temporary planning approvals

and the approval of the subject application was in line with the Committee's previous decisions. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

108. Members had no question on the application.

Deliberation Session

109. After deliberation, the Committee decided to approve the application on a temporary basis for a further period of 3 years from 12.3.2017 until 11.3.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the car park should be restricted for parking of private cars only and should not be opened to the public on a commercial basis;
- (b) the submission of a condition record of the existing drainage facilities within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.9.2017;
- (c) the submission of fire services installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.9.2017;
- (d) the implementation of fire services installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.12.2017;
- (e) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

- (f) if any of the above planning conditions (b), (c) or (d) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (g) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

110. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

[Ms Janice W.M. Lai left the meeting and Mr Ivan C.S. Fu left the meeting temporarily at this point.]

Agenda Item 33

Section 16 Application

[Open Meeting]

A/NE-TKL/558 Proposed Temporary Glass Testing Workshop, Office and Open Storage of Materials for a Period of 3 Years in “Agriculture” and “Industrial (Group D)” zones, Lots 19, 20 (Part), 21 (Part) & 33 S.A (Part) in D.D. 84, Tai Po Tin, Ping Che, New Territories
(RNTPC Paper No. A/NE-TKL/558)

111. The Secretary reported that Mr Alex T.H. Lai had declared an interest on the item as his father co-owned two lots of land in Ping Che area. The Committee noted that the applicant had requested a deferral of consideration of the application and Mr Lai had already left the meeting.

112. The Committee noted that the applicant requested on 23.12.2016 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments of the Transport Department. It was the first time that the applicant requested deferment of the application.

113. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

[The Chairman thanked Mr C.T. Lau and Mr Wallace W.K. Tang, STPs/STN, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

[Mr Jeff K.C. Ho and Ms Emily P.W. Tong, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), and Dr Rowena M.F. Lee and Ms Erin S.L. Yeung, Town Planners/Fanling, Sheung Shui and Yuen Long East (TPs/FSYLE) were invited to the meeting at this point.]

Agenda Item 34

Section 16 Application

[Open Meeting]

A/FSS/253	Proposed House (New Territories Exempted House - Small House) in "Green Belt" zone, Government Land in D.D. 91, Ng Uk Tsuen, Sheung Shui, New Territories (RNTPC Paper No. A/FSS/253)
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114. The Committee noted that the application was withdrawn by the applicant.

Agenda Item 35

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/443 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” zone, Lot 911 S.A ss.4 in D.D. 100, Hang Tau Village,
Sheung Shui, New Territories
(RNTPC Paper No. A/NE-KTS/443)

Presentation and Question Sessions

115. Mr Jeff K.C. Ho, STP(Atg.)/FSYLE, 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 - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the sites possessed potential for agricultural use such as greenhouse or plant nursery. The Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) had some reservations on the application as approval of the subject application would allow further expansion of Small House developments towards the west and north which were largely fallow farmland covered by vegetation. It would set an undesirable precedent for similar applications undermining the landscape quality in the vicinity. The Commissioner for Transport (C for T) had reservation on the application as such type of developments should be confined within the “Village Type Development” (“V”) zone as far as possible but considered that the application involving development of one Small House only could be tolerated. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, three public comments were received. Amongst them, a North District Council member supported the application while the Chairman of Sheung Shui District Rural Committee indicated no comment on the application. An individual objected to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone in the Hang Tau Village and there was no strong planning justification in the submission for a departure from the planning intention. Land was still available within the “V” zone of Hang Tau Village for Small House development. It was considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for more orderly development pattern, efficient use of land and provision of infrastructures and services. Approval of the application would result in further proliferation of Small House development in the “AGR” zone. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

116. Members had no question on the application.

Deliberation Session

117. After deliberation, the Committee decided to reject the application. The reasons were :

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone in the Hang Tau Village 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” zone of Hang Tau Village which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for more orderly development pattern, efficient use of land and provision of infrastructures and services.”

Agenda Item 36

Section 16 Application

[Open Meeting]

A/YL-KTN/522 Proposed Residential Development (Flats) in “Comprehensive Development Area (1)” and “Comprehensive Development Area” zones, Lots No. 1763 RP (Part), 1764, 1765, 1766 RP (Part), 1767 RP (Part), 1768, 1769, 1770, 1771 RP, 1776 RP, 1777 RP (Part), 1779, 1780, 1783 (Part), 1795 (Part), 1796 (Part), 1797 (Part), 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1819, 1821, 1834, 1835, 1836 (Part), 1837 (Part), 1838 (Part) and 1839 (Part) in D.D. 107 and Adjoining Government Land near Cheung Chun San Tsuen, Kam Tin, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTN/522B)

118. The Secretary reported that the application was submitted by Bright Strong Limited which was a subsidiary of Sun Hung Kai Properties Limited (SHK) with Llewelyn Davies Hong Kong Limited (LD), AECOM Asia Company Limited (AECOM), Ramboll Environ Hong Kong Limited (Environ), Ronald Lu & Partners (Hong Kong) Limited (RLP) and Urbis Limited (Urbis) as five of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Ivan C.S. Fu]
] having current business dealings with SHK,
] AECOM, Environ and Urbis
Ms Janice W.M. Lai]
- Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which obtained sponsorship from SHK before
- Dr C.H. Hau - having current business dealings with AECOM
- Mr Stephen L.H. Liu - having current business dealings with SHK, LD and RLP
- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Company Limited (KMB) and SHK was one of the shareholders of KMB

119. The Committee noted that the applicant had requested a deferral of consideration and agreed that Mr Liu and Miss Ng whose interests were direct could stay in the meeting but should refrain from participating in the discussion. The Committee noted that Ms Lee had tendered apologies for being unable to attend the meeting, Mr Fu had left the meeting temporarily and Ms Lai had already left the meeting. As Dr Hau had no involvement in the application, the Committee agreed that he could stay in the meeting.

