

TOWN PLANNING BOARD

**Minutes of 583rd Meeting of the
Rural and New Town Planning Committee held at 2:30 p.m. on 14.7.2017**

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Professor K.C. Chau

Mr H.F. Leung

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Chief Traffic Engineer/New Territories West,
Transport Department
Mr Samson S.S. Lam

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

Principal Environmental Protection Officer (Strategic Assessment),
Environmental Protection Department
Mr Steve T.S. Li

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 Ivan C.S. Fu

Ms Janice W.M. Lai

Ms Christina M. Lee

Dr C.H. Hau

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

In Attendance

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

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

Town Planner/Town Planning Board
Ms Anita M.Y. Wong

Agenda Item 1

Confirmation of the Draft Minutes of the 582nd RNTPC Meeting held on 23.6.2017

[Open Meeting]

1. The draft minutes of the 582nd RNTPC meeting held on 23.6.2017 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Sha Tin, Tai Po and North District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/ST/36 Application for Amendment to the Draft Sha Tin Outline Zoning Plan No. S/ST/33, To rezone the application site from “Open Space” to “Residential (Group B) 4”, Sha Tin Town Lot 310, Sha Tin, New Territories
(RNTPC Paper No. Y/ST/36)

3. The Secretary reported that the application site was located in Sha Tin and that ADI Limited (ADI), AIM Group Limited (AIM), Ramboll Environ Hong Kong Limited (Environ) and Spence Robinson LT Limited (Spence Robinson) were 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 ADI and Environ;

- Ms Janice W.M. Lai - having current business dealings with ADI, Environ and Spence Robinson;

- Mr Alex T.H. Lai - his firm having current business dealings with AIM;

- Professor K.C. Chau - co-owning with spouse a flat in Fo Tan, Sha Tin;

- Ms Christina M. Lee - her spouse owning a flat in Tai Wai, Sha Tin; and

- Mr Samson S.S. Lam - owning a flat and two car parking spaces in Fo Tan, Sha Tin.

4. The Committee noted that Mr Ivan C.S. Fu, Ms Janice W.M. Lai and Ms Christina M. Lee have tendered apologies for being unable to attend the meeting. The Committee noted that the applicant had requested deferment of consideration of the application and agreed that as Mr Alex T.H. Lai had no involvement in the application and if the properties owned/co-owned by Professor K.C. Chau and Mr Samson S.S. Lam had no direct view of the application site, they could to stay in the meeting.

5. The Secretary also reported that three petition letters were submitted before the meeting raising objection to the application. According to the Town Planning Ordinance, as the letters were submitted after the statutory publication period, they should be treated as not having been made.

6. The Committee also noted that the applicant's representative on 4.7.2017 requested deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address the comments from relevant government departments. It was the first time the applicant requested deferment of the application.

7. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the 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 the further information and no further deferment would be granted unless under very special circumstances.

Tuen Mun and Yuen Long West District

Agenda Item 4

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/YL-LFS/8 Application for Amendment to the Draft Lau Fau Shan & Tsim Bei Tsui Outline Zoning Plan No. S/YL-LFS/8, To rezone the application site from “Recreation” to “Government, Institution or Community (1)” for proposed “Columbarium” use, Lot 1862 (Part) in D.D. 129, Lau Fau Shan, Yuen Long, New Territories
(RNTPC Paper No. Y/YL-LFS/8C)

8. The Secretary reported that the application was submitted by Chun Wo Construction and Engineering Company Ltd. (Chun Wo) and AIM Group Limited (AIM) and Ramboll Environ Hong Kong Limited (Environ) were two of the consultants of the applicant. The following Members had declared interest on the item:

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|---------------------|---|--|
| Mr H.F. Leung | - | having current business dealings with Chun Wo; |
| Mr Alex T.H. Lai | - | his firm having past business dealings with Chun Wo and current business dealings with AIM; |
| Mr Ivan C.S. Fu | } | having current business dealings with Environ; and |
| Ms Janice W.M. Lai | | |
| Ms Christina M. Lee | - | being the Secretary-General of the Hong Kong Metropolitan Sports Event Association which had obtained sponsorship from Chun Wo before. |

9. The Committee noted that Mr Ivan C.S. Fu, Ms Janice W.M. Lai and Ms Christina M. Lee had tendered apologies for being unable to attend the meeting. The

Committee agreed that as the interest of Mr H.F. Leung was direct, he should leave the meeting temporarily for this item. The Committee also agreed that as Mr Alex T.H. Lai had no involvement in the application, he could stay in the meeting.

[Mr H.F. Leung left the meeting temporarily at this point.]

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

Mr David C.M. Lam - District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW);

Mr Vincent T.K. Lai - Senior Town Planning/Tuen Mun and Yuen Long West (STP/TMYLW); and

Chun Wo

Mr Poon Chi Choi

CKM Asia Ltd

Mr Chin Kim Meng

Mr Tang Ho Chung

Vision Planning Consultants Limited

Mr Chan Kim On

Miss Leung Sau Man, Esther

} Applicant's Representatives

Presentation and Question Sessions

11. The Chairman extended a welcome and explained the procedure of the hearing. He then invited PlanD's representatives to brief Members on the background of the application. With the aid of a PowerPoint presentation, Mr David C.M. Lam, DPO/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed rezoning of the application site from “Recreation” (“REC”) to “Government, Institution or Community (1)” (“G/IC(1)”) for proposed columbarium use;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Commissioner for Transport (C for T) had reservation on the applicant’s conclusion that there would be insignificant adverse traffic impact on the surrounding road network. The Commissioner of Police (C of P) expressed concerns over the traffic impact brought about by the proposed columbarium. Other concerned bureau/departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, a total of 25 public comments from the Village Representatives/Resident Representative of nearby villages, a Ping Shan North District Council member, a Yuen Long District Council member, “Sang Tai Yuen Foundation” and individuals were received. Amongst them, 17 public comments objected to the application while the remaining 8 supported the application. Major supportive views and objection grounds were set out in paragraph 10 of the Paper; and
- (e) the PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The application site formed an integral part of the “REC” zone and the proposed columbarium development was not compatible with the general setting of the area. There was no strong planning justification for piecemeal rezoning to facilitate the proposed columbarium development in the area. C for T had reservation and C of P did not support the application. Regarding the public comments, the comments of government bureau/departments and the planning assessments above were relevant.

12. The Chairman then invited the applicant’s representatives to elaborate on the

application. Mr Poon Chi Choi made the following main points:

- (a) the proposed columbarium was intended to serve people employed in the construction or construction-related industries and their families, and had received general support from the construction industries. Not less than 300 niches would be provided for free to those workers who lost their lives due to construction accidents;
- (b) the application site, which was located adjacent to an existing columbarium (i.e. Wan Fau Sin Koon (WFSK)), had been used as an open storage yard by the applicant for many years. In view of its convenient location and for better utilisation of land resources, the site was considered suitable for columbarium development; and
- (c) the applicant had discussed with various government departments, including the Transport Department (TD), regarding the proposed development. To address the concern on traffic management during the Ching Ming and Chung Yeung festive seasons (the festive seasons), some road improvement works had been proposed including a new roundabout at the junction of Deep Bay Road and a local access to the site as well as widening of a section of Deep Bay Road and a section of the local access road, not only to alleviate traffic impact during the festive seasons, but also to improve the traffic condition at Deep Bay Road during normal days. These could be considered as planning gain of the proposed development. Approval of the rezoning application would set a good precedent and benefit the public.

13. With the aid of a PowerPoint presentation, Mr Chin Kim Meng presented the following main points regarding the traffic aspect:

- (a) the site, located to the west of Tin Shui Wai New Town, could be accessed by two routes. One of them was via Lau Fau Shan Road and Deep Bay Road (Route A) and the another one was via Tin Ying Road, Ting Yuet Road, Mong Tseng San Road and Deep Bay Road (Route B). While the

section of Deep Bay Road in Route A was largely single-lane for two-way traffic, a section of Deep Bay Road in Route B had recently been widened by the Government to a dual 2-lane road. Currently, to manage traffic flow during the festive seasons, the Hong Kong Police Force (HKPF) had adopted specific traffic management measures where vehicles were only allowed to enter Deep Bay Road via Lau Fau Shan Road and exit via Mong Tseng San Road and Tin Yuet Road;

- (b) with the road improvement works proposed by the applicant, together with the widening of Mong Tseng San Road and part of Tin Yuet Road to dual 2-lane by the owner of Lot 3575 in D.D. 129 (where planning approval for a proposed residential development had previously been granted by the Committee), the road condition of Route B would be improved. By then, there would be no need for C of P to restrict access to Deep Bay Road via Lau Fau Shan Road during the festive seasons as both Routes A and B would be available to reach the proposed columbarium and WFSK. Besides, it was envisaged that after completion of the said road improvement works, most of the visitors would make way to the proposed columbarium and WFSK via Route B due to its shorter travelling time comparing to Route A;
- (c) with reference to TD's comments in paragraph 9.1.2 of the Paper, it was clarified that the proposed road widening/improvement works did not affect any private lots and only some trees, lamp posts, street furniture etc. would be affected. The proposed road improvement works would be carried out to the satisfaction of C for T and Highways Department. The applicant was also willing to accept the condition that occupation permit for the proposed columbarium would not be issued until completion of the proposed roundabout and road improvement works by the applicant and the widening of Mong Tseng San Road and Tin Yuet Road to be carried out by the owner of Lot 3575 in D.D. 129;
- (d) as for C for T's concern on the shuttle bus arrangement, although the length of the shuttle bus stop could accommodate three shuttle buses, it was

anticipated that only one shuttle bus would be stopped at the bus stop at any one time. Besides, the location of the proposed shuttle bus stop was considered appropriate as it was currently used as a bus stop for a residents' bus service which only operated during morning rush hours on working days and would not clash with the proposed shuttle bus service to the proposed columbarium which would only operate during the festive seasons; and

- (e) regarding C for T's reservation on the conclusion of the Traffic Impact Assessment, it should be noted that with the provision of shuttle bus service, on-site car parking spaces to cater for the parking demand, and the road improvement works by the applicant, the traffic condition of the existing road network would be enhanced and hence no significant traffic impact would be anticipated.

14. With the aid of a PowerPoint presentation, Mr Chan Kim On made the following main points:

- (a) should the rezoning application be approved, the applicant would still be required to submit a section 16 planning application for consideration by the Town Planning Board (the Board). The applicant would continue to liaise with concerned government departments upon approval of the rezoning application to address their concerns and refine the road improvement works to benefit road users and the public;
- (b) the applicant was willing to include all details of the proposed development, including the proposed road improvement works, in the future application to the Private Columbaria Licensing Board (PCLB) so that the development would be subject to control of the Licensing Scheme. The applicant was also willing to withhold site formation works of the proposed development until all the proposed road improvement works were in place;
- (c) the application site only accounted for less than 1% of the entire "REC" zone which was about 36.4ha, on the Lau Fau Shan and Tsim Bei Tsui

Outline Zoning Plan (OZP). Given its location at the northern fringe of the “REC” zone with WFSK and a knoll to its east and north respectively, rezoning the application site to “G/IC(1)” for columbarium use would not adversely affect the remaining part of the “REC” zone; and

- (d) the development of private columbarium could help meet the acute demand for niches. Comparing to other large-scale columbarium like Sandy Ridge, the traffic impact to be brought about by the subject columbarium would be minimal.

15. As the presentation of PlanD’s representative and the applicant’s representatives were completed, the Chairman invited questions from Members.

Traffic Aspect

16. Some Members raised the following questions:

- (a) the manoeuvring of vehicles within the proposed development;
- (b) whether the proposed road improvement works could be further enhanced to address the traffic concerns expressed by the concerned government departments;
- (c) whether any information was available on the implementation programme of the proposed widening of Mong Tseng San Road and Tin Yuet Road by the adjacent lot owner;
- (d) whether the proposed road widening works would affect any temporary structures and require site clearance; and
- (e) noting that Route B suggested by the applicant was different from the current traffic management measures adopted by C of P during the festive seasons, whether there was any discussion with C of P in this regard.

17. With the aid of some PowerPoint slides, Mr Poon Chi Choi and Mr Chin Kim Meng, the applicant's representatives, made the following responses:

- (a) vehicles entering the site would be directed to the car parking spaces at the western part of the site while a turnaround facility would be provided near the vehicular entrance to facilitate pick-up and drop-off of visitors. Two shuttle bus parking spaces were also provided within the site. There would be sufficient space provided within the site for vehicle manoeuvring as well as for passengers queuing up for shuttle bus;
- (b) as the current application was only a rezoning application, a section 16 application to the Board for the proposed columbarium development was still required. In addition, application to the Lands Department for land exchange was also required. The applicant would continue to liaise with government departments throughout the process to ensure that their technical concerns, including those on the proposed road widening and other road improvement works, would be addressed;
- (c) based on their understanding, the proposed development at Lot 3575 in D.D. 129 was a residential development with approved building plans. The widening of Mong Tseng San Road and Tin Yuet Road was part of the lease conditions and the road works had been notified in the Government Gazette; and
- (d) discussion with C of P had been held and the proposed road improvement works had taken into account C of P's views. It was considered that the proposed road improvement works would help improve traffic flow during the festive seasons.

