

TOWN PLANNING BOARD

Minutes of 590th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 27.10.2017

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Professor K.C. Chau

Ms Janice W.M. Lai

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr C.H. Hau

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Chief Traffic Engineer/New Territories West,
Transport Department
Mr Patrick K.H. Ho

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

Assistant Director (Environmental Assessment),
Environmental Protection Department
Mr C.F. Wong

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

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

Secretary

Absent with Apologies

Mr H.W. Cheung

Vice-chairman

Mr Ivan C.S. Fu

Ms Christina M. Lee

Mr H.F. Leung

In Attendance

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

Chief Town Planner/Town Planning Board
Mr Kepler S.Y. Yuen

Town Planner/Town Planning Board
Mr Harris K.C. Liu

Agenda Item 1

Confirmation of the Draft Minutes of the 589th RNTPC Meeting held on 13.10.2017

[Open Meeting]

1. The draft minutes of the 589th RNTPC meeting held on 13.10.2017 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/MOS/4

Application for Amendment to the Approved Ma On Shan Outline Zoning Plan No. S/MOS/22, To rezone the application site from “Other Specified Uses” annotated “Educational and Recreational Development”, “Green Belt”, “Government, Institution or Community” Zones and an area shown as ‘Road’ to “Residential (Group C) 4”, “Government, Institution or Community”, “Green Belt” Zones and an area shown as ‘Road’, Various Lots in D.D. 167 and Adjoining Government Land, Nai Chung, Ma On Shan
(RNTPC Paper No. Y/MOS/4B)

3. The Secretary reported that the application was submitted by Prolong Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD), AECOM Asia Company Limited (AECOM) and Ramboll Environ Hong Kong Limited (Environ) were three 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
Ms Janice W.M. Lai] and Environ;

Mr Stephen L.H. Liu - having past business dealings with SHK and LD;

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

Dr C.H. Hau - having current business dealings with AECOM;

Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Co. (1933) Limited (KMB) and SHK was one of the shareholders of KMB; and

Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association, which had obtained sponsorship from SHK before.

4. The Committee noted that Mr Ivan C.S. Fu and Ms Christina M. Lee had tendered apologies for being unable to attend the meeting, Ms Janice W.M. Lai and Miss Winnie W.M. Ng had yet to arrive to join the meeting, and the applicant had requested for deferment of consideration of the application. Since the interests of Messrs Stephen L.H. Liu and Alex T.H. Lai were indirect and Dr C.H. Hau had no involvement in the application, the Committee agreed that they could stay in the meeting.

5. The Committee noted that the applicant's representative requested on 13.10.2017 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments and to update the relevant technical assessments. It was the third time that the applicant requested for deferment of the application. Since the last deferment, the applicant had submitted revised technical assessments to address departmental comments.

6. 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. 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.

[Ms Janice W.M. Lai, Mr Philip S.L. Kan and Miss Winnie W.M. Ng arrived to join the meeting at this point.]

Agenda Item 4

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

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 (RNTPC Paper No. Y/ST/36A)

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

- 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; and

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

8. The Committee noted that Mr Ivan C.S. Fu and Ms Christina M. Lee had tendered apologies for being unable to attend the meeting. Since the interest of Mr Alex T.H. Lai was indirect, Professor K.C. Chau’s property did not have a direct view of the site and Ms Janice W.M. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

9. The Secretary then reported that three petition letters were received from Mr Chan Nok Hang (Sha Tin District Council (STDC) Member) and two local concern groups, namely 一群愛護城門河的市民 and 沙田脈搏. The Committee noted that the petition letters from Mr Chan Nok Hang and 一群愛護城門河的市民 were the same as their comments attached to the Paper and the objection grounds raised by 沙田脈搏 were similar to other adverse public comments received.

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

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

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

Mr David Fok]	
Ms Kitty Wong]	
Ms Elsa Kwong]	
Mr S.L. Ng]	Applicant's Representatives
Mr Tony Cheng]	
Mr Steve Lo]	

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 Kenny C.H. Lau, STP/STN, presented the application and covered the following aspects as detailed in the Paper:

- (a) background of the application;
- (b) the proposed rezoning of the site from "Open Space" ("O") to "Residential

(Group B)4” (“R(B)4”) to facilitate a private residential development;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Secretary for Home Affairs commented that the current application, if successful, would affect the conduct of religious activities by the current site owners. The Director of Leisure and Cultural Services (DLCS) opined that the site should better be retained for open space facilities. The Chief Town Planner/Urban Design and Landscape, PlanD (CTP/UD&L, PlanD) had reservation on the application as the potential of the site to become the focus of leisure and recreation on the south bank of Shing Mun River Channel would be jeopardized and the integrity as well as visual connectivity of the open space would be compromised and frustrated with the proposed development in place. Besides, the proposed high-rise blocks would inevitably undermine the current openness and landscape quality of the riverside promenade and public open space. The Commissioner for Transport (C for T) could not render support to the application as there were outstanding technical comments on the traffic impact assessment (TIA). Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of statutory publication periods, a total 8,369 public comments, including six supporting, 8,358 objecting and 5 expressing comments on the application, were received from Legislative Council members, STDC members, the Chairman of Sha Tin East 2 Area Committee, the Chairman of Sha Tin Rural Committee, MTRC, local concern groups, green groups and individuals. Major supporting views and objection grounds were set out in paragraph 10 of the Paper. The District Officer/Sh Tin advised that a motion opposing the application was passed by the Development and Housing Committee of STDC and STDC members expressed concerns on the potential traffic and visual impacts as well as the impact on community facility provision arising from the proposed development; and