120. The Committee noted that the applicant's representative requested on 29.12.2016 for deferment of the consideration of the application for an additional two months so as to allow time for the applicant to respond and address further comments from government departments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

121. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within

two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information. Since it was the third deferment and a total of six months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/535 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm and Caravan Holiday Camp) for a Period of 3 Years in "Agriculture" zone, Lots No. 5 RP (Part), 5 S.M-S.Z, 5 S.AA-S.AC, 5 S.AT, 5 S.AV-S.AZ, 5 S.BC, 6, 8 RP (Part), 9 RP, 9 S.B-S.H in D.D. 110 and Adjoining Government Land, Tai Kong Po, Kam Tin, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTN/535B)

Presentation and Question Sessions

122. Dr Rowena M.F. Lee, TP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports or culture (hobby farm and caravan holiday camp) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and

Conservation and the Director of Environmental Protection pointed out that the site was previously a pond and was filled in 2009. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L, PlanD) had some reservations on the application as the proposed development, if approved, would set an undesirable precedent for site modification prior to application, thus leading to further degradation of existing landscape resources. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, nine public comments were received from the Resident Representative of Tai Kong Po, a villager, the World Wide Fund for Nature Hong Kong, Kadoorie Farm & Botanic Garden Corporation, the Designing Hong Kong Limited and individuals. They objected to or raised concerns on the application. Major objection grounds or concerns were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed temporary hobby farm was generally in line with the planning intention of the “Agriculture” (“AGR”) zone. Although ten caravan camp sites were included as part of the hobby farm which were more akin to recreational use, they would only provide temporary overnight accommodation to the hobby farm users and occupy about 8.5% of the site. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “AGR” zone. The proposed temporary hobby farm and caravan camp sites were not incompatible with the surrounding land uses. Six similar applications for hobby farm use within the same “AGR” zone had been approved by the Committee and approval of the application was generally in line with the Committee's previous decision. The concerns/technical requirements of concerned government departments could be addressed by imposition of appropriate approval conditions. Regarding the adverse public comments received, the comments of

government departments and planning assessments above were relevant.

123. A Member and the Chairman raised the following questions:

- (a) whether the hobby farm users would drive their caravans to the site or the caravans were fixed on the site;
- (b) the proportion of hobby farm and caravan camp within the site; and
- (c) whether a licence was required for the caravan camp.

124. Dr Rowena M.F. Lee, TP/FSYLE, made the following responses:

- (a) according to the applicant, ten fixed caravan compartments would be provided within the site; and
- (b) over 50% and about 8.5% of the site area would be used for hobby farm and caravan camp respectively.
- (c) as advised by the Home Affairs Department, for fixed caravans providing short-term sleeping accommodation at a fee, if their mode of operation fell within the definition of 'hotel' and 'guesthouse' under the Hotel and Guesthouse Accommodation Ordinance, a hotel or a guesthouse licence should be obtained before operation. With reference to Appendix 1c of the Paper, the applicant had committed to apply for a guesthouse licence if the application was approved.

Deliberation Session

125. A Member asked whether similar application for caravan camp had been approved previously by the Committee. In response, the Chairman said that a similar application near Tin Shui Wai had previously been approved.

126. Another Member raised concern on the implication of approving the application

given that the site was subject to enforcement action in the past. The Chairman pointed out that according to paragraph 4.2 of the Paper, the western part of the site was subject to previous planning enforcement action on filling of pond/land. Enforcement Notice and Reinstatement Notice were served to the concerned parties in 2009 and the Compliance Notices were issued in 2010. In this regard, Members noted that, as one of the advisory clauses, the applicant would be reminded to obtain prior planning permission before commencing the development on the site.

127. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.1.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the Site at any time during the planning approval period;
- (b) no reversing of vehicles into or out of the Site is allowed at any time during the planning approval period;
- (c) no queuing back of vehicles to public road from the Site is allowed at any time during the planning approval period;
- (d) the submission of landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.7.2017;
- (e) in relation to (d) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.10.2017;
- (f) the submission of revised 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 13.7.2017;

- (g) in relation to (f) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.10.2017;
- (h) the submission of fire services installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.7.2017;
- (i) in relation to (h) above, the provision of fire services installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.10.2017;
- (j) if any of the above planning conditions (a), (b) or (c) is not complied with during planning approval, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (d), (e), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

128. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Paper.