18. In response to a Member's enquiry on the views of relevant government departments on the applicant's proposed road improvement works, Mr David C.M. Lam, DPO/TMYLW, PlanD responded that having considered the applicant's submission, C for T had reservation on the application as there was doubt on the conclusion that the proposed development would have insignificant adverse traffic impact.

“REC” Zone and the Site Circumstances

19. The Chairman and a Member raised the following questions:

- (a) the history, current situation and planning intention of the “REC” zoning, and whether there were any planned uses for the subject “REC” zone; and
- (b) whether the current application was the same as the previous planning application.

20. In response, Mr David C.M. Lam made the following points:

- (a) the site and its surroundings were first zoned “REC” on the draft Lau Fau Shan and Tsim Bei Tsui OZP No. S/YL-LFS/1 gazetted on 10.6.1994. Since then, the subject “REC” zone remained unchanged on the OZP. Although not located adjacent to the Mai Po Nature Reserve and the Sites of Special Scientific Interest, the subject “REC” zone was considered appropriate and was compatible with the general setting of the area with the presence of nearby conservation areas and complementary to the general planning intention of the area;
- (b) the northern part of the subject “REC” zone was largely rural in character with some isolated residential dwellings, fallow agricultural land and unused land while the southern part comprised structures, of which some might be unauthorised development subject to planning enforcement action. To the east of the application site was WFSK zoned “G/IC” on the OZP. Currently there were no planned uses for the subject “REC” zone;
- (c) the application site was currently being used for open storage of construction materials and machineries. As the use was in operation before the first statutory plan covering the Lau Fau Shan and Tsim Bei Tsui area, it was regarded as ‘existing use’ under the Town Planning Ordinance and could be tolerated unless there was a material change of use; and

- (d) the previous application submitted by the applicant was withdrawn. There was no information in hand to compare its difference between the two applications.

21. In response, Mr Chin Kim Meng said that one of the main differences between the two applications was that the shuttle bus pick-up/drop-off point was relocated from Tsui Sing Road opposite of MTR Tin Shui Wai Station to Tin Mei Street in the current application in response to C for T's comments. The proposed number of niches remained the same.

Private Columbaria Licensing

22. A Member raised the following questions:

- (a) the Government's position on provision of private columbarium facilities; and
- (b) whether approval would be required under the Private Columbaria Ordinance (PCO) for the existing private columbaria.

23. In response, Mr David C.M. Lam explained that whether a site was suitable for columbarium development would be considered and land use compatibility and technical issues would need to be taken into account. He further pointed out that the columbarium relating to the subject application was a proposed one, rather than existing. He drew Members' attention to the comments of Secretary for Food and Health and the Director of Food and Environmental Hygiene in paragraph 9.1.14 of the Paper and said that the PCO came into operation on 30.6.2017. Under the PCO, an operator of any columbarium would have to obtain a licence before selling or letting out niches and they had to satisfy all statutory requirements under the PCO, including those relating to land leases, town planning and building, etc. Hence, should the application be approved, the applicant would still need to obtain a licence from the PCLB.

24. The Chairman supplemented that compliance with the statutory planning requirements was one of the considerations for issuance of a license under PCO.

Operation of the Proposed Columbarium

25. The Chairman and some Members raised the following questions:

- (a) the operation mechanism of the proposed columbarium and the vetting mechanism for the proposed donation of niches; and
- (b) noting that part of the niches would be reserved for employees of the construction and construction-related industries, whether the remaining niches would be put to the market similar to the operation of other commercial private columbaria.

26. Mr Poon Chi Choi said that the operation of the proposed columbarium would be funded by an independent foundation known as the Dr K.C. Pang Memorial Foundation. The proposed columbarium was primarily intended to serve employees in the construction and construction-related industry, including the applicant's employees, with not less than 300 niches reserved for donation to employees in the construction industry who lost their lives due to construction accidents. Although a preliminary plan had been drawn up for the operation mechanism of the proposed columbarium and vetting mechanism for donation of columbarium, details could only be formulated after reviewing the licensing requirements under the PCO. Given the need to undertake road improvement works and payment of land premium for the proposed development, the applicant had to ensure that the proposed development was financially viable. The applicant would actively liaise with the foundation and industry in this regard.

27. A Member asked whether the applicant's proposal for donation of niches had formed part of the planning consideration. In response, Mr David C.M. Lam said that the planning assessment of the application was mainly based on the planning intention of the area, land use compatibility and other technical considerations.

28. As the applicant's representatives had no further points to raise and there were no further questions from Members, the Chairman informed the applicant's representatives that the hearing procedure for the application had been completed and the Committee would

deliberate on the application in their absence and inform the applicant of the Committee's decision in due course. The Chairman thanked the applicant's representatives and PlanD's representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

29. The Chairman recapitulated that the application was a section 12A application to rezone the application site from "REC" to "G/IC(1)" to facilitate the development of a columbarium at the site. According to the applicant's proposal, planning application would still be required for the columbarium use if the site was rezoned to "G/IC(1)" as proposed by the applicant. C for T and C of P had reservations on the application and PlanD did not support the application. The main points for consideration were whether the proposed columbarium use was acceptable from land use planning point of view and whether no insurmountable problem was anticipated such that it was appropriate to allow the proposed rezoning of the application site.

30. Some Members did not support the application and had the following major views:

- (a) traffic impact brought about by the proposed columbarium on the surrounding road network was a major concern. There were adverse comments from concerned government departments on traffic aspect;
- (b) there was insufficient information on what mechanism was in place to ensure visitors to use the shuttle bus service in accessing the application site, and whether it would be an effective means to address traffic impact;
- (c) rezoning a piece of "REC" site for the proposed columbarium use might arouse public concern. Hence, strong planning justification should be provided for the piecemeal rezoning; and
- (d) the applicant's proposal of donating some of the niches to benefit the construction workers and their families should not be a planning consideration.

31. Two Members, however, opined that the application could be supported if the traffic concerns could be resolved.

32. With regard to the traffic aspect, Mr Samson S.S. Lam, CTE/NTW, TD said that the applicant was aware of TD's concern on the traffic conditions at Deep Bay Road, which was currently a single-lane road. The applicant had relied heavily on the proposed shuttle bus service to reduce the traffic flow, but the effectiveness of the proposed shuttle bus service was in doubt. Although the applicant claimed that they had endeavoured to resolve the traffic issues, TD's concern had not been satisfactorily addressed.

33. In response to a Member's enquiry on land ownership of the application site, the Secretary, with reference to paragraph 3 of the Paper, said that the applicant was the sole land owner of the site.

34. Members generally did not support the application as there was insufficient information available at this stage to demonstrate that the traffic concerns could be resolved and justify for the proposed rezoning.

35. After deliberation, the Committee decided not to agree to the application for the following reasons:

- “(a) the Site forms an integral part of the “Recreation” zone which is primarily for recreational developments for the use of the general public. There is no strong planning justification for piecemeal rezoning to facilitate the proposed columbarium development;
- (b) the applicant fails to demonstrate that the proposed rezoning to facilitate columbarium development would not result in adverse traffic impacts on the surrounding areas; and
- (c) the approval of the rezoning proposal will set an undesirable precedent for other similar rezoning applications in the area. The cumulative effect of approving such similar applications would result in a general degradation of environment and adverse traffic impacts on the area.”

Sai Kung and Islands District

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

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SLC/145 Proposed Public Utility Installation (Sewage Pumping Station and Underground Sewers) and Excavation of Land for Underground Sewers in “Coastal Protection Area” Zone, Government Land in Chi Ma Wan Road at Pui O and Ham Tin, Lantau Island, New Territories
(RNTPC Paper No. A/SLC/145B)

36. The Secretary reported that the application was submitted by the Drainage Services Department (DSD) and Black & Veatch Hong Kong Ltd. (B&V) was the consultant of the applicant. The following Members had declared interests on the item:

Ms Janice W.M. Lai	}	having current business dealings with DSD; and
Dr C.H. Hau		
Mr Alex T.H. Lai	-	his firm having current business dealings with B&V.

37. The Committee noted that Ms Janice W.M. Lai and Dr C.H. Hau had tendered apologies for being unable to attend the meeting. The Committee agreed that as Mr Alex T.H. Lai had no involvement in the application, he could stay in the meeting.

Presentation and Question Sessions

38. With the aid of a PowerPoint presentation, 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 public utility installation (sewage pumping station (SPS) and underground sewers) and excavation of land for underground sewers;
- (c) departmental comments – 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, 18 public comments from a member of Islands District Council, Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Living Islands Movement, the Hong Kong Bird Watching Society, Designing Hong Kong Limited and individuals were received. Amongst them, one public comment supported the application while the remaining 17 comments objected to/raising concerns on the application. Major supportive and 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 there was a presumption against development in the “Coastal Protection Area” zone, the proposed development was small in scale and was to provide essential facilities for proper collection and conveyance of sewage which would resolve the water pollution problem in the area and was considered to be in the public interest. The Director of Agriculture, Fisheries and Conservation and the Director of Environmental Protection (DEP) had no objection to the application as the potential impact of the proposed development had been assessed and the Environmental Impact Assessment (EIA) report had been approved by DEP under the EIA

Ordinance. Other concerned government departments had no objection to or no adverse comments on the application. Regarding the public comments received, the comments of government departments and the assessments above were relevant.

39. A Member asked whether the noise impact of the proposed development was assessed in the EIA report. In response, Ms Amy M.Y. Wu, STP/SKIs, said that a Noise Impact Assessment (NIA) was included in the EIA report and DEP considered the NIA acceptable.

40. Members had no further question on the application.

Deliberation Session

41. 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 14.7.2021, 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 landscape proposal including tree preservation proposal to the satisfaction of the Director of Planning or of the TPB; and
- (b) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

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

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TKO/107 Proposed Flat in “Residential (Group E)” Zone, Tseung Kwan O Town Lot 121 (Ex-Tseung Kwan O Town Lot 22, Ex-Junk Bay Town Lot 2 & Extension (Part) and Adjoining Government Land), 1-3 Shek Kok Road, Area 85, Tseung Kwan O, New Territories
(RNTPC Paper No. A/TKO/107C)

43. The Secretary reported that ADI Limited (ADI), Ramboll Environ Hong Kong Limited (Environ) and Mott MacDonald Hong Kong Limited (MMHK) were three of the consultants of the applicant. The following Members have declared interests on the item:

Mr Ivan C.S. Fu	}	having current business dealings with ADI and Environ; and
Ms Janice W.M. Lai		
Mr Alex T.H. Lai		- his firm having current business dealings with MMHK.

44. The Committee noted that Mr Ivan C.S. Fu and Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting. The Committee also agreed that as Mr Alex T.H. Lai had no involvement in the application, he could stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed flat;
- (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 periods, 686 public comments from Sai Kung District Council members, a Legislative Council member, the Community Organiser of Democratic Alliance for the Betterment and Progress of Hong Kong, Chairman of the Owner's Committee of the Beaumont, Property Manager of Beaumont Management Service Centre, the Mass Transit Railway Corporation Limited and individuals were received. Of the public comments, 347 objected to while 339 raised concerns on the application. Major concerns 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 current application was an amendment to a previously approved scheme under application No. A/TKO/87. The amendments mainly involved reduction in the average flat size, thus increasing the number of flats. The proposed development was in line with the planning intention of the “Residential (Group E)” zone and was considered compatible with the surrounding area. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

46. A Member raised the following questions:

- (a) whether there was any mechanism in place to control the minimum flat size; and
- (b) whether there were any standards on the provision of visitor car parking space within a development.

47. Ms Kitty S.T. Lam, STP/SKIs, made the following responses:

- (a) in the previous application (No. A/TKO/87), the average flat size of the proposed development was about 71.45m². The current application had reduced the average flat size to meet recent market demand. There were currently no legislation/regulations to control the minimum flat size of private residential developments; and
- (b) as for visitor car parking provision, the applicant had provided the car parking spaces for visitors in accordance with the requirements as set out in the Hong Kong Planning Standards and Guidelines (HKPSG).

48. Members had no further question on the application.

Deliberation Session

49. In response to the Chairman's enquiry, Mr Samson S.S. Lam, Chief Transport Engineer/New Territories West, Transport Department (CTE/NTW, TD), stated that according to HKPSG, the parking provision for residential car parking spaces was 1 per 6 to 9 flats. TD's recent practice was to adopt the upper range of the car parking provision under HKPSG (i.e. 1 space per 6 flats) in calculating the car parking space requirement for a private residential development. As for visitor car parking provision, the current requirement under HKPSG was 1 to 5 car parking spaces per block for private residential developments with more than 75 units per block. Noting that the proposed development comprised of two residential blocks, the provision of 10 visitor car parking spaces was at the upper end of the requirement under HKPSG.