- (e) PlanD’s views – PlanD did not support the application based on the

assessments set out in paragraph 11 of the Paper. The site was an integral part of the open space framework in the core of Sha Tin New Town and was at a strategic location that linked the district open space with the open space fronting Tsang Tai Uk. The proposed development would break the linkage of open spaces at the nodal point of Sha Tin and result in a loss of public open space along the southern bank of Shing Mun River. The site was the subject of three previous rezoning requests, which were all rejected by the Committee mainly on the grounds of not in line with the planning intention and design concept, visual intrusion and possible adverse impacts on traffic and sewerage facilities and implementation infeasibility. DLCS, C for T and CTP/UD&L, PlanD had reservation or adverse comments on the application. Approval of the application would set an undesirable precedent for other similar rezoning applications and the cumulative effect of approving these applications would affect the planned distribution of open space, reduce the open space provision and jeopardize the open space framework. Regarding the adverse public comments, the comments of relevant bureau/departments and planning assessments above were relevant.

12. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Ms Kitty Wong, the applicant's representative, made the following main points:

- (a) the site had been a building lot without restriction on land use since 1964 and had been occupied by a theological college since 1969. Regarding the history of land use zoning, the site was first zoned "O" in 1967 and subsequently rezoned to "Government, Institution or Community" ("G/IC") in 1978. In 1983, the site was rezoned back to "O" and the land use zoning had remained unchanged since then;
- (b) land exchange for the purpose of a theological college until 2047 was completed in 1988. At the time of land exchange, the site had already been zoned as "O" on the approved Sha Tin Outline Zoning Plan (OZP) No. S/ST/4, which was gazetted on 5.7.1988. The land exchange was in

conflict with the land use zoning of the OZP at that time;

- (c) since it was not the Government's practice to resume private land for open space development and according to DLCS, there was no plan for immediate development of open space at the site, the site would continue be occupied by the theological college until 2047 and the open space framework on the OZP would be unable to realize;
- (d) there was a surplus of about 17.96 ha and 58.78 ha in the district and local open space provisions respectively in Sha Tin. Having considered that there was shortage of land for housing supply, the site could never be implemented for open space use and there were surplus in open space provision in Sha Tin, it was worth to consider rezoning the site for residential or other uses so as to better utilize the scarce land resources;
- (e) an alternative scheme with a site area of 4,807m², plot ratio (PR) of 3.5 and building height (BH) of 91mPD was proposed at the meeting. The alternative scheme would be less bulky as compared to the current scheme and a wider set-back (from 10m to 12m) fronting the Shing Mun River would be provided so as to allow more space for the promenade use and landscaping. Besides, the building separation could be further increased to allow better air ventilation. The aim of the alternative scheme was to demonstrate that the design could be improved and the proposed rezoning had no insurmountable technical problem; and
- (f) in sum, the rezoning application could provide additional open space through implementation of the scheme rather than a reduction of open space on the south bank of Shing Mun River. The Committee should consider whether the "O" zone was still suitable at the site given the unique site background and feasibility of implementing the intended use.

13. As the presentations of PlanD's representatives and the applicant's representatives were completed, the Chairman invited questions from Members.

14. Some Members asked the following questions:
- (a) how the proposed residential development would be in line with the planning intention of “O” zone;
 - (b) the applicant’s justification for giving higher priority to rezoning the site for residential development rather than maintaining the “O” zoning; and
 - (c) whether the applicant was the landowner.
15. Ms Kitty Wong, the applicant’s representative, made the following responses:
- (a) the proposed residential development was not in line with the planning intention of the “O” zone and the applicant proposed to rezone the site to “R(B)4” zone for private residential development under the current application;
 - (b) since the site was privately owned and the Government had no intention to resume the site to implement the planned open space, the applicant considered that the site could be put into other use, particularly for residential use to address the keen housing demand; and
 - (c) the site was currently owned by two religious organizations while the applicant was an investment company.
16. The Chairman enquired whether the alternative scheme mentioned by the applicant’s representative during the presentation had been submitted to the Board before the meeting and whether there were any changes in the proposed development parameters. In response, Ms Kitty Wong replied in the negative and said that the site area, PR and BH had been reduced in the alternative scheme.
17. With regard to C for T’s comments, a Member asked whether the applicant had more updated information on the TIA. In response, Mr S.L. Ng elaborated their responses to C for T’s comments in relation to the existing junction performance, planned development

in the vicinity, trip rate adopted in the TIA, junction capacity assessment with junction improvement works in year 2026, access arrangement, car parking calculations and walking distance to bus stops. In response to the Chairman's question, Mr S.L. Ng confirmed the responses to C for T's comments above had neither been submitted to the Board nor considered by C for T before the meeting.