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/536 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm and Caravan Holiday Camp) for a Period of 3 Years in “Agriculture” zone, Lots No. 1786, 1787 S.B and 1787 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTN/536B)

Presentation and Question Sessions

129. Dr Rowena M.F. Lee, TP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports or culture (hobby farm and caravan holiday camp) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, four public comments were received from a Kam Tin District Councillor, Kadoorie Farm & Botanic Garden Corporation, the World Wide Fund for Nature Hong Kong and an individual. They objected to or raised concerns on the application. Major objection grounds or concerns were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed

temporary hobby farm was generally in line with the planning intention of the “Agriculture” (“AGR”) zone. Although sixteen caravan camp sites were included as part of the hobby farm which were more akin to recreational use, they would only provide temporary overnight accommodation to the hobby farm users and occupy about 10% of the site. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “AGR” zone. The proposed temporary hobby farm and caravan camp sites were not incompatible with the surrounding land uses. Six similar applications for hobby farm use within the same “AGR” zone had been approved by the Committee and approval of the application was generally in line with the Committee’s previous decision. The concerns/technical requirements of concerned government departments could be addressed by imposition of appropriate approval conditions. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

130. Members had no question on the application.

Deliberation Session

131. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.1.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the Site at any time during the planning approval period;
- (b) no vehicle is allowed to reverse into or out from the Site at any time during the planning approval period;
- (c) no queuing back of vehicles to public road from the Site is allowed at any time during the planning approval period;

- (d) the submission of landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.7.2017;
- (e) in relation to (d) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.10.2017;
- (f) the submission of 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 13.7.2017;
- (g) in relation to (f) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.10.2017;
- (h) the submission of fire services installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.7.2017;
- (i) in relation to (h) above, the provision of fire services installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.10.2017;
- (j) if any of the above planning conditions (a), (b) or (c) is not complied with during planning approval, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (d), (e), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
and

- (l) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

132. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/722 Proposed Temporary Public Vehicle Park (Private Cars Only) with Ancillary Office for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” zone, Lots 509 (Part), 510, 514 and 515 RP (Part) in D.D. 106, Kam Po Road, Pat Heung, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/722A)

133. The Secretary reported that Ms Janice W.M. Lai had declared an interest on the item as her family member owned a property at Pat Heung, Yuen Long. The Committee noted that Ms Lai had already left the meeting.

Presentation and Question Sessions

134. Ms Erin S.L. Yeung, TP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary public vehicle park (private cars only) with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Housing (D of H) objected to

the application as the site fell within one of the planned public housing sites identified in the Land Use Review for Kam Tin South and Pat Heung (LUR). Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one adverse public comment was received. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the site fell within part of a planned public housing site temporary planning permission for 3 years would not frustrate the planning intention of the “Other Specified Uses” annotated “Rural Use” zone. The proposed temporary public vehicle park was not incompatible with surrounding rural character. The site was the subject of seven previous planning applications for temporary public vehicle park approved by the Committee, sympathetic consideration could be given to the application. Concerned government departments, except D of H, had no objection to or no adverse comment on the application. Technical requirements of concerned government departments could be addressed by imposition of appropriate approval conditions. Regarding the adverse public comment received, the planning assessments above were relevant.

135. The Chairman noted the objection from D of H and asked whether there was any implementation programme for the planned public housing development.

136. Ms Erin S.L. Yeung, TP/FSYLE, made the following responses:

- (a) D of H objected to the application as the site fell within one of the planned public housing sites identified in the LUR; and
- (b) after the LUR was completed in 2014, various technical assessments were

being carried out. The implementation programme for the planned public housing development had yet to be worked out. Considering that amendments to the Outline Zoning Plan would be required for implementation of the public housing development which might take some time, an approval on temporary basis for a period of three years could be tolerated.

Deliberation Session

137. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.1.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the Site at any time during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the Site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, and no vehicle exceeding 7m long, are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (e) a notice should be posted at a prominent location of the Site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, and no vehicle exceeding 7m long, are allowed to be parked/stored on or enter/exit the Site during the planning approval period;

- (f) the boundary fence along the application site shall be maintained at all times during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (h) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of Director of Drainage Services or of the TPB by 13.7.2017;
- (i) in relation to (h) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of Director of Drainage Services or of the TPB by 13.10.2017;
- (j) in relation to (i) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (k) the submission of tree preservation and landscape proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 13.7.2017;
- (l) in relation to (k) above, the implementation of tree preservation and landscape proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 13.10.2017;
- (m) the submission of fire services installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.7.2017;
- (n) in relation to (m) above, the provision of fire services installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.10.2017;

- (o) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (p) if any of the above planning conditions (h), (i), (k), (l), (m) or (n) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (q) upon expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

138. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

Agenda Item 40

Section 16 Application

[Open Meeting]

A/YL-KTS/725 Temporary Animal Boarding Establishment for a Period of 3 Years in “Agriculture” and “Village Type Development” zones, Lots 1923 S.A and 1925 in D.D. 106, Kam Tin, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/725)

139. The Committee noted that the applicant requested on 28.12.2016 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments of the Environmental Protection Department. It was the first time that the applicant requested deferment of the application.

140. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending submission of further information from the applicant.

The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/726 Proposed Minor Relaxation of Plot Ratio and Site Coverage Restriction for Permitted House Development (New Territories Exempted House - Small House) in “Residential (Group C)” and “Village Type Development” zones, Lot 451 S.C ss.1 in D.D. 109, Kam Tin, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/726)

Presentation and Question Sessions

141. Ms Erin S.L. Yeung, TP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio and site coverage restriction for permitted house development (New Territories Exempted House - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one adverse public comment was received from the Kam Tin Rural Committee. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The current application for proposed minor relaxation of plot ratio from 0.8 to 1.63 and site coverage from 40% to 54.44% under the “Residential (Group C)” zone was to facilitate a permitted Small House development, which was not incompatible with the neighbourhood. Concerned government departments had no objection to or no adverse comment on the application. Considering that the site was sandwiched between a number of existing Small Houses, sympathetic consideration could be given in favour of the proposed minor relaxation. Regarding the adverse public comment received, the planning assessments above were relevant.