50. Noting that the number of visitor car parking spaces in the current scheme was fewer than that in the previously approved scheme, a Member considered that the number of visitor car parking spaces for the proposed development was insufficient taking into account the location of the application site and the number of flats proposed. Some Members shared the same view and opined that insufficient provision of visitor car parking spaces might lead to illegal parking in the area. Some Members also considered that car parking provision in private residential developments was in general insufficient to meet growing demand and the relevant car parking standards might need to be reviewed.

51. A Member enquired whether the provision of car parking spaces could be determined taking into account the traffic flow in the locality. The Chairman said that the HKPSG had provided a range for car parking provision in private residential developments. In view of the recent public concerns on provision of car parking space, TD had already adopted the upper range in formulating the car parking space requirement.

52. Members in general noted that the application site was well-served by public transport including the Mass Transit Railway LOHAS Park Station located to the west of the application site and the car parking provision of the proposed development was in accordance with the HKPSG requirement. Some Members maintained the view that the number of visitor car parking spaces was inadequate. Whilst Members had no objection to the proposed development, there were general concerns on the inadequate number of visitor car parking spaces to be provided. A majority of the Members were of the view that the number of visitor car parking space for the proposed development should be increased. In this regard, Members agreed that TD should take into account Members' view in considering the applicant's future submission for compliance with approval condition (c) on the design and provision of parking and loading/unloading facilities. Besides, TD should also take note of Members' general concern on the insufficient provision of car parking spaces when conducting future review of the car parking standards.

53. 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 14.7.2021, 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 a revised landscape proposal including tree preservation proposal to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission of an updated Traffic Impact Assessment and implementation of the traffic improvement measures proposed therein to mitigate the traffic impact, if any, prior to the population intake of the proposed development to the satisfaction of the Commissioner for

Transport or of the TPB;

- (c) the design and provision of parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the design, construction, management and maintenance of the footbridges across Wan Po Road and Shek Kok Road to connect with the adjacent developments and a covered pedestrian walkway inside the proposed development for public use, as proposed by the applicant, with 24-hour barrier-free public access to the footbridges and covered pedestrian walkway along Shek Kok Road and Wan Po Road to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) in relation to (d) above, if the footbridge(s) could not tie in with the completion of the adjacent development(s), the provision, management and maintenance of the footbridge(s) with support/landing arrangements at the receiving end(s) from the lots of Tseung Kwan O Town Lot (TKOTL) 70 and TKOTL 111 to the satisfaction of the Commissioner for Transport or of the TPB;
- (f) the submission of a revised noise assessment and implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (g) the submission of a landfill gas hazard assessment for the proposed development and implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (h) the implementation of the remedial actions recommended in the approved land contamination assessment and remedial plan for the subject site to the satisfaction of the Director of Environmental Protection or of the TPB; and

- (i) the provision of water supplies for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

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

[Messrs H.F. Leung, David Y.T. Lui, Peter K.T. Yuen and Alex T.H. Lai left the meeting at this point.]

[Mr Martin W.C. Kwan left the meeting at this point.]

[The meeting was adjourned for a short break of 5 minutes.]

Sha Tin, Tai Po and North District

Agenda Item 7

[Open Meeting]

Proposed Amendments to the Approved Tai Po Outline Zoning Plan No. S/TP/26

(RNTPC Paper No. 5/17)

55. The Secretary reported that the proposed amendments were in the Tai Po area and involved (i) rezoning of two pieces of government land, one at Yau King Lane/Pok Yin Road and another at Ma Wo Road for proposed private residential development; (ii) revision of building height restriction for a “Government, Institution or Community” (“G/IC”) site at On Pong Road for a proposed clinic building to be operated by the Hospital Authority (HA); and (iii) to take forward the decision of the Committee on a s.12A application (No. Y/TP/24) submitted by Ford World Development Limited (a subsidiary of Henderson Land Development Company (HLD)) to rezone a piece of land from “Residential (Group C)”

(“R(C)”) to “R(C)10” for development of a residential development. The following Members had declared interests on the item:

- Mr H.W. Cheung - owning a flat in Tai Po Market;
 - Mr Ivan C.S. Fu
 - Ms Janice W.M. Lai
- } having current business dealings with HLD;
- Mr Alex T.H. Lai - his firm having current business dealings with Towngas, which was a subsidiary of HLD;
 - Mr Stephen L.H. Liu - having past business dealings with HLD;
 - Professor K.C. Chau - being an employee of the Chinese University of Hong Kong which had received a donation from a family member of the Chairman of HLD before;
 - Mr H.F. Leung - being an employee of the University of Hong Kong which had received a donation from a family member of the Chairman of HLD before;
 - Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which had solicited sponsorship from HLD before;
 - Mr Peter K.T. Yuen - being a member of the Board of Governors of the Hong Kong Arts Centre which had received a donation from an Executive Director of HLD before;
 - Dr Lawrence K.C. Li - being the Treasurer of the Hong Kong Polytechnic University which had obtained sponsorship from HLD before; and

Mr Edwin W.K. Chan
Mr Samson S.S. Lam

} spouse being an employee of the HA.

56. The Committee noted that Mr Ivan C.S. Fu, Ms Janice W.M. Lai, Mr Stephen L.H. Liu and Ms Christina M. Lee had tendered apologies for being unable to attend the meeting and Messrs Alex T.H. Lai, H.F. Leung and Peter K.T. Yuen had already left the meeting. According to the procedure and practice adopted by the Town Planning Board (the Board), as the proposed amendments to take forward the decision of the Committee on an approved s.12A application, and the “G/IC” site in relation to the proposed clinic building to be operated by HA were subjects of amendment to the Outline Zoning Plan proposed by the Planning Department, the interests of the Members in relation to HLD and HA would only need to be recorded and they could stay in the meeting. The Committee agreed to this arrangement. The Committee also agreed that as the property owned by Mr H.W. Cheung, the Vice-chairman, had no direct view of the amendment items, he could stay in the meeting.

Presentation and Question Session

57. The following Government representatives were invited to the meeting:

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

Mr C.T. Lau - Senior Town Planner/Shan Tin, Tai Po and North, PlanD (STP/STN), PlanD

Mr Henry Hui - Senior Engineer/Project & Tai Po, Transport Department (Sr Engr/Project & Tai Po, TD)

Mr Edmund Chu
Mr Dan Chau

} MVA Hong Kong Limited

58. The Chairman extended a welcome and invited DPO/STN to brief Members on the Paper. Ms Jessica H.F. Chu, DPO/STN, drew Members' attention that one replacement page (page 12 of Attachment III of the Paper) was despatched to Members before the meeting. With the aid of a PowerPoint presentation, she presented the proposed amendments as detailed in the Paper and covered the following main points:

An Overview of the Proposed Amendments

- (a) to meet pressing need for housing land supply, a "G/IC" site at Yau King Lane/Pok Yin Road in Area 39 (Amendment Item A) and a "Green Belt" ("GB") site at Ma Wo Road had been identified for private residential developments (Amendment Item D) and rezoning of those sites for residential development was required. Opportunity was also taken to take forward a section 12A application (No. Y/TP/24) approved by the Committee on 28.10.2016 to rezone a "R(C)" site in Tsiu Hang to a "R(C)" sub-zone (Amendment Item B), and to revise the building height restriction (BHR) of a "G/IC" site at On Pong Road to facilitate the development of a proposed clinic building operated by the HA and other primary care services to be provided by the Department of Health to meet the district needs (Amendment Item D);

Proposed Amendments to Matters shown on the Plan

- (b) Amendment Item A (Pok Yin Road Site) (about 3.81ha) – rezoning of a site at Pok Yin Road near Tsiu Hang from "G/IC" to "Residential (Group B)9" and revising the BHR from 47mPD to 50mPD;
- (c) Amendment Item B (Yau King Lane Site) (about 3.64ha) – rezoning of a site at Yau King Lane near Tsiu Hang from "R(C)" to "R(C)10" and stipulation of BHRs of 55mPD at the northern portion and 65mPD at the southern portion;
- (d) Amendment Item C (On Pong Road Site) (about 0.45ha) – revising the

BHR for a site zoned “G/IC” at On Pong Road from 3 storeys to 8 storeys;

- (e) Amendment Item D (Ma Wo Road Site) (about 2.28ha) – rezoning of a site at Ma Wo Road near Classical Gardens I from “GB” to “R(B)10” and stipulation of BHR of 110mPD;

Technical Assessments

Pok Yin Road Site

- (f) an Air Ventilation Assessment (Expert Evaluation) (AVA(EE)) had been conducted by the PlanD, with the provision of a 15m-wide Non-building Area (NBA) running from northeast to southwest as well as a 10m to 17m-wide drainage reserve along the eastern boundary of the site, it was anticipated that the future development would not create significant air ventilation impact on the overall wind environment;
- (g) according to the Visual Appraisal (VA) prepared by PlanD, the future development would not induce substantial visual impact and was considered visually compatible with the surroundings;
- (h) the traffic impact assessment (TIA) conducted by the TD concluded that no significant adverse traffic impact was anticipated;

Yau King Lane Site

- (i) the applicant for the rezoning application (No. Y/TP/24) had undertaken relevant technical assessments which demonstrated that the proposed development would not result in any insurmountable impacts on traffic, drainage, sewerage, air ventilation, visual, landscape and environment on the surrounding areas;

On Pong Road Site

- (j) according to the AVA(EE) conducted by PlanD, the increase in building height from 3 storeys to 8 storeys would not impose major air ventilation problem on the overall wind environment;
- (k) the VA conducted by PlanD had concluded that the proposed 8-storey development was considered not visually incompatible with the surroundings;
- (l) concerned government departments had no objection to/no adverse comment on the proposal from environmental, drainage and sewerage perspectives;

Ma Wo Road Site

- (m) according to the AVA(EE) conducted by PlanD, the proposed development would have no significant air ventilation impacts on the surrounding areas;
- (n) although the VA conducted by PlanD had concluded that the proposed development entailed visual obstruction to some surrounding buildings, its effect on public view was minimal;
- (o) there were 384 trees within the site, including an *Aquilaria sinensis* (土沉香), which was protected under the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586), while majority of the existing trees within the site would be affected, according to the Landscape Assessment by PlanD. Relevant tree preservation clause and green coverage requirement would be incorporated in the land lease;
- (p) according to the TIA conducted by TD, the proposed development would not impose insurmountable traffic impact on the nearby road network;

Proposed Amendments to the Notes of the OZP

- (q) incorporation of a new set of Notes for “R(B)9” sub-area;

- (r) revision to the Remarks for “R(B)” zone to incorporate restrictions for “R(B)10” sub-area, and to include a minor relaxation clause on NBA restriction to the Remarks of the “R(B)” zone;
- (s) revision to the remarks for “R(C)” zone to incorporate development restrictions for “R(C)10” area;
- (t) incorporation of ‘Art Studio (excluding those involving direct provision of services or goods)’ as a Column 1 use in Schedule II of the “Other Specified Uses” annotated “Business” zone;

Departmental Consultation

- (u) relevant government departments had no objection to or no adverse comment on the proposed amendments; and

Consultation with Tai Po District Council (TPDC), Tai Po Rural Committee (TPRC) and Local Residents

- (v) on 10.5.2017, the Environment, Housing and Works Committee (EHWC) of TPDC was consulted on the proposed amendments to the OZP. In general, EHWC did not support Amendment Items A and D and had no strong views on Amendment Items B and D. The TPRC was consulted on 23.5.2017 and two local consultations arranged by TPDC members were held on 26.5.2017 and 31.5.2017 respectively. All parties consulted raised strong objections to Amendment Items A and D and the views collected on Amendment Item C were diverse. Written submissions from Legislative Council/TPDC Members, Ma Wo Development Alliance (MWDA 關注大埔馬窩土地用途大聯盟) and the locals were also received. The general views and the Government’s responses were detailed in paragraph 9.4 and Appendix IX of the Paper.

59. In response to a Member’s enquiries, Miss Jessica H.F. Chu, DPO/STN, PlanD

said that Amendment Items A, C and D were proposed by the Government while Amendment Item B was to take forward the decision of a section 12A application (No. Y/TP/24) which was agreed by the Committee on 28.10.2016.

60. The Chairman raised the following questions:

- (a) whether there were existing population within the Ma Wo Road Site; and
- (b) whether the sites under Amendment Items A, B and C were vacant.

61. Ms Jessica H.F. Chu made the following responses:

- (a) according to the information provided by the Lands Department, there were some cultivation/temporary structures covered by 6 Government Land Licences, 3 graves, 5 urns and over 10 domestic structures affected. There were also some temporary structures not covered by any form of permits. Site clearance was required prior to land disposal; and
- (b) the sites under Amendment Items A and C were vacant government land while the site under Amendment Item B comprised both private and government land.