142. Members had no question on the application.

Deliberation Session

143. 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 13.1.2021, 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 septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB; and
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

144. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

Agenda Item 42

Section 16 Application

[Open Meeting]

A/YL-PH/736 Proposed House Development with Minor Relaxation of Building Height Restriction from 6m to 6.6m, and Filling and Excavation of Land in “Residential (Group D)” zone, Lots No. 1691 RP (Part) and 1691 S.E in D.D. 114 and Adjoining Government Land, East of Kam Tin Road, Pat Heung, Yuen Long, New Territories
(RNTPC Paper No. A/YL-PH/736)

145. The Secretary reported that Landes Limited (Landes) was one of the consultants of the applicant. The following Members had declared interests on the item:

Mr Ivan C.S. Fu]	
]	having current business dealings with Landes
Ms Janice W.M. Lai]	

146. The Committee noted that the applicant had requested deferral of consideration of the application and Mr Fu had left the meeting temporarily and Ms Lai had already left the meeting.

147. The Committee noted that the applicant’s representative requested on 3.1.2017 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments of relevant government departments. It was the first time that the applicant requested deferment of the application.

148. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment

would be granted unless under very special circumstances.

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/252 Proposed Temporary Agricultural Use (Farming) for a Period of 3
Years in “Conservation Area” zone, Lot 47 RP (Part) in D.D. 101, Mai
Po, Yuen Long, New Territories
(RNTPC Paper No. A/YL-MP/252A)

149. The Secretary reported that Dr Lawrence K.C. Li had declared an interest on the item as he co-owned with his spouse a house at Palm Springs, Mai Po. The Committee agreed that Dr Li could stay in the meeting as his property did not have direct view of the application site.

Presentation and Question Sessions

150. Ms Emily P.W. Tong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary agricultural use (farming) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, six adverse public comments were received from the Kadoorie Farm & Botanic Garden Corporation, World Wild Fund for Nature Hong Kong, Hong Kong Bird

Watching Society and three individuals. Major objection grounds were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The proposed agricultural use was considered not entirely in conflict with the planning intention for the “Conservation Area” zone. The proposed agricultural use (farming) in the form of open field cultivation and the proposed scale of the development which involved erection of four low-rise structures was considered not incompatible with the surrounding developments. The site fell within the wetland buffer area (WBA) according to the Town Planning Board Guidelines No. 12C. Since the proposed temporary use would not involve any land/pond filling, excavation, site formation, paving of land, stream diversion or tree felling works and would mainly be used for open field cultivation with a minimum of 5m setback from the adjoining river, the Director of Agriculture, Fisheries and Conservation (DAFC) had no objection to the application. Other concerned government departments had no objection to or no adverse comment on the application. Technical requirements of concerned government departments could be addressed by imposition of appropriate approval conditions. Regarding the adverse public comments received, the planning assessments above were relevant.

151. A Member enquired about the purposes of placing the three containers within the site. In response, Ms Emily P.W. Tong, STP/FSYLE, said that according to the applicant, the three containers would be used for caretaker's room, storage of tools/fertilizer and seedling germination area.

Deliberation Session

152. A Member raised concern on the applicant's intention of placing the three containers within the site which was not commonly required for agricultural purpose. This Member asked whether the Committee could approve this application partially by not allowing the placing of containers within the site. In response, the Chairman referred

Members to Drawing A-1 of the Paper and said that the size of each container was about 2.5m x 6m. He also said that planning permission was usually granted for the scheme as submitted by the applicant. Members also noted that DAFC had no comments on the temporary structures within the site. Noting that the use would be approved on a temporary basis, Member had no strong view on the application.

153. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.1.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission of water supplies for firefighting and fire services installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.7.2017;
- (b) in relation to (a) above, the implementation of water supplies for firefighting and fire services installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.10.2017;
- (c) the submission of 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 13.7.2017;
- (d) in relation to (c) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.10.2017;
- (e) the submission of a landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.7.2017;
- (f) in relation to (e) above, the implementation of a landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.10.2017;

- (g) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (h) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

154. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

Agenda Item 44

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/257 Education Centre (Fixed buffalo shelter to facilitate education of wetland management techniques) in “Site of Special Scientific Interest” zone, Part of Gei Wai 17, Mai Po Nature Reserve, Mai Po, Yuen Long, New Territories
(RNTPC Paper No. A/YL-MP/257)

155. The Secretary reported that the application was submitted by World Wide Fund For Nature Hong Kong (WWF).

Dr C.H. Hau - being a member of the Conservation Advisory Committee of WWF

Dr Lawrence K.C. Li - co-owning with his spouse a house at Palm Springs, Mai Po

156. The Committee agreed that Dr Hau should be invited to leave the meeting temporarily for the item as his interest was direct. The Committee also agreed that Dr Li could stay in the meeting as his property did not have direct view of the application site.

[Dr C.H. Hau left the meeting temporarily at this point.]

Presentation and Question Sessions

157. Ms Emily P.W. Tong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the education centre (fixed buffalo shelter to facilitate education of wetland management techniques);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one supportive public comment was received from an individual. Major support grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The fixed buffalo shelter was considered in line with the planning intention of the “Site of Special Scientific Interest” (“SSSI”) zone. The site fell within the wetland conservation area (WCA) and the fixed buffalo shelter complied with the requirements of the Town Planning Board Guidelines No. 12C in that it helped to support the conservation of the ecological value of the wetland habitat in the Mai Po Nature Reserve. Both the Director of Agriculture, Fisheries and Conservation and the Director of Environmental Protection had no adverse comments on the Environmental Assessment submitted by the applicant. Four applications for similar uses within the same “SSSI” zone were approved by the Committee, approval of the application was in line with the previous decisions of the Committee.