62. After deliberation, the Committee:

- “(a) agreed to the proposed amendments to the approved Tai Po Outline Zoning Plan (OZP) No. S/TP/26 and its Notes and that the draft Tai Po OZP No. S/TP/26B at Attachment II of the Paper (to be renumbered to S/TP/27 upon exhibition) and its Notes at Attachment III of the Paper were suitable for exhibition under section 5 of the Ordinance; and
- (b) adopted the revised Explanatory Statement (ES) at Attachment IV of the Paper for the draft Tai Po OZP No. S/TP/26B as an expression of the planning intentions and objectives of the Board for the various land use zonings of the OZP, which would be published together with the OZP.”

[Ms Cindy K.F. Wong, Senior Town Planner/Sha Tin, Tai Po and North (STP/STN), was invited to the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting]

A/NE-LYT/631 Temporary Warehouse (excluding Dangerous Goods Godown) for a Period of 3 Years in “Agriculture” and “Residential (Group C)” Zones, Lots 755, 835 S.B ss.1, 836, 837, 838 RP, 841 RP (Part), 842 RP (Part), 844 RP and 854 in D.D. 83, 31A Ma Liu Shui San Tsuen, Fanling, New Territories
(RNTPC Paper No. A/NE-LYT/631)

63. The Committee noted that the applicant’s representative requested on 30.6.2017 deferment of consideration of the application for a period of two months in order to allow time to prepare further information to address the comments of Transport Department. It was the first time the applicant requested deferment of the application.

64. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the 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 the further information and no further deferment would be granted unless under very special circumstances.

Agenda Item 9

Section 16 Application

[Open Meeting]

A/NE-STK/10 Proposed Filling of Pond for Permitted Agricultural Use in
 “Recreation(1)” Zone, Lot 2079 (Part) in D.D. 41, Muk Min Tau, Sha
 Tau Kok, New Territories

 (RNTPC Paper No. A/NE-STK/10)

65. The Committee noted that the applicant’s representative requested on 4.7.2017 deferment of consideration of the application for a period of two months in order to allow time for preparation of further information to address departmental comments. It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted information including the protective measures for the remaining part of the road on Government land, the work flow for proposed pond filling and the type of farming activities undertaken.

66. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the 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 the further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/554 Proposed Temporary Eating Place for a Period of 3 Years in “Open Storage” Zone, Lots 817 RP (Part), 818 and 819 in D.D. 77 and Adjoining Government Land, Ng Chow South Road, Ping Che, New Territories
(RNTPC Paper No. A/NE-TKL/554B)

67. The Secretary reported that the application site was located in Ping Che and Landes Limited 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; and
Ms Janice W.M. Lai		
Mr Alex T.H. Lai	-	his father co-owning two lots of land in Ping Che area

68. The Committee noted that Mr Ivan C.S. Fu and Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting and Mr Alex T.H. Lai had already left the meeting.

Presentation and Question Sessions

69. Ms Cindy K.F. Wong, STP/STN, 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 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 comments on the application. The District Officer (North) advised that the Vice-Chairman of the Ta Kwu Ling District Rural Committee objected to the application while the incumbent North District Council (NDC) member, the Indigenous Inhabitant Representative and Resident Representative of Ping Che supported or had no comment on the application;

- (d) during the first three weeks of the statutory publication periods, 29 public comments were received from a NDC member, Chairman of Sheung Shui District Rural Committee (SSDRC) and the Chairman of Fanling District Rural Committee (FDRC) and individuals. The NDC Member, Chairman of SSDRC and Chairman of FDRC supported or had no comment on the application. Of the remaining public comments, 20 comments supported the application and two comments raised concern on the application. Major supportive views and objection grounds on the application were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the proposed temporary use for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not in line with the planning intention of the “Open Storage” (“OS”) zone, the proposed use was intended to serve the residents, workers and visitors in the locality. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “OS” zone. The proposed temporary eating place was not incompatible with the surrounding environment comprised of village houses, warehouses and open storage uses. The applicant had undertaken that the proposed eating place would not operate before the completion of the new link road of the Liantang/Heung Yuen Wai Boundary Control Point and a revised Traffic Impact Assessment would be submitted before commencement of operation of the proposed eating place. In this regard, the Commissioner for Transport had no objection to the application. Other concerned government departments had no objection to or no adverse comments on

the application. Regarding the public comments, the comments of government departments and the assessment above were relevant.

70. Members had no question on the application.

Deliberation Session

71. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 14.7.2020, 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 11:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no construction vehicle entering to and leaving from the Site during the period from 7:00 a.m. to 9:00 a.m. and from 5:00 p.m. to 7:00 p.m., as proposed by the applicant, is allowed during the construction stage of the development;
- (c) no container tractor/trailer is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (d) no operation of the proposed development, as proposed by the applicant, is allowed before the completion of the new link road of Liantang/Heung Yuen Wai Boundary Control Point;
- (e) the submission of an updated Traffic Impact Assessment and the implementation of traffic improvement measures identified therein, as proposed by the applicant, before the operation of the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (f) the provision of boundary fencing on the Site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or

of the TPB by 14.1.2018;

- (g) the submission of tree preservation and landscape proposals within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 14.1.2018;
- (h) in relation to (g) above, the implementation of tree preservation and landscape proposals within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 14.4.2018;
- (i) 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 14.1.2018;
- (j) in relation to (i) 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 14.4.2018;
- (k) the submission of proposals for water supplies for firefighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.1.2018;
- (l) in relation to (k) above, the provision of water supplies for firefighting and fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.4.2018;
- (m) the submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 14.1.2018;
- (n) in relation to (m) above, the implementation of the run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 14.4.2018;

- (o) if the above planning conditions (a), (b), (c), (d) or (e) 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
- (p) if any of the above planning conditions (f), (g), (h), (i), (j), (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.”

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

Agenda Item 11

Section 16 Application

[Open Meeting]

A/NE-TKL/567 Proposed Temporary Glass Testing Workshop with Ancillary Office and Open Storage of Materials for a Period of 3 Years in “Agriculture” and “Industrial (Group D)” Zones, Lots 16 S.B (Part), 19, 20 (Part), 21 (Part) and 33 S.A (Part) in D.D. 84, Tai Po Tin, Ping Che Road, Ta Kwu Ling, New Territories
(RNTPC Paper No. A/NE-TKL/567)

73. The Secretary reported that the application site is located in Ping Che. Mr Alex T.H. Lai had declared interest on the item as his father co-owned two lots of land in the Ping Che area. The Committee noted that Mr Alex T.H. Lai had already left the meeting. The Committee also noted that the applicant had requested deferment of consideration of the application.

74. The Committee noted that the applicant requested on 7.7.2017 deferment of consideration of the application for a period of two months in order to allow time to prepare further information to address the comments of the Transport Department. It was the first

time the applicant requested deferment of the application.

75. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the 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 the further information and no further deferment would be granted unless under very special circumstances.

Agenda Items 12 and 13

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-WKS/9 Proposed House (New Territories Exempted House - Small House) in "Agriculture" and "Village Type Development" Zones, Lot 1078 S.D in D.D. 79, Ping Yeung Village, Ta Kwu Ling, New Territories

A/NE-WKS/10 Proposed House (New Territories Exempted House - Small House) in "Agriculture" and "Village Type Development" Zones, Lot 1078 S.E in D.D. 79, Ping Yeung Village, Ta Kwu Ling, New Territories
(RNTPC Paper No. A/NE-WKS/9 and 10)

76. The Committee noted that the two applications for proposed house (New Territories Exempted House (NTEH) – Small House) were similar in nature and located in the same "Agriculture" ("AGR") and "Village Type Development" ("V") zones. The Committee agreed that they could be considered together.

Presentation and Question Sessions

77. Ms Cindy K.F. Wong, 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 site;
- (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 the application sites had potential for agricultural rehabilitation. The Commissioner for Transport (C for T) had reservation on the applications as Small House developments should be confined within the “V” zone as far as possible but considered that the construction of two Small Houses could be tolerated. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the applications as the approval of the applications would lead to degradation of the landscape character and resources in the “AGR” zone. The District Officer (North) advised that the Vice-chairman of Ta Kwu Ling District Rural Committee, the incumbent North District Council (NDC) member and one of the four Indigenous Inhabitant Representatives (IIRs) of Ping Yeung had no comment on the applications, whereas two IIRs of Ping Yeung did not indicate views on the application. Other government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, six public comments on each of the applications were received. Amongst them, a NDC member and the Chairman of Sheung Shui District Rural Committee supported or indicated no comment on both applications. The remaining comments from the Kadoorie Farm and Botanic Garden Corporation, the Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual objected to the applications. The 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 applications based on the assessments set out in paragraph 11 of the Paper. The application sites were mostly zoned “AGR” with very minor portion encroached onto the “V” zone. The proposed Small Houses were not in line with the planning intention of the “AGR” zone. DAFC did not support the applications from the agricultural development point of view as the application sites had potential for agricultural rehabilitation. CTP/UD&L, PlanD also had reservation from the landscape planning point of view as approval of this kind of piecemeal development would lead to degradation of the landscape character and resource in the “AGR” zone. The proposed Small Houses did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories as land was still available within the “V” zone to meet the outstanding Small House applications. Regarding the public comments, the comments of government departments and the assessments above were relevant.

78. Members had no question on the application.

Deliberation Session

79. After deliberation, the Committee decided to reject the applications. The reasons for each of the applications were:

- “(a) the proposed development is not in line with the planning intention of the Agriculture zone in the Wo Keng Shan area which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zone of Ping Yeung Village where land is primarily intended for Small House development. It is considered more appropriate to concentrate the

proposed Small House development within “V” zone for orderly development pattern, efficient use of land and provision of infrastructures and services.”

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/610 Proposed 2 Houses (New Territories Exempted Houses - Small Houses) in “Agriculture” Zone, Lots 209 S.A and 209 RP in D.D. 18, Lung A Pai, Tai Po, New Territories
(RNTPC Paper No. A/NE-LT/610)

Presentation and Question Sessions

80. Mr C.T. Lau, STP/STN, drew Members’ attention that one replacement page (page 8 of the Main Paper) was despatched to Members before the meeting. He then 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 (NTEHs) – Small Houses);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix III of the Paper. The Director of Agriculture, Fisheries and Conservation did not support the application from agricultural development point of view as the application site had high potential for rehabilitation of agricultural activities. The Commissioner for Transport had reservation on the application as the Small Houses should be confined within the “Village Type Development” (“V”) zone but considered that the development of two Small Houses could be tolerated. The Chief Town Planner/Urban Design and Landscape, Planning

Department (CTP/UD&L, PlanD) objected to the application from landscape planning point of view as approval of the application would encourage similar site modification prior to application resulting in piecemeal development destroying the tranquil nature of the area and would set an undesirable precedent encouraging more similar applications in the surrounding 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, four public comments were received from the Hong Kong Bird Watching Society, Designing Hong Kong Limited, Green Sense and an individual objecting to the application. Major grounds of objection 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” (“AGR”) zone. DAFC did not support the application as the application site had high potential for rehabilitation of agricultural activities. CTP/UD&L, PlanD objected to the application as the approval of the application would set an undesirable precedent and the cumulative effect of extending village development outside “V” zone would change the surrounding landscape character. The proposed development did not comply with the Interim Criteria for Consideration of Application for NTEH/Small Houses in the New Territories in that they would cause adverse landscape impacts on the surrounding area. Besides, land was still available within the “V” zone for Small House development capable to meet the outstanding Small House applications. Regarding the public comments, the comments of government departments and the assessments above were relevant.

81. Members had no question on the application.

Deliberation Session

82. 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 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;
- (b) the proposed development does not comply with the Interim Criteria for consideration of application for New Territories Exempted House/Small House in the New Territories in that it would cause adverse landscape impact on the surrounding areas;
- (c) land is still available within the “Village Type Development” (“V”) zone of Lung A Pai which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services; and
- (d) the approval of the application would set an undesirable precedent for other similar applications in the area. The cumulative impacts of approving such applications would result in a general degradation of the natural environment and landscape quality of the area.”

Agenda Items 15 and 16

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/612 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 1256 S.A ss.1 and 1256 S.B in D.D. 19, Lam Tsuen San Tsuen, Tai Po, New Territories

A/NE-LT/613 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 1256 S.A RP and 1256 RP in D.D. 19, Lam Tsuen San Tsuen, Tai Po, New Territories
(RNTPC Paper No. A/NE-LT/612 and 613)

83. The Committee noted that the two applications for proposed house (New Territories Exempted House (NTEH) – Small House) were similar in nature and located in the same “Agriculture” (“AGR”) zone. The Committee agreed that they could be considered together.

Presentation and Question Sessions

84. Mr C.T. Lau, STP/STN, drew Members’ attention that two replacement pages (pages 4 and 6 of Appendix IV) with rectifying typographical errors were tabled at the Meeting for Members’ information. 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 site;
- (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 applications from agricultural development point of view as the application sites had high potential for rehabilitation of agricultural activities. The Commissioner for Transport (C for T) had reservation on the applications as the Small

Houses should be confined within the “Village Type Development” (“V”) zone but considered that the development of two Small Houses could be tolerated. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the applications from landscape planning point of view as the proposed Small Houses would be in conflict with the fruit trees within the applications sites and there were no proposed treatment to the trees;

- (d) during the first three weeks of the statutory publication period, five public comments on application No. A/NE-LT/612 and four public comments on application No. A/NE-LT/613 from Designing Hong Kong Limited, Green Sense, the Hong Kong Bird Watching Society, World Wide Fund for Nature Hong Kong and an individual were received objecting to the applications. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the applications based on the assessments set out in paragraph 11 of the Paper. The proposed Small Houses were not in line with the planning intention of the “AGR” zone and DAFC did not support the applications from agricultural development point of view. CTP/UD&L, PlanD had reservation on the applications from the landscape planning point of view as the applicants had failed to demonstrate that the proposed Small Houses would not have adverse landscape impact on the surrounding areas. The proposed developments did not comply with the Interim Criteria for Consideration of Application for NTEH/Small Houses in the New Territories in that they would cause adverse landscape impacts on the surrounding area. Besides, land was still available within the “V” zone for Small House development capable to meet the outstanding Small House applications. The application sites formed part of a previous application (No. A/NE-LT/509) and application No. A/NE-LT/612 was also the subject of another previous application No. A/NE-LT/563 for Small House developments which were rejected by the Committee in 2014 and 2016 respectively on similar considerations. Regarding the public comments,

the comments of government departments and the assessments above were relevant.

85. Members had no question on the application.

Deliberation Session

86. After deliberation, the Committee decided to reject the applications. The reasons for each of the applications were:

- “(a) the proposed developments is not in line with the planning intention of the “Agriculture zone”, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the proposed developments does not comply with the Interim Criteria for consideration of application for New Territories Exempted House/Small House in the New Territories in that it would cause adverse landscape impact on the surrounding areas; and
- (c) land is available within the “Village Type Development” (“V”) zone of Lam Tsuen San Tsuen which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within “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 (Presentation and Question Sessions Only)]

A/NE-SSH/105 Temporary Private Car Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Village Type Development” Zone, Lots 449 S.F, 449 RP, 450 RP (Part), 450 S.B (Part), 464 (Part), 465 (Part), 466 S.A (Part), 466 S.B ss.1, 467, 524 (Part) and 528 (Part) in D.D. 209 and Adjoining Government Land, Shap Sz Heung, Tai Po, New Territories (RNTPC Paper No. A/NE-SSH/105)

Presentation and Question Sessions

87. 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 temporary private car park (private car and light goods vehicle) for a period of three years;
- (c) departmental comments – departmental comments were set out in Paragraph 9 of the Paper. The Commissioner for Transport (C for T) had reservation on the application as the “Village Type Development” (“V”) zone should be reserved for Small House without car parking spaces provision but considered that application only involving car parking spaces of temporary nature could be tolerated. Other government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication, one public comment from an individual was received objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the

temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed use was not totally in line with the planning intention of the “V” zone, the District Lands Officer/Tai Po, Lands Department advised that no application for New Territories Exempted House had been received for the site. The temporary private car park would not frustrate the planning intention of the site for village type development. Although C for T had reservation on the application, the proposed use could be tolerated subject to approval conditions. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

88. Members had no question on the application.

Deliberation Session

89. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 14.7.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicles other than private car and light goods vehicle are allowed to be parked within the application site;
- (b) no vehicle repairing, car washing/fuelling, vehicle dismantling and workshop activities shall be permitted within the site during the planning approval period;
- (c) 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 14.1.2018;
- (d) in relation to (c) above, the implementation of a 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 14.4.2018;

- (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 14.1.2018;
- (f) in relation to (e) 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 14.4.2018;
- (g) the submission of a proposal water supplies for firefighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.1.2018;
- (h) in relation to (g) above, the provision of water supplies for firefighting and fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.4.2018;
- (i) if any of the above planning conditions (a) or (b) is not complied with at any time during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning conditions (c), (d), (e), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall be revoked on the same date without further notice; and
- (k) 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.”

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

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/614 Proposed Temporary Shop and Services (Fresh Provision Supplier) for a Period of 3 Years in “Recreation” Zone, G/F, No. 103A, Lung Mei, Tai Po, New Territories
(RNTPC Paper No. A/NE-TK/614)

Presentation and Question Sessions

91. 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 temporary shop and services (fresh provision supplier) 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, 22 public comments from individuals and local villagers were received objecting to the application. Major grounds of objection 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 intention of the “Recreation” (“REC”) zone, the proposed use on a temporary basis of three years would not

jeopardise the long-term planning intention of the “REC” zone. The site was the subject of a previous planning application (No. A/NE-TK/592) for the same use approved with conditions for a period of three years by the Committee on 30.9.2016. However, the planning permission was revoked on 30.3.2017 due to non-compliance with approval conditions related to submission of fire services installations and water supplies to firefighting proposal. Shorter compliance periods were proposed to monitor the progress of compliance. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

92. Members had no question on the application.

Deliberation Session

93. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 14.7.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicants, is allowed on the Premises during the planning approval period;
- (b) the submission of a fire service installations (FSIs) and water supplies for fire-fighting proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.10.2017;
- (c) in relation to (b) above, the provision of FSIs and water supplies for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.1.2018;
- (d) if the above planning condition (a) 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; and

- (e) if any of the above planning conditions (b) or (c) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/615 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lots 1222 S.A
ss.1 and 1312 S.B in D.D. 17 and Adjoining Government Land, Lo Tsz
Tin Village, Tai Po, New Territories
(RNTPC Paper No. A/NE-TK/615)

Presentation and Question Sessions

95. 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 (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) had no strong view on the application as the site was partly paved and had low potential for rehabilitation of agricultural activities. Other concerned government departments had no

objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, two public comments from Green Sense and an individual were received 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. Although the proposed Small House was not incompatible with the surrounding areas, it did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in that land was still available in the “Village Type Development” zone for Small House development which was capable to meet the outstanding Small House applications. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

96. Members had no question on the application.

Deliberation Session

97. 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 to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zone of

Lo Tsz Tin 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/610 Proposed 2 Houses (New Territories Exempted Houses) in “Green Belt” Zone, Lot 966 RP in D.D. 22, Pan Chung, Tai Po, New Territories
(RNTPC Paper No. A/TP/610C)

98. The Secretary reported that the application site was located in Tai Po. Mr H.W. Cheung, the Vice-chairman, had declared an interest on the item as he owned a flat in Tai Po Market. The Committee agreed that Mr H.W. Cheung could stay in the meeting as the said property did not have a direct view of the site.

Presentation and Question Sessions

99. 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 (NTEHs));
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) objected to the application from the landscape planning point of view as the slope formation works were extensive. Other concerned government

departments had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication periods, six public comments from Designing Hong Kong Limited, World Wide Fund for Nature Hong Kong, Law Ting Pong Secondary School and individuals were received objecting to the application. Major grounds of objection 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 there was a general presumption against development within the “Green Belt” zone, the proposed development, which was generally in line with its lease entitlement, might be given sympathetic consideration for having exceptional circumstances. To address CTP/UD&L, PlanD's concerns on the extensive slope formation works, suitable approval condition was recommended to mitigate the landscape impact arising from the proposed development. An advisory clause on minimizing the scale of site formation works was also recommended. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

100. A Member raised the following questions:

- (a) noting that the application site was a sloping site and a registered slope feature was located to its southwest, whether there were any technical difficulties for the proposed development; and
- (b) whether the applicant had submitted information on the construction access for the proposed development.

101. In response, Mr C.T. Lau, STP/STN, made the following points:

- (a) with reference to Drawings A-2 and A-3, the applicant had submitted

information on site formation and a 4m high concrete retaining wall was proposed for stabilising the slope and construction of the proposed houses; and

- (b) as informed by the applicant, transportation of construction materials to the site would be carried out along the boundary of Law Ting Pong Secondary School abutting the site. However, there was no proper access at present within the “Green Belt” zone connecting to the application site.

102. Members had no further question on the application.

Deliberation Session

103. Noting that substantial site formation work would be required, a Member had reservation on the application as there was no proper access to the site and the transportation of construction materials required for the proposed development might affect a larger area within the “Green Belt” zone.

104. After deliberation, the Committee decided to defer a decision on the application pending submission of further information by the applicant on the arrangement of the construction access to the application site.

[The Chairman thanked Ms Jessica H.F. Chu, DPO/STN, Mr C.T. Lau and Ms Cindy K.F. Wong, STPs/STN, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

[Ms S.H. Lam, Ms Ivy C.W. Wong and Ms Emily P.W. Tong, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/35 Temporary Recyclable Collection Centre (Metals), Open Storage of Scrap Metal and Goods Vehicle Assembly with Ancillary Storage of Tools for a Period of 3 Years in “Open Space” and “Residential (Group A) 2” Zones, Lots 334 S.D (Part), 334 S.E (Part) and 334 S.F (Part) in D.D. 95, Ma Tso Lung Road, Ho Sheung Heung, Kwu Tung, New Territories

(RNTPC Paper No. A/KTN/35)

105. The Secretary reported that the application site was located at Kwu Tung North. Dr C.H. Hau had declared an interest on the item as he owned property in Kwu Tung area. The Committee noted that Dr C.H. Hau had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary recyclable collection centre (metals), open storage of scrap metal and goods vehicle assembly with ancillary storage of tools for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Commissioner for Transport (C for T) did not support the application and considered that a traffic impact assessment should be carried out in view of the recent traffic condition on roads in the North District. Besides, there was insufficient information on the vehicular access arrangement of the site, exact width and location of the

vehicular access points, estimated average daily vehicular trip rate, etc. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of domestic uses located at the immediate vicinity of the application 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, eight public comments were received. Amongst them, two comments from individuals indicated no comment or provided views on the application. Six comments, from Designing Hong Kong Limited and individuals objected to the application. Major views and grounds of objection 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. Although the application site fell within Category 1 area under Town Planning Board Guidelines No. 13E, the application site was subsequently rezoned to “Residential (Group A)2” (“R(A)2”) and “Open Space” (“O”). As such, the application should be considered in the light of the change in planning intention for the site and its surrounding area. The applied use was not in line with the planning intention of the “R(A)2” and ‘O’ zones and there was no strong planning justification in the submission for a departure from the planning intentions, even on a temporary basis. DEP did not support the application as environmental nuisance was expected. C for T did not support the application as the applicant had not provided sufficient information for assessment on the traffic impact. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

107. In response to a Member's enquiry on the changes to the zoning of the application site, Ms S.H. Lam, STP/FSYLE, said that the application site was previously zoned “Open Storage” (“OS”) where ‘Open Storage’ use was always permitted. In 2013, the site was included in the Kwu Tung North New Development Area and the site was rezoned from “OS” to “R(A)2” and “O”. As the use at the site involved material change of

use, planning permission from the Town Planning Board was required.

108. Members had no further question on the application.

Deliberation Session

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

- “(a) the temporary use under application is not in line with the planning intentions of the “Open Space” (“O”) and “Residential (Group A) 2” (“R(A)2”) zones, which are intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public, and primarily for high-density residential developments. There is no strong justification in the submission for a departure from such planning intentions, even on a temporary basis;
- (b) the applicant fails to demonstrate that the proposed development would not cause adverse traffic and environmental impacts on the residents nearby and the surrounding areas; and
- (c) the approval of the application will set an undesirable precedent for similar applications within the same “O” and “R(A)2” zones. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.”

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/563 Proposed Temporary Private Vehicle Park for Light Goods Vehicles for a Period of 3 Years in “Agriculture” Zone, Lots 376 RP (Part), 380 RP (Part) and 384 RP (Part) in D.D. 110, Kam Tin North, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTN/563)

Presentation and Question Sessions

110. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary private vehicle park for light goods vehicle 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 (DAFC) did not support the application as the site had potential for agricultural rehabilitation. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received objecting to the application. Major grounds of objection are 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

development was not in line with the planning intention of the “Agriculture” (“AGR”) zone, the proposed development was considered not incompatible with the surrounding land uses which were characterised by open storage/storage yards, parking of vehicles, warehouses and workshop uses. While DAFC did not support the application as the site had potential for agricultural rehabilitation, the temporary nature of the proposed use would not jeopardise the long-term planning intention of the “AGR” zone. Concerned departments had no adverse comment on the application and their technical concerns could be addressed by the recommended approval conditions. Regarding the adverse public comment, comments of concerned departments and the planning assessments above were relevant.

111. Members had no question on the application.

Deliberation Session

112. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 14.7.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) 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;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;

- (e) 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;
- (f) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container trailers/tractors, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (g) 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 trailers/tractors, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site at all times during the planning approval period;
- (h) the existing boundary fencing shall be maintained at all times during the planning approval period;
- (i) 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 14.1.2018;
- (j) in relation to (i) above, the implementation of the landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 14.4.2018;
- (k) 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 14.1.2018;
- (l) in relation to (k) 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 14.4.2018;

- (m) the implementation of the accepted fire service 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 14.1.2018;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) 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;
- (o) if any of the above planning conditions (i), (j), (k), (l) or (m) 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
- (p) 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.”