158. Members had no question on the application.

Deliberation Session

159. 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 13.1.2021, 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.

160. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

[Mr K.C. Siu left the meeting temporarily and Dr C.H. Hau returned to join the meeting at this point.]

Agenda Item 45

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/251 Proposed Land Filling for Access Road Leading to a Site for Permitted Agricultural Use in “Village Type Development” zone and an area shown as ‘Road’, Government Land adjoining Lot 3566RP in D.D. 104 and near Lamp Post FA8260, Castle Peak Road - Tam Mei, Nam Sang Wai, Yuen Long, New Territories
(RNTPC Paper No. A/YL-NSW/251)

Presentation and Question Sessions

161. Ms Emily P.W. Tong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed land filling for access road leading to a site for permitted agricultural use;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, eight public comments were received including five supporting the application and three from the San Tin Rural Committee and individuals objecting to the application. Major support and objection grounds were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The application was to provide the necessary access to an adjoining existing permitted agricultural use and was considered not incompatible with the surrounding uses within a rural context. Although the Site was the subject of a previous planning application rejected by the Committee, the applicant had submitted swept path analysis, hydraulic analysis and structural analysis to address the concern of relevant government departments and proposed a number of mitigation measures to minimise the possible adverse environmental impacts during construction. Concerned government departments had no objection to or no adverse comment on the application. Regarding the adverse public comments received, the planning assessments above were relevant.

162. Members had no question on the application.

Deliberation Session

163. 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 13.1.2021, 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 :

“ the implementation of the accepted drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

164. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III of the Paper.

[The Chairman thanked Mr Jeff K.C. Ho and Ms Emily P.W. Tong, STPs/FSYLE, and Dr Rowena M.F. Lee and Ms Erin S.L. Yeung, TPs/FSYLE, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Agenda Item 46

Section 16 Application

[Open Meeting]

A/YL-NTM/331 Temporary Open Storage of Lard Tanks for a Period of 3 Years in
“Village Type Development” Zone, Government Land in D.D. 104,
Ngau Tam Mei, Yuen Long, New Territories
(RNTPC Paper No. A/YL-NTM/331)

165. The Committee noted that the application was withdrawn by the applicant.

Tuen Mun and Yuen Long West District

[Mr David C.M. Lam, District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW), Ms Stella Y. Ng, Ms Jessica Y.C. Ho, Mr Vincent T.K. Lai and Mr Alan Y.L. Au, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), were invited to the meeting at this point.]

[Mr K.C. Siu and Mr Ivan C.S. Fu returned to join the meeting at this point.]

Agenda Item 47

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTYYY/311 Proposed Flat and Minor Relaxation of Plot Ratio and Building Height Restrictions in “Residential (Group E)” zone, Lots 464 S.A ss.1, 464 S.B, 465, 472 S.A RP and 472 S.B RP in D.D. 130, San Hing Road, Lam Tei, Tuen Mun, New Territories
(RNTPC Paper No. A/TM-LTYYY/311C)

166. The Secretary reported that Landes Limited (Landes) and C K Lau Surveyors Limited (CKL) were two of the consultants of the applicant. The following Members had declared interests on the item:

Mr Ivan C.S. Fu]	
]	having current business dealings with Landes
Ms Janice W.M. Lai]	
Mr Stephen L.H. Liu	-	having current business dealings with CKL

167. The Committee noted that Ms Lai had already left the meeting and agreed that Mr Fu and Mr Liu could stay in the meeting as they had no involvement in the application.

Presentation and Question Sessions

168. Ms Stella Y. Ng, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed flat and minor relaxation of plot ratio (PR) and building height (HR) restrictions;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD) advised that the proposed residential development under application contravened the lease conditions of the lots. The Director of Housing (D of H) had no comment on the application but had previously raised objection to the previous application (i.e. application No. A/TM-LTYY/282) as the site encroached upon the public housing site at San Hing Road. While not anticipating the proposed additional semi-shading features would give rise to significant adverse visual impact, the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) considered that there seemed to be other alternatives giving the same kind of sun shading effect, without having resort to apply for additional gross floor area (GFA) to provide such devices. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, seven public comments were received. Amongst them, the Chairman of the Tuen Mun Rural Committee supported the application. The MTR Corporation Limited provided comments and two individuals expressed views on the application. Two members of the Tuen Mun District Council objected to application. Major comments/views and objection grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. Regarding the proposed relaxation of building height (BH) from 15m to 16.5m, significant adverse visual impact was not anticipated because when comparing with the approved scheme, the BH above ground would actually be reduced. As for the proposed relaxation of PR, there was no information in the submission to demonstrate that the proposed relaxation of PR restriction was essential for innovative design adapted to the characteristics of the site and there seemed to be other alternatives. Since the applicant has not submitted any strong planning justification for minor relaxation of PR and no similar application had been approved within the planning scheme area, approval of the application would set an undesirable precedent. Regarding the adverse public comments received, the planning assessments above were relevant.

169. Members had no question on the application.

Deliberation Session

170. A Member asked whether the Committee could approve the relaxation of BH but reject the relaxation of PR restrictions. In response, the Chairman said that the proposal should be considered on its planning merits and planning permission was usually granted based on the scheme as submitted by the applicant.

171. After deliberation, the Committee decided to reject the application. The reason was :

“ there is no strong planning justification in the submission for minor relaxation of the plot ratio restriction. The approval of such a relaxation would set an undesirable precedent.”

Agenda Item 48

Section 16 Application

[Open Meeting]

A/YL-PN/47

Section 16 Application No. A/YL-PN/47 (Request for Deferral)
Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Coastal Protection Area” zone, Lots 11 (Part), 12 (Part), 13 (Part), 14 and 15 in D.D. 135 and Adjoining Government Land, Sheung Pak Nai, Yuen Long, New Territories
(RNTPC Paper No. A/YL-PN/47)

172. The Committee noted that the applicant requested on 3.1.2017 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments of relevant government departments. It was the first time that the applicant requested deferment of the application.

173. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 49

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/530 Proposed Temporary Shop and Wholesale of Construction Materials for a Period of 3 Years in “Government, Institution or Community” and “Village Type Development” zones, Lots 256 (Part), 258 RP (Part) and 259 in D.D. 122, Ping Shan, Yuen Long, New Territories
(RNTPC Paper No. A/YL-PS/530)

Presentation and Question Sessions

174. Ms Stella Y. Ng, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary shop and wholesale of construction materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one adverse public comment was received from an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not in line with the planning intentions of the “Government, Institution or Community” (“G/IC”) and “Village Type Development” (“V”) zones, relevant government departments advised that there was not yet any

programme/known intention to implement the zoned use on the site and there was no Small House application at the site according to the Lands Department. Temporary approval of the application for a period of three years would not jeopardize the long-term planning intentions of the “G/IC” and “V” zones. Concerned government departments had no objection to or no adverse comment on the application. The site was the subject of a previous approval for the same use but was subsequently revoked. Two similar applications within the same “G/IC” zone were approved by the Committee, approval of the application was in line with the previous decision of the Committee. Regarding the adverse public comment received, the planning assessments above were relevant.

175. Members had no question on the application.

Deliberation Session

176. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.1.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (c) no cutting, dismantling or other workshop activity is allowed on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;

- (e) the submission of 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 13.7.2017;
- (f) in relation to (e) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.10.2017;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of fire services installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.7.2017;
- (i) in relation to (h) above, the implementation of fire services installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.10.2017;
- (j) the submission of 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 13.7.2017;
- (k) in relation to (j) above, the implementation of 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 13.10.2017;
- (l) the provision of boundary fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.7.2017;
- (m) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby

given shall cease to have effect and shall be revoked immediately without further notice;

- (n) if any of the above planning conditions (e), (f), (h), (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

177. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

Agenda Item 50

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/531 Proposed Temporary Shop and Wholesale of Construction Materials for a Period of 3 Years in “Government, Institution or Community” and “Village Type Development” zones, Lots 255 RP (Part), 261 RP (Part), 262 RP (Part) and 263 (Part) in D.D. 122, Ping Shan, Yuen Long, New Territories
(RNTPC Paper No. A/YL-PS/531)

Presentation and Question Sessions

178. Ms Stella Y. Ng, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) the proposed temporary shop and wholesale of construction materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one adverse public comment was received from an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not in line with the planning intentions of the “Government, Institution or Community” (“G/IC”) and “Village Type Development” (“V”) zones, relevant government departments advised that there was not yet any programme/known intention to implement the zoned use on the site and there was no Small House application at the site according to Lands Department. Temporary approval of the application for a period of three years would not jeopardize the long-term planning intentions of the “G/IC” and “V” zones. Concerned government departments had no objection to or no adverse comment on the application. Technical concerns of relevant government departments could be addressed by imposition of appropriate approval conditions. One similar application within the same “G/IC” zone was approved by the Committee, approval of the application was in line with the previous decision of the Committee. Regarding the adverse public comment received, the planning assessments above were relevant.

179. Members had no question on the application.

Deliberation Session

180. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.1.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (c) no cutting, dismantling or other workshop activity is allowed on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of 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 13.7.2017;
- (f) in relation to (e) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.10.2017;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of fire services installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.7.2017;

- (i) in relation to (h) above, the implementation of fire services installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.10.2017;
- (j) the submission of 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 13.7.2017;
- (k) in relation to (j) above, the implementation of 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 13.10.2017;
- (l) the provision of boundary fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.7.2017;
- (m) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (e), (f), (h), (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

181. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

Agenda Item 51

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/487 Columbarium (within a Religious Institution or extension of existing Columbarium only) in “Green Belt” zone, G/F and 1/F, Lot 559 in D.D. 131 within Tsing Wan Kun, Tuen Mun, New Territories
(RNTPC Paper No. A/TM/487B)

Presentation and Question Sessions

182. The Secretary reported that the applicant submitted further information on 5.1.2017 and 11.1.2017 which was tabled at the meeting for Members’ information. The applicant also requested in his letter dated 11.1.2017 (also tabled at the meeting) deferment for consideration of the application for two months so as to allow time for preparation of further information to address the comments of relevant government departments. The Committee noted that the premises were the subject of a withdrawn application applying for Columbarium use. That application was deferred several times as requested by the applicant to address departmental comments before it was subsequently withdrawn. The Committee agreed that the applicant’s request for deferment should not be acceded to since the Committee had decided at the last meeting on 14.9.2016 that no further deferment would be granted for the application.

183. The Secretary also reported that an email dated 11.1.2017 from a member of the TO Clan expressing adverse comments on the application was tabled at the meeting for Members’ information. As the comment was submitted out of time, it should be treated as not having been made. Nevertheless, the commenter had submitted similar comments during the statutory publication period and the comments had been incorporated into the Paper for Members’ consideration.