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

Agenda Item 23

Section 16 Application

[Open Meeting]

A/YL-KTN/564 Temporary shop and services and Eating Place (outside seating accommodation of a restaurant) with ancillary parking spaces for a period of 3 years in “Village Type Development” Zone, Lots 216 S.S ss.2 RP, 216 S.S RP, 237 S.B RP, 237 S.B ss.3 RP, 237 S.B ss.3 S.A, 237 S.B ss.4 S.A, 237 S.B ss.4 S.B, 237 S.B ss.4 RP, 237 S.B ss.5 RP (Part), 237 S.B ss.12 RP, 237 S.B ss.13 RP and 237 S.B ss.14 RP in D.D. 103 and Adjoining Government Land, Ko Po Tsuen, Kam Tin, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTN/564)

114. The Committee noted that the applicant's representative requested on 6.7.2017 deferment of consideration of the application for a period of two months to allow time for preparation of further information in response to government departments' comments. It was the first time the applicant requested deferment of the application.

115. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the 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 the further information and no further deferment would be granted unless under very special circumstances.

Agenda Item 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/565 Temporary Warehouse for Musical Instruments, Posters, Documents and ancillary caretaker's office for a Period of 3 Years in "Agriculture" and "Industrial (Group D)" Zones, Lots 812 S.A (Part) and 813 S.A (Part) in D.D. 107, Kam Tin, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTN/565)

Presentation and Question Sessions

116. Ms Ivy C.W. Wong, STP/FSYLE, drew Members' attention that five replacement pages (pages 9, 10, 12 and 13 of the Main Paper and page 2 of Appendix IV) were despatched to Members before the meeting. She then presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary warehouse for musical instruments, posters, documents and ancillary Caretakers' Office 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 comments on the application;
- (d) no public comments was received during the first three weeks of the statutory publication period; 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 in line with the planning intention of the “Agriculture” (“AGR”) zone, it was considered not incompatible with the surrounding areas and DAFC had no strong view on the development from the agricultural point of view. Temporary approval of the application would not jeopardise the long-term planning intention of the “AGR” zone. The site was the subject of four previous planning applications for similar temporary warehouse and the last planning application (No. A/YL-KTN/509) was revoked due to non-compliance with approval condition on provision of fire service installations (FSIs). A shorter compliance period was recommended to closely monitor the fulfilment of the approval condition should the Committee decide to approve the application.

117. Members had no question on the application.

Deliberation Session

118. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 14.7.2020, on the terms of the application as

submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. and 10:00 a.m., as proposed by the applicants, is allowed on the Site during the planning approval period;
- (b) no operation on Saturdays, Sundays and public holidays, as proposed by the applicants, is allowed on the Site during the planning approval period;
- (c) no medium or 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 at any time during the planning approval period;
- (d) 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;
- (e) the implementation of the accepted fire service 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 14.1.2018;
- (f) if any of the above planning conditions (a), (b), (c) or (d) 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;
- (g) if the above planning condition (e) 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
- (h) 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.”

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

Agenda Item 25

Section 16 Application

[Open Meeting]

A/YL-KTS/743 Proposed Temporary Vehicle Repair Workshop for a Period of 3 Years in “Agriculture” Zone, Lots 355 RP (Part), 356 RP, 356 S.B (Part), 359 RP, 360 RP (Part), 361, 362 (Part), 363 and 364 (Part) in D.D. 103 and Adjoining Government Land, Kam Tin Road, Kam Tin, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/743)

120. The Secretary reported that the application site is located in Kam Tin South. Ms Janice W.M. Lai had declared an interest on the item as her family owned property at Cheung Po Tsuen, Kam Tin South. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting.

121. The Committee noted that the applicant’s representative requested on 5.7.2017 deferment of consideration of the application for a period of two months to allow time to prepare further information to address the comments of concerned government departments. It was the first time the applicant requested deferment of the application.

122. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the 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 the further information and no further deferment would be granted unless under very special

circumstances.

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/241 Proposed Comprehensive Development of an Outlet Mall with Commercial Uses (Including ‘Shop and Services’ and ‘Eating Place’), ‘Agricultural Use’ (Commercial Fish Ponds), ‘Excavation of Land’ and ‘Filling of Land’ in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Lots 8 RP (Part), 14 S.B RP (Part), 45 and 1740 S.A RP in D.D. 107 and Adjoining Government Land, to the South of Pok Wai and Wing Kei Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-NSW/241D)

123. The Secretary reported that the application was submitted by King Garden Limited, which was related to Sun Hung Kai Properties Limited (SHK), and Llewelyn-Davies Hong Kong Limited (LD), AECOM Asia Company Limited (AECOM), AGC Design (AGC), Black & Veatch Hong Kong Limited (B&V), Ramboll Environ Hong Kong Limited (Environ) and Urbis Limited (Urbis) were six 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, AGC, Environ and Urbis;
Ms Janice W.M. Lai		
Dr C.H. Hau	-	having current business dealings with AECOM;
Mr Alex T.H. Lai	-	his firm having current business dealings with B&V and Urbis;

- Mr Stephen L.H. Liu - having past business dealings with SHK and LD;
- Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which had obtained sponsorship from SHK before; and
- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Co. (1933) Ltd. and SHK was one of the shareholders.

124. The Committee noted that Messrs Ivan C.S. Fu and Stephen L.H. Liu, Ms Janice W.M. Lai, Dr C.H. Hau, Ms Christina M. Lee and Miss Winnie W.M. Ng had tendered apologies for being unable to attend the meeting and that Mr Alex T.H. Lai had already left the meeting.

Presentation and Question Sessions

125. 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 comprehensive development of an outlet mall with commercial uses (including 'Shop and Services' and 'Eating Place'), 'Agricultural Use' (Commercial Fish Ponds), 'Excavation of Land' and 'Filling of Land';
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication periods, 18,983 public comments were received. Amongst them, 1,177 comments from a concern group namely Momentum107 and individuals supported the application. 17,806 comments from two Legislative Council members,

three District Council members, San Tin Rural Committee, Village Representatives of Pok Wai Tsuen, Hong Kong Wild Bird Conservation Concern Group, Kadoorie Farm & Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Hong Kong Bird Watching Society, Designing Hong Kong Limited, the Conservancy Association, Green Sense, Population Policy Concern Group and individuals, objected to the application. Major supportive views and objecting 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 site fell within the “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” (“OU(CDWRA)”) zone which was intended to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential and/or recreation development to include wetland restoration area. Although the proposed development was not for residential and/or recreational development, the proposed development was generally in line with the planning intention of the “OU(CDWRA)” zone in that it would help phase out any temporary open storage/car park uses at the site. The proposed low-rise, low-density outlet mall at the site was also comparable to the existing/approved developments in the vicinity. The proposed outlet mall was considered compatible with the surrounding uses in that it provided a land use buffer between an existing soy sauce factory to the south and residential dwellings to the north. The proposed development was also in line with Town Planning Guidelines No. 12C in that 10 commercial fishponds were proposed at the northern and western portion of the site, which would restore some of the lost fishponds to an appropriate form of wetland adjoining the wetland conservation area. The applicant had also put forward a Wetland Restoration and Creation Scheme (WRCS) on the re-created commercial fishponds. In this regard, the Director of Agriculture, Fisheries and Conservation had no adverse comment on the applicant's WRCS and the Director of Environmental Protection had no objection to the application from environmental perspective. Regarding

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

126. The Chairman and some Members raised the following questions:

- (a) the mode of operation of the proposed commercial fishponds at the site, in particular, whether recreational fishing would be allowed and where the water source of the fishponds would be from;
- (b) how the proposed development was considered in line with the planning intention of the “OU(CDWRA)” zone;
- (c) whether the government had any guidelines on the amount of land required for fishpond restoration; and
- (d) whether the site was suitable for fishpond operation.

127. Ms Emily P.W. Tong, STP/FSYLE, PlanD, made the following responses:

- (a) according to the applicant, the proposed fishponds would be commercially operated and would be rented out to suitable local fish farmers/operators for daily operation and management and would be financially self-sustained with rent received for supporting the expenses for maintaining the fishponds. The operation would be akin to the fishponds located in the wetland area. The fish crops would also be made available for sale and consumption at the eating place proposed under the application. Details including opening hours, design and size of the commercial fish ponds and whether recreational fishing activities would be allowed would be worked out at the detailed design stage;
- (b) the planning intention of the “OU(CDWRA)” zone was to provide incentive for the restoration of degraded wetlands adjoining existing fishponds through comprehensive residential and/or recreational development to include wetland restoration area. It was also intended to

phase out existing sporadic open storage and port back-up uses on degraded wetlands. Any new building should be located farthest away from Deep Bay. The proposed development was generally in line with such planning intention in terms of its use, design and layout in that it included re-creation of 10 fishponds to increase wetland area and the location of the outlet mall was positioned at the south-eastern part of the site furthest away from Deep Bay so that the portion of the site closest to the wetland conservation area would comprise fishponds only;

- (c) there were currently no guidelines on proportion of land required for restoration of fishponds within a development. The concern was more on whether the restored fishponds could be able to serve the wetland buffer function. DAFC considered the applicant's proposal acceptable. Relevant approval conditions were suggested to ensure that the proposed fishponds would be properly implemented; and
- (d) there were fishponds located north of the application site along Kam Tin River which linked with the Deep Bay Marshes further to the northwest. The proposed fishponds would be freshwater fishponds with underground water as the main water source.

128. Members had no further question on the application.

Deliberation Session

129. A Member had no objection to the proposed outlet mall but had concern on the water source and the operation of the commercial fishponds as the application site was located next to Kam Tin River and fell within the wetland buffer area. This Member considered that the WRCS was an important element of the application and suggested to defer consideration of the application in order to obtain additional information from the applicant on the water source and operation of the fishponds, including the fish farming methods, the drawdown programme of the fishponds and the management and re-creation plan of the fishponds.

130. Members in general agreed to this suggestion and considered appropriate to obtain further information to facilitate consideration of the application.

131. After deliberation, the Committee decided to defer a decision on the application pending further information on (i) details on the water source and operation of the proposed fishponds and (ii) the management and re-creation plan of the proposed fishponds.

[Messrs H.W. Cheung, Edwin W.K. Chan and Steve T.S. Li and Dr Lawrence K.C. Li left the meeting at this point.]

Agenda Item 27

Section 16 Application

[Open Meeting]

A/YL-NSW/254 Proposed Religious Institution (Church) in “Undetermined” Zone, Lots 732 S.A and 732 S.B in D.D. 115, Nam Sang Wai, Yuen Long, New Territories
(RNTPC Paper No. A/YL-NSW/254)

132. The Committee noted that the applicant’s representative requested on 6.7.2017 deferment of consideration of the application for a period of two months to allow time for the applicant to address comments of the Buildings Department (BD). It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a drainage proposal and response to departmental comments from the Transport Department and BD.

133. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the 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 the further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/257 Temporary Education Kiosk for "Hong Kong Got Fishpond - Eco-fishpond Management Agreement Scheme 2017-2019" for a Period of 22 months in "Other Specified Uses" annotated "Comprehensive Development and Wetland Enhancement Area 1" Zone, Government Land in D.D. 123, Nam Sang Wai, Yuen Long, New Territories
(RNTPC Paper No. A/YL-NSW/257)

134. The Secretary reported that the application was submitted by the Hong Kong Bird Watching Society (HKBWS). Dr C.H. Hau had declared an interest on the item as he was a Member of the HKBWS. The Committee noted that Dr C.H. Hau had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

135. 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 temporary education kiosk for a period of 22 months;
- (c) departmental comments – departmental comments were set out in

paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received objecting to the application. Major grounds of objection 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 proposed education kiosk was considered in line with the planning intention of the “Other Specified Uses” annotated “Comprehensive Development and Wetland Enhancement Area 1” zone and also complied with the Town Planning Board Guidelines No. 12C in that it would help support the conservation of the ecological value of the fishponds through public education. The site was the subject of two previous applications (No. A/YL-NSW/232 and 237) for the same use by the same applicant which were approved by the Committee in 2014 and 2016. Approval of the application was in line with the previous decisions of the Committee. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

136. Members had no question on the application.

Deliberation Session

137. 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 on a temporary basis from 14.7.2017 until 14.5.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “ upon the expiry of the planning permission, the reinstatement of the Site 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 IV of the Paper.

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/344 Temporary Shop and Services (Sales Office for Sale of Goods Vehicles) for a Period of 3 Years in “Open Storage” Zone, Lots 2757 RP (Part), 2758 RP (Part), 2759 (Part), 2760, 2761 S.A (Part), 2761 RP (Part), 2762 (Part) and 2803 RP in D.D. 102 and Adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories
(RNTPC Paper No. A/YL-NTM/344)

Presentation and Question Sessions

139. 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 temporary shop and services (sales office for sale of goods vehicles) use 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 and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD considered 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 applied use was generally in line with the planning intention of the “Open Storage” zone and was compatible with the surrounding environment. The use was also in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas, there was no adverse comment or objection received from concerned departments, except DEP. Although DEP did not support the application, there was no environmental complaints about the site in the past three years. DEP's concerns and technical concerns from other departments could be addressed by imposing approval conditions. The site had been the subject of six previously approved applications for similar uses. Approval of the application was in line with the Committee's previous decisions. As the previous planning application (No. A/YL-NTM/336) was revoked due to non-compliance with approval conditions on the implementation of landscape and fire service installations proposals, shorter compliance periods for close monitoring of the progress on compliance with the approval conditions were recommended.

140. Members had no question on the application.

Deliberation Session

141. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 14.7.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no cutting, dismantling, cleansing, repairing and workshop activity, including container repair and vehicle repair, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation between 7:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;

- (c) no operation on Sundays or public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (d) the submission of a tree preservation proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 14.10.2017;
- (e) in relation to (d) above, the implementation of a tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 14.1.2018;
- (f) the submission of a drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 14.10.2017;
- (g) in relation to (f) above, the implementation of the 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 14.1.2018;
- (h) in relation to (g) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.10.2017;
- (j) in relation to (i) above, the provision of fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.1.2018;
- (k) if any of the above planning conditions (a), (b), (c) or (h) 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; and

- (l) if any of the above planning conditions (d), (e), (f), (g), (i) or (j) 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.”

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

Agenda Item 30

Section 16 Application

[Open Meeting]

A/YL-ST/498 Proposed Temporary Cross-Boundary Shopping Centre with Ancillary Car Park, Eating Place, Shop and Services (Fast Food Shop), Office and Storage of Consumer Goods for a Period of 3 Years in “Undetermined” Zone, Lot 372 S.D RP (Part) in D.D. 99 and Adjoining Government Land, San Tin, Yuen Long, New Territories
(RNTPC Paper No. A/YL-ST/498B)

143. The Committee noted that the applicant’s representative requested on 29.6.2017 deferment of consideration of the application for a period of two months to allow time for the applicant to address further comments from the Environmental Protection Department and the Transport Department. It was the third time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted responses to departmental comments, replacement pages to sewage impact and water supply analysis, a revised traffic impact assessment and a revised environmental assessment.

144. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the 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 the further information. Since it was the third deferment and a total of six months had been allowed for preparation of 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/YL-ST/505 Proposed Temporary Shop and Services (Convenience Store and Currency Exchange Shop) for a Period of 3 Years in "Village Type Development" Zone, Lots 3045 RP and 3056 RP in D.D. 102 and Adjoining Government Land, San Tin, Yuen Long, New Territories
(RNTPC Paper No. A/YL-ST/505)

Presentation and Question Sessions

145. 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 shop and services (convenience store and currency exchange shop) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Commissioner for Transport (C for T) did not support the application as the site was within walking distance of the temporary cross boundary shopping centre approved under application No. A/YL-ST/476 and customers of the temporary cross boundary shopping centre would likely be attracted to the proposed development. However,

the existing pedestrian footpath along Castle Peak Road – San Tin could not cater for such large-scale pedestrian patronage and the potential crowd arising from the proposed development would likely block the vehicular access to Wing Ping Tsuen. The Commissioner of Police (C of P) objected to the application as the proposed use was likely to conduct parallel trading/general merchandise operations and would cause nuisance and worsen the local traffic conditions. Other concerned government departments had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, 15 public comments from Village Representatives of Yan Shau Wai and Wing Ping Tsuen, local villagers and individuals were received objecting to the application. Major grounds of objection 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. While the proposed temporary shop and services use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it was not incompatible with the surrounding uses. However, considering that the proposed currency exchange shop would mainly serve tourists instead of villagers and the proposed use was not accommodated within an existing New Territories Exempted House but would utilise government land within the “V” zone, it was considered that the applicant had failed to provide strong justifications for locating the proposed use at the site. Both C for T and C of P also did not support the application. As the applicant failed to demonstrate that the proposed development would not have adverse impacts on pedestrian traffic in the area, approval of the application would result in cumulative adverse pedestrian traffic impacts on the surrounding areas. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

146. Members had no question on the application.

Deliberation Session

147. 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 “Village Type Development” zone which is to reflect existing recognized villages and to provide land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis; and
- (b) the applicant fails to demonstrate that the proposed development will not have any adverse impact on pedestrian traffic in the area.”

[The Chairman thanked Ms S.H. Lam, Ms Ivy C.W. Wong and Ms Emily P.W. Tong, STP/FSYLE, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Tuen Mun and Yuen Long West District

[Ms Jessica Y.C. Ho, Mr Vincent T.K. Lai and Mr Jasi W.K. Liu, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), were invited to the meeting at this point.]

Agenda Items 32 and 33

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-SKW/96 Proposed House (New Territories Exempted House - Small House) in “Green Belt” Zone, Lot 1406 S.A in D.D. 375, So Kwun Wat, Tuen Mun, New Territories

A/TM-SKW/97 Proposed House (New Territories Exempted House - Small House) in “Green Belt” Zone, Lot 1409 S.A. in D.D. 375, So Kwun Wat, Tuen Mun, New Territories
(RNTPC Paper No. A/TM-SKW/96 and 97)

148. The Committee noted that the two applications for proposed house (New Territories Exempted House (NTEH) – Small House) were similar in nature and located in the same “Green Belt” (“GB”) zone. The Committee agreed that they could be considered together.

Presentation and Question Sessions

149. Ms Jessica Y.C. Ho, STP/TMYLW, 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 site;
- (c) departmental comments – departmental comments were set out in paragraph 11 and Appendix IV of the Paper. The Commissioner of Police did not support the application as the proposed Small Houses would further exacerbate the traffic condition of Castle Peak Road. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the applications as the approval of the applications would further nibble the woodland by extending the village area and encroach onto the green belt, the cumulative impact of which

would lead to the general degradation of the rural landscape character. Other concerned government departments had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, five public comments from Kadoorie Farm and Botanic Garden, Designing Hong Kong Limited, World Wide Fund for Nature Hong Kong, The Hong Kong Bird Watching Society and an individual were received objecting to the applications. Major grounds of objections were set out in paragraph 12 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the applications based on the assessments set out in paragraph 13 of the Paper. The proposed Small Houses were not in line with the planning intention of “GB” zone and not in line with the Town Planning Board Guidelines No. 10. The proposed Small Houses did not meet the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that land available for Small House development in the “Village Type Development” zone could meet the total Small House demand of So Kwun Wat Tsuen. Regarding the public comments, the comments of government departments and the planning considerations above were relevant.

150. Members had no question on the application.

Deliberation Session

151. After deliberation, the Committee decided to reject the applications. The reasons for each of the applications were:

- “(a) the proposed development is 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 outlets. There is a

general presumption against development within this zone. There is no strong justification in the submission for a departure from the planning intention of the “GB” zone;

- (b) the proposed development is not in line with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that there are no exceptional circumstances to justify the applications;
- (c) the proposed development does not comply with the ‘Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories’ as land is still available within the “Village Type Development” (“V”) zone of So Kwun Wat Tsuen. It is more appropriate to concentrate the proposed Small House development within the “V” zone for an orderly development pattern and efficient use of land and infrastructure; and
- (d) the approval of the applications would set an undesirable precedent for similar applications within the “GB” zone. The cumulative impacts of approving such applications would result in a general degradation of the environment and landscape quality of the area.”

Agenda Item 34

Section 16 Application

[Open Meeting]

A/TM/495

Proposed Columbarium Use in Redevelopment of Existing Gig Lok Monastery in “Government, Institution or Community” Zone, Lot 2011 (Part) in D.D. 132, Tuen On Lane, Tuen Fu Road, Fu Tei, Tuen Mun, New Territories
(RNTPC Paper No. A/TM/495)

[Withdrawn]

Agenda Item 35

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/501 Proposed Minor Relaxation of Non-Domestic Gross Floor Area for Rain Shelters in “Government, Institution or Community” and “Residential (Group A) 20” Zones, Siu Hong Court, 2-22 Siu Hong Road, Tuen Mun, New Territories
(RNTPC Paper No. A/TM/501)

Presentation and Question Sessions

152. Ms Jessica Y.C. Ho, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed minor relaxation of non-domestic gross floor area (GFA) restriction for two rain shelters;
- (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) no public comment was received during the first three weeks of the statutory publication period; 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 for minor relaxation of non-domestic GFA restriction for two rain shelters on the Ground Floor of Siu Hong Court. The proposed rain shelters with a GFA of 32m² would exceed the non-domestic GFA restriction on the outline zoning plan and hence planning permission

was required. Taking into account the small scale of the proposal and its nature for enhancing the use of outdoor facilities of residents and the public, favourable consideration might be given.

153. Members had no question on the application.

Deliberation Session

154. 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 14.7.2021, 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.

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

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1073 Further Consideration of Proposed Temporary Warehouse for Storage of Miscellaneous Goods for a Period of 3 Years in “Government, Institution or Community” Zone, Lots 515 RP (Part), 516 (Part), 517 (Part), 518 (Part), 519 (Part) and 520 (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-HT/1073A)

156. The Secretary reported that the application site was located in Ha Tsuen and Ms Janice W.M. Lai had declared an interest on the item as her husband was a shareholder of a company which owned two pieces of land in Ha Tsuen. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

157. 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 warehouse for storage of miscellaneous goods for a period of three years;

Further Information

- (c) during consideration of the application on 17.3.2017, the Committee decided to defer making a decision on the application as Members in general had concerns on the scale of the proposed structure which was quite massive and the building works on site might pose issues on building safety. Besides, there was insufficient information on the uses and operation involved in the proposed development. The applicant was requested to provide further information (FI) on these aspects for Members' consideration;
- (d) on 9.6.2017, the applicant provided FI including the use and operation involved in the proposed development and a letter from an Authorised Person and Registered Structural Engineer (AP and RSE) on safety aspect of the structure. Details of the applicant's FI was set out in paragraph 2 and Annex D of the Paper;
- (e) departmental comments – departmental comments on the FI submitted by the applicant were set out in paragraph 4 of the Paper. The Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) advised that building structures, unless exempted under the Buildings Ordinance (BO), if erected without the prior approval and consent by the Building Authority (BA), would be regarded as unauthorised building structures (UBWs), which might be subject to enforcement action as and

when necessary. In any event, no retrospective approval or consent or condonation of UBWs would be considered. As such, CBS/NTW, BD would not comment on the certificate on the stability of the structure submitted by the applicant's AP and RSE. Other concerned government departments maintained their previous views of having no objection to or no adverse comment on the application; and

- (f) the Planning Department (PlanD)'s views – PlanD maintained its view that the temporary use could be tolerated for a period of three years based on the assessments on paragraph 5 of the Paper. The application site was rezoned from “G/IC” to partly “Other Specified Uses” annotated “Sewage Treatment Plant” (“OU(STP)”), partly “Other Specified Uses” annotated “Refuse Transfer Station” (“OU(RTS)”) and partly “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses” (“OU(PBU&SWU)”) on the draft Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1 gazetted on 26.5.2017 where ‘Warehouse (excluding dangerous goods)’ was always permitted in the “OU(PBU&SWU)” zone whilst the applied temporary warehouse not exceeding three years required planning permission within the “OU(STW)” and ‘OU(RTS)” zones. While the site fell within the Hung Shui Kiu New Development area, approval of the application on a temporary basis would not jeopardise the long-term development on the area. In terms of land use compatibility, the applied use was not incompatible with the existing and planned uses in the surrounding areas. Whilst BD advised that they would not comment on the stability of the structure, it was a matter under the purview of the BO and any UBW could be subject to enforcement action by BD. BD also indicated that the granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the application site. In this regard, should the application be approved, it would not pre-empt any enforcement action by BD on the building structures, if necessary.

158. The Chairman raised the following questions:

- (a) whether there were any enforcement actions taken by BD; and
- (b) the current state of the proposed development.

159. Mr Vincent T.K. Lai, STP/TMYLW, PlanD made the following responses:

- (a) there was no record of enforcement action carried out by BD; and
- (b) the structure at the site had been completed.

160. Members had no further question on the application.

Deliberation Session

161. A Member enquired whether the Committee's decision would have any implication on the actions of relevant government departments. In response, the Chairman said that enforcement action would be undertaken by relevant government departments in accordance with their practices and priorities. Even if the application was approved, it did not imply that the structures at the site was acceptable under BO. Should the application be rejected, the proposed use at the site would be regarded as an unauthorised development and would be subject to enforcement action under the Town Planning Ordinance.

162. In response to a Member's enquiry, the Secretary supplemented that the site was not subject to any active planning enforcement.