184. Ms Jessica Y.C. Ho, STP/TMYLW, drew Members’ attention that in response to the further information submitted by the applicant, further departmental comments had been sought and were tabled at the meeting for Members’ information. She then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the columbarium (within a religious institution or extension of existing columbarium only);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. According to the District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD), the current columbarium use was in breach of the lease conditions and he reserved the right to take necessary enforcement action deemed appropriate under the lease conditions. The Commissioner for Transport (C for T) did not agree with the conclusion given in the Traffic Impact Assessment submitted by the applicant that the columbarium development would not pose adverse traffic impact to the road networks in the vicinity of the site. The Commission of Police (C of P) raised concern on road safety issue and the proposed traffic and crowd management measures as there was a lack of legal right and authority of the applicant to exercise the proposed traffic restriction. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the three statutory publication periods, a total of 2,649 public comments were received, including 2,216 supporting, 425 objecting to and 8 providing no comment on the application. Amongst the supporting comments, two were from a Tuen Mun District Council Member and 2,214 from individuals. Amongst the objections, two were from the Incorporated Owners of the Richie Houses, three from the Alliance For The Concern Over Columbarium Policy, three from a legal firm representing some members of the TO Clan, one from some members of the TO Clan and 416 from individuals. Major grounds of supporting and objecting comments were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper.

The columbarium use was not in line with the Town Planning Board Guidelines No. 10 in that the applied use involved a new development through building conversion for columbarium use without strong planning justifications. Although the further information submitted by the applicant had addressed the comments of the Chief Engineer/Mainland North, Drainage Services Department on the sewerage impact, the applicant failed to demonstrate that the columbarium use would not result in adverse impact on traffic and pedestrian safety. Approval of the application would set an undesirable precedent for other similar applications in the “Green Belt” zone. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

185. Members had no question on the application.

Deliberation Session

186. The Chairman drew Members’ attention that the legal status of the managers of T’ong Tsing Wan Kun was being challenged in court and there was a concern on whether the managers, who submitted the application, had fulfilled the ‘owner’s consent/notification’ requirements. He referred Members to paragraph 10.1.17(c) of the Paper and said that the District Officer/Tuen Mun, Home Affairs Department had confirmed that the managers who submitted the application were managers of the T’ong. According to the legal advice previously sought, the managers of the T’ong could be regarded as the sole “current land owner” of the Premises for the purpose of the ‘owner’s consent/notification’ requirements.

187. After deliberation, the Committee decided to reject the application. The reasons were :

- “(a) the columbarium use is not in line with the Town Planning Board Guidelines for Application for Development within “Green Belt” Zone (No. TPB PG-No. 10) in that the applied use involves a new development through building conversion for columbarium use. There is a general presumption against development in “Green Belt” (“GB”) zone. There is

no strong planning justification to justify a departure from the planning intention;

- (b) the applicant fails to demonstrate that the columbarium use would not result in adverse impacts on traffic and pedestrian circulation as well as pedestrian safety in the area nor the feasibility and practicality of the proposed traffic and crowd management plan; and
- (c) approval of the application would set an undesirable precedent for other similar applications in the “GB” zone. The cumulative effect of approving such similar applications would result in adverse impact on traffic and pedestrian safety in the area.”

Agenda Item 52

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1062 Proposed Temporary Logistics Centre for a Period of 3 Years in “Comprehensive Development Area” zone, Lots 3043 (Part), 3044 (Part), 3051 (Part), 3052, 3053 (Part), 3054, 3055 (Part), 3056 S.A (Part), 3056 S.B (Part), 3057, 3058 (Part), 3059, 3060, 3061, 3062 (Part), 3063 (Part), 3072 (Part), 3108 (Part), 3144 (Part), 3200 RP (Part), 3207 (Part), 3208, 3209 RP (Part), 3210 (Part), 3211 RP (Part) and 3213 S.B RP (Part) in D.D. 129 Ha Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-HT/1062)

188. The Secretary reported that Ms Janice W.M. Lai had declared an interest on this item as her husband was a shareholder of a company which owned two pieces of land in Ha Tsuen. The Committee noted that Ms Lai had already left the meeting.

Presentation and Question Sessions

189. Mr Vincent T.K. Lai, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary logistics centre for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity of the Site (the nearest dwelling being about 46m away) and along the access road (Lau Fau Shan Road) and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received. One individual made no comment on the application and another individual objected to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the proposed use was not in line with the planning intention of the “Comprehensive Development Area” (“CDA”) zone, there was not yet any programme/known intention to implement the zoned use. Approval of the application on a temporary basis of three years would not jeopardize the long-term development of the area. The application was generally in line with Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up uses; the proposed use would not generate adverse impacts; and the technical concerns of relevant government departments could be addressed through the implementation of approval conditions. Although DEP did not support the application on the concern of environmental

nuisance, there had been no environmental complaint concerning the site received in the past three years. Six similar applications within the same “CDA” zone had been approved by the Committee. Approval of the application was in line with the Committee’s previous decisions. Regarding the adverse public comment received, the planning assessments above were relevant.

190. Members had no question on the application.

Deliberation Session

191. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.1.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the Site during the approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no recycling, cleaning, repairing, dismantling work nor workshop activity, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) 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 13.7.2017;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the

Director of Drainage Services or of the TPB by 13.10.2017;

- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) 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 13.7.2017;
- (i) in relation to (h) 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 13.10.2017;
- (j) the submission of a fire services installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.7.2017;
- (k) in relation to (j) above, the implementation of the fire services installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.10.2017;
- (l) the provision of boundary fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.7.2017;
- (m) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (e), (f), (h), (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
and

- (o) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.

192. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

[Miss Winnie W.M. Ng left the meeting at this point.]

Agenda Item 53

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/821 Proposed Temporary Plant Nursery and Shop and Services (Retail Shop for Plants) for a Period of 3 Years in “Residential (Group C)” and “Undetermined” zones, Lots 1318 RP (Part), 1319 (Part), 1320 S.A, 1320 RP, 1321 S.A (Part), 1321 S.B, 1322, 1323 (Part), 1325 (Part), 1326 and 1327 in D.D. 119 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-TYST/821)

Presentation and Question Sessions

193. Mr Alan Y.L. Au, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary plant nursery and shop and services (retail shop for plants) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, two public comments were received from the Hong Kong Bird Watching Society and an individual objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intentions of the “Residential (Group C)” (“R(C)”) and “Undetermined” (“U”) zones, there was no known programme for long-term development on the site. Approval of the application on a temporary basis would not jeopardize the long-term development of the site. Concerned government departments had no objection to or no adverse comment on the application. Technical requirements of concerned government departments could be addressed by imposition of appropriate approval conditions. Eleven similar applications in the same “R(C)” or “U” zones had been approved by the Committee. Approval of the subject application was in line with the Committee's previous decision. Regarding the adverse public comments received, the planning assessments above were relevant.

194. Members had no question on the application.

Deliberation Session

195. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.1.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the Site during the approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are

allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;

- (c) no workshop activities, as proposed by the applicant, shall be carried out on the Site at any time during the planning approval period;
- (d) the existing bamboos clumps at the southwestern corner of the Site shall be preserved at all times during the planning approval period to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;
- (e) no site formation and construction works (including fencing/hoarding, filling/excavation of land, installation of drainage facilities and erection of structures within the Site as well as planting of new trees along the site periphery), are allowed on the Site at any time within the breeding season of ardeids from March to August inclusive in order to protect the egret nearby to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;
- (f) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (g) the provision of boundary fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.7.2017;
- (h) the submission of 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 13.7.2017;
- (i) in relation to (h) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.10.2017;

- (j) in relation to (i) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (k) the submission of 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 13.7.2017;
- (l) in relation to (k) above, the implementation of 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 13.10.2017;
- (m) the submission of fire services installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.7.2017;
- (n) in relation to (m) above, the implementation of fire services installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.10.2017;
- (o) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (p) if any of the above planning conditions (g), (h), (i), (k), (l), (m) or (n) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (q) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

196. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

Agenda Item 54

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/229 Proposed Temporary Eating Place for a Period of 6 Years in “Open Space” zone, Lots 1828 RP, 1831 (Part), 1832 S.A and 1832 RP (Part) in D.D. 120, Tai Shu Ha Road East, Yuen Long, New Territories
(RNTPC Paper No. A/YL/229)

Presentation and Question Sessions

197. Mr Alan Y.L. Au, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary eating place for a period of six years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as the original vegetation and trees within the site and immediate north were missing and landscape impact had taken place. No landscape proposal was submitted to mitigate the loss of landscape resources. Approval of the application might encourage similar application to modify the site prior to planning permission was obtained, the cumulative impact of which would lead to the general degradation of the landscape character of the area. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from the general public objecting to the application. Major objection grounds were set out in paragraph 9 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of six years based on the assessments set out in paragraph 10 of the Paper. Although the proposed temporary eating place was not in line with the planning intention of the “Open Space” (“O”) zone, the Director of Leisure and Cultural Services advised that there was no plan to develop the site into public open space at present. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “O” zone. The applied use and the development scale were not incompatible with the surrounding uses. Concerned government departments had no objection to or no adverse comment on the application. Technical requirements of concerned government departments could be addressed by imposition of appropriate approval conditions. Regarding the adverse public comments received, the planning assessments above were relevant.

198. In response to a Member's question on why the applicant could seek temporary planning permission for a period of six years instead of three years as usually granted in other applications, Mr Alan Y.L. Au, STP/TMYLW, said that the subject site fell within a new town OZP, i.e. the Approved Yuen Long Outline Zoning Plan. Since ‘eating place’ was a Column 2 use in “O” zone, the applicant could, in fact, apply for planning permission on a permanent basis. According to the applicant, a temporary period of six years was proposed based on business consideration.

Deliberation Session

199. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 6 years until 13.1.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 11:00 a.m. daily, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;

- (c) the submission of run-in/out proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Highways or the TPB by 13.7.2017;
- (d) in relation to (c) above, the implementation of run-in/run-out proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Highways or of the TPB by 13.10.2017;
- (e) the submission of drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.7.2017;
- (f) in relation to (e) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.10.2017;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.7.2017;
- (i) in relation to (h) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.10.2017;
- (j) the submission of fire services installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.7.2017;
- (k) in relation to (j) above, the implementation of fire services installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.10.2017;

- (l) if planning condition (a), (b) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (c), (d), (e), (f), (h) (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

200. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III of the Paper.

[The Chairman thanked Mr David C.M. Lam, DPO/TMYLW, Ms Stella Y. Ng, Ms Jessica Y.C. Ho, Mr Vincent T.K. Lai and Mr Alan Y.L. Au, STPs/TMYLW, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

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Any Other Business

201. There being no other business, the meeting closed at 6:30 p.m..