163. Members noted that the site was the subject of a valid planning permission (No. A/YL-HT/992) for temporary warehouse for storage of vehicles and open storage of vehicles, which was approved by the Committee in 2016 and valid until 8.1.2019. With regard to the current application, the main structure had a covered area of 5,684m² which was similar to the site coverage of previously approved planning application (No. A/YL-HT/992). However, the gross floor area under the current application was nearly double because the previous application was one storey while the structure under the current application was two storeys.

164. While Members in general considered the proposed use at the site acceptable, Members considered it necessary to state clearly to the applicant that the granting of planning approval should not be construed to the Committee's acceptance of the structures on the site if they were UBWs under the BO and an advisory clause should be added.

165. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 14.7.2020, 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 operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no repairing, dismantling, assembling or other workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no vehicle shall make use of Ha Tsuen Road, except the portion connecting to Kong Sham Western Highway from the site in accessing/leaving the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from the public road at any times during the planning approval period;
- (f) the existing drainage facilities on Site shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of existing drainage facilities within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 14.10.2017;

- (h) the submission of a tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 14.1.2018;
- (i) in relation to (h) above, the implementation of the tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 14.4.2018
- (j) the submission of a fire service 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 14.1.2018;
- (k) in relation to (j) above, the implementation of the fire service 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 14.4.2018;
- (l) the provision of fencing of the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 14.1.2018;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) 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 (g), (h), (i), (j), (k) and (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.”

166. The Committee also agreed to advise the applicant to note the advisory clauses as

set out at Annex E of the Paper, in addition to the following:

- to note that the permission granted was to the use of the site as applied for. Such permission should not be construed as an acceptance or condonation by the Committee of any unauthorized building structures (UBWs) on the site. Any existing building structures which are regarded as UBWs under the Buildings Ordinance may be subject to enforcement action by the Building Authority.

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1078 Temporary Logistics Centre with Ancillary Site Office for a Period of 3 Years in “Comprehensive Development Area” Zone, Lots 805 S.B RP, 807 RP, 808 RP, 809 RP (Part), 813 RP (Part), 814 RP (Part), 815 (Part) and 816 S.B RP (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-HT/1078)

167. The Secretary reported that the application site was located in Ha Tsuen and Ms Janice W.M. Lai had declared an interest on the item as her husband was a shareholder of a company which owned two pieces of land in Ha Tsuen. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

168. Mr Vincent T.K. Lai, STP/TMYLW, drew Members attention that two replacement pages (page 7 of the Main Paper and page 1 of Appendix V) were despatched to Members. He then presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;

- (b) the proposed temporary logistics centre with ancillary site office 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. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; 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 “Residential (Group A)3” zone, the implementation programme for this part of the Hung Shui Kiu New Development Area was still being formulated. Approval of the application on a temporary basis would not jeopardise the long-term development of the area. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas and there was no adverse comment on the application from concerned government departments, except DEP. Although DEP did not support the application, there was no substantiated environmental complain pertaining to the site in the past three years. To address DEP's concerns, relevant approval conditions had been recommended to minimise any potential environmental nuisances.

169. Members had no question on the application.

Deliberation Session

170. After deliberation, the Committee decided to approve the application on a

temporary basis for a period of 3 years until 14.7.2020, 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 or public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) the existing boundary fencing on site shall be maintained at all times during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any times during the planning approval period;
- (e) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (f) the submission of a condition record of existing drainage facilities within 3 months from the date of planning approval to the satisfaction of Director of Drainage Services or of the TPB by 14.10.2017;
- (g) 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 14.1.2018;
- (h) in relation to (g) 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 14.4.2018;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 14.1.2018;

- (j) in relation to (i) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.4.2018;
- (k) if any of the above planning conditions (a), (b), (c), (d) or (e) 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;
- (l) if any of the above planning conditions (f), (g), (h), (i) or (j) 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
- (m) upon expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1080 Proposed Temporary Warehouse for Storage of Construction Machinery and Construction Materials with Ancillary Office and Repairing Workshop for a Period of 3 Years in “Residential (Group A) 3” Zone and an area shown as ‘Road’, Lot 897 S.B RP in D.D. 125, Ha Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-HT/1080)

172. The Secretary reported that the application site was located in Ha Tsuen and Ms Janice W.M. Lai had declared an interest on the item as her husband was a shareholder of a

company which owned two pieces of land in Ha Tsuen. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

173. 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 warehouse for storage of construction machinery and construction materials with ancillary office and repairing workshop for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive users in the vicinity and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; 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 intention of the “Residential (Group A)3” zone, the implementation programme for this part of the Hung Shui Kiu New Development Area was still being formulated. Approval of the application on a temporary basis would not jeopardise the long-term development of the area. The proposed use was not incompatible with the uses in the vicinity which were predominantly occupied by open storage yards and logistics centre. Although DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in

the past three years. To address DEP's concern, relevant approval conditions had been recommended to minimise any potential environmental nuisance. The Committee had approved six previous applications for similar temporary open storage and warehouses uses at the site, approval of the subject application was in line with the Committee's previous decisions.

174. Members had no question on the application.

Deliberation Session

175. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 14.7.2020, 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 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 vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (d) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (e) the submission of a condition record of existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 14.10.2017;
- (f) the submission of a fire service 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 14.1.2018;

- (g) in relation to (f) above, the implementation of the fire service 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 14.4.2018;
- (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 14.1.2018;
- (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 14.4.2018;
- (j) the provision of fencing of the Site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 14.1.2018;
- (k) if any of the above planning conditions (a), (b), (c) or (d) 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;
- (l) if any of the above planning conditions (e), (f), (g), (h), (i) or (j) 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
- (m) upon expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/405 Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” Zone, Lots 1214 RP and 1215 (Part) in D.D. 119, Pak Sha Shan Road, Yuen Long, New Territories
(RNTPC Paper No. A/YL-TT/405)

Presentation and Question Sessions

177. Mr Jasi W.K. Liu, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary animal boarding establishment (dog kennel) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application from the landscape planning point of view as the extensive concrete slab and large temporary structures proposed in the application was incompatible with the rural landscape character of the area. Approval of the application would set an undesirable precedent and the cumulative impact of approving such application would result in a general degradation of the environment in the area. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received objecting to the application.

Major grounds of objection 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 “Other Specified Uses” annotated “Rural Use” (“OU(RU)”) zone was primarily for the preservation of the character of the rural area. The proposed development was not in line with the planning intention of the “OU(RU)” zone and no strong planning justification was given in the submission for a departure from the planning intention, even on a temporary basis. The proposed development was not entirely compatible with the surrounding land uses. Although the Director of Environmental Protection had no comment on the application, such view was based on the noise and odour mitigation measures proposed by the applicant, which could not be practicably enforced through planning conditions. There was no guarantee that the proposed development would not generate environmental nuisance to the surrounding residential developments. CTP/UD&L, PlanD had reservation on the application as the extensive concrete slab and large temporary structures proposed in the application was incompatible with the rural landscape character area, the cumulative impact of approving such application would result in a general degradation of the environment in the area. The application was not in line with the Town Planning Board Guidelines No. 38 in that the applicant failed to demonstrate that the proposed development would not cause environmental nuisance to the surroundings and would adversely affect the rural landscape character of the area. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

178. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of “Other Specified Uses” annotated “Rural Use” (“OU(RU)”) zone which is primarily for preservation of the character of the rural area. Uses or developments compatible with the rural landscape, such as passive recreation uses and a selected range of rural uses, may be allowed on application to the Board, with a view to upgrading or improving the area or providing support to the local communities. No strong planning justification has been given in the submission to justify a departure from the planning intention, even on a temporary basis;

- (b) the applied use is not in line with the Town Planning Board Guidelines for ‘Designation of “OU(RU)” Zone and Application for Development within “OU(RU)” Zone’ (TPB PG-No. 38) in that the applicant fails to demonstrate that the development would not cause environmental nuisance to the surrounding areas and adversely affect rural landscape of the surrounding areas; and

- (c) approval of the application would set an undesirable precedent for other similar uses to proliferate into the “OU(RU)” zone. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.”

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/843 Temporary Warehouse for Storage of Construction Material and Scrap Metal for a Period of 3 Years in “Undetermined” Zone, Lots 773 (Part) and 774 (Part) in D.D. 119 and Adjoining Government Land, Pak Sha Tsuen, Yuen Long, New Territories

(RNTPC Paper No. A/YL-TYST/843)

Presentation and Question Sessions

180. Mr Jasi W.K. Liu, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary warehouse for storage of construction material and scrap metal for a period of three years
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered 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 applied use was not in conflict with the planning intention of the “Undetermined” zone, which was intended to cater for the continuing demand for open storage which could not be accommodated in conventional godown premises. Approval of the application on a temporary basis would not frustrate the long-term development of the area. The applied use was not incompatible with the surrounding areas mainly occupied by open storage/storage yards with or without workshop and warehouses. Although DEP did not support the application, there had been no substantiated environmental complaint concerning the site received in the past three years. To address DEP's concerns, relevant approval conditions were recommended to address the concerns on the possible environmental nuisance. The site was the subject

of a previous application (No. A/YL-TYST/735) which was revoked due to non-compliance with approval conditions on submission and implementation of drainage, fire service installations and landscape proposals. Shorter compliance periods were recommended in order to closely monitor the progress on compliance with approval conditions. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

181. Members had no question on the application.

Deliberation Session

182. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 14.7.2020, 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 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning 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 repairing, dismantling, cleaning or other workshop activities, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (d) no handling of electrical/electronic appliances/components, including cathode-ray tubes (CRT), CRT computer monitors/television sets and CRT equipment, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (e) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit

the Site at any time during the planning approval period;

- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the submission of a revised drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 14.10.2017;
- (h) in relation to (g) above, the implementation of the 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 14.1.2018;
- (i) in relation to (h) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (j) the submission of a landscape proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 14.10.2017;
- (k) in relation to (j) above, the implementation of the landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 14.1.2018;
- (l) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.10.2017;
- (m) in relation to (l) above, the implementation of the fire service 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 14.1.2018;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (i) 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;

- (o) if any of the above planning conditions (g), (h), (j), (k), (l) or (m) 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
- (p) upon the 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.”

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

Agenda Item 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/844 Temporary Public Vehicle Park for Light Goods Vehicles for a Period of 3 Years in “Residential (Group C)” Zone, Lots 1306 (Part), 1308 (Part) and 1309 (Part) in D.D. 119, Pak Sha Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-TYST/844)

Presentation and Question Sessions

184. Mr Jasi W.K. Liu STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;

- (b) the temporary public vehicle park for light goods vehicle for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Commissioner for Transport (C for T) had reservation on the application in view of the busy traffic condition at Kung Um Road, Kiu Hing Road and Shap Pat Heung Road, and the feasibility and practicality of the proposed operation hours of the temporary public vehicle park. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received objecting to the application. Major grounds of objection 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 applied use was not in line with the planning intention of the “Residential (Group C)” zone which was primarily for low-rise, low-density residential developments. There was no strong planning justification to support a departure from the planning intention, even on a temporary basis. C for T had reservation on the application as the applicant had not assessed the impact of additional traffic loading to the nearby road network. Although there were two applications for temporary vehicle park for private cars and light goods vehicles within the subject “R(C)” zone approved by the Committee in 2014 and 2015 (applications No. A/YL-TYST/687 and 764), C for T had pointed out that when compared with the situation in 2014 and 2015, the existing traffic at Kung Um Road, Kiu Hing Road and Shap Pat Heung Road had worsened. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

185. Members had no question on the application.

Deliberation Session

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

- “(a) the planning intention of the “R(C)” zone is primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis; and
- (b) the applicant fails to demonstrate that the development would not generate adverse traffic impact on the surrounding area.

[The Chairman thanked Ms Jessica Y.C. Ho, Mr Vincent T.K. Lai and Mr Jasi W.K. Liu, STPs/TMYLW, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Agenda Item 42

Any Other Business

Section 16A Application

[Open Meeting]

A/SK-HH/71-1 Application for Extension of Time for Compliance with Planning Conditions, Shop D and Yard, Marina Cove Shopping Centre, Sai Kung, New Territories

187. The Secretary reported that the application was approved with conditions by the Committee on 23.12.2016. The deadline for compliance with approval condition (c) on the implementation of the proposal on fire service installations and provision of water supplies for firefighting was 23.6.2017 (i.e. within 6 months of the date of approval). On 23.6.2017,

an application for extension of time (EOT) for compliance with approval condition (c) for an additional 3 months (i.e. from 6 months to 9 months) until 23.9.2017 was received, which was the expiry day of the specified time limit for compliance with approval condition (c).

188. After deliberation, the Committee agreed that the subject application for extension of time could not be considered as the deadline for compliance with approval condition (c) had already expired on 23.6.2017, and the planning approval for the subject application had ceased to have effect and on the same date been revoked. The Committee could not consider the section 16A application as the planning permission was no longer valid at the time of consideration.

189. There being no other business, the meeting closed at 7:10 p.m..