18. 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 them of the Committee's decision in due course. The Chairman thanked the representatives of PlanD and the applicant's representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

19. Regarding the alternative scheme as well as the applicant's responses to C for T's comments presented at the meeting, the Committee noted that such information could not be taken into account in assessing the application as it had not been submitted nor accepted as further information under the Ordinance and the public as well as concerned departments did not have a chance to examine such information, and could not provide their comments to the Committee for consideration.

20. With regard to the point raised by the applicant's representative that the land exchange completed in 1988 was in conflict with the land use zoning (i.e. "O" zone) on the OZP at that time, the Secretary explained that the site was rezoned to "G/IC" in 1978 in order to reflect the existing religious institution use at the site and the intention to accommodate an indoor game hall in the area. Subsequently, the site was rezoned back to "O" in 1983 as the proposed indoor game hall would be co-located with the swimming pool complex in Area 26. Since the religious institution use was an existing use at the time zoning change according to the covering Notes, the land exchange for the purpose of a theological college was not in conflict with the provision of the OZP.

21. Members generally did not support the application as the proposed residential development at the site would adversely affect the integrity of open space framework, the

“O” zone was appropriate at the site and the applicant failed to justify that the proposed “R(B)4” zone was a better alternative zoning. .

22. After deliberation, the Committee decided not to agree to the application. Member then went through the reasons for rejection as stated in paragraph 12.1 of the Paper and considered that they were appropriate. The reasons were :

- “(a) the site and the open spaces on both sides of Shing Mun River including the Sha Tin Park have been planned and designed to form a major prominent landscape/recreational spine and view corridor in the core of the Sha Tin New Town. The “Open Space” (“O”) zoning of the site is considered appropriate and there is no strong justification to rezone the Site from “O” to “Residential (Group B)4” from land use planning point of view;
- (b) the site is located along the section of Shing Mun River bounded by Lion Rock Tunnel Road in the southwest and Tai Chung Kiu Road in the northeast and there are no high-rise buildings on both sides of that section of Shing Mun River. The proposed residential development at the site at a riverside locality would jeopardize the open space framework and block the view corridors of Sha Tin New Town for the Sha Tin Park in the north across Shing Mun River and Tsang Tai Uk to the southern boundary of the Sha Tin New Town;
- (c) the applicant fails to demonstrate that the application would not pose adverse landscape, air ventilation, heritage and traffic impacts on the surrounding areas; and
- (d) the approval of the application would set an undesirable precedent for other similar proposals in areas planned for open space use, the cumulative effect of which would reduce the open space provision and jeopardize the open space framework for the Sha Tin New Town.”

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/ST/37 Application for Amendment to the Draft Sha Tin Outline Zoning Plan No. S/ST/33, To rezone the application site from “Village Type Development” to “Government, Institution or Community”, Lots 12 RP (Part) and 13 in D.D. 185 and Adjoining Government Land, 97 Pai Tau Village, Sha Tin
(RNTPC Paper No. Y/ST/37)

23. The Secretary reported that the site was located in Sha Tin and Ramboll Environ Hong Kong Limited (Environ) and MVA Hong Kong Limited (MVA) were two of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Ivan C.S. Fu - having current business dealings with Environ and MVA;

- Ms Janice W.M. Lai - having current business dealings with Environ;

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

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

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

24. The Committee noted that Mr Ivan C.S. Fu and Ms Christina M. Lee had tendered apologies for being unable to attend the meeting and the applicant had requested for deferment of consideration of the application. Since the interest of Mr Alex T.H. Lai was indirect, Professor K.C. Chau’s property did not have a direct view of the site and Ms Janice W.M. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

25. The Committee noted that the applicant’s representative requested on 17.10.2017 for deferment of the consideration of the application for two months so as to allow time for

gathering information to address the departmental comments. It was the first time that the applicant requested for deferment of the application.

26. 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.

[Mr Stephen L.H. Liu arrived to join the meeting and Miss Winnie W.M. Ng left the meeting temporarily at this point.]

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 6

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/FSS/12	Application for Amendment to the Approved Fanling/Sheung Shui Outline Zoning Plan No. S/FSS/22, To rezone the application site from “Comprehensive Development Area” to “Comprehensive Development Area (1)”, Sheung Shui Lot 2 RP and Adjoining Government Land (RNTPC Paper No. Y/FSS/12C)
----------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

27. The Secretary reported that Ove Arup & Partners Hong Kong Limited (Arup), Ramboll Environ Hong Kong Limited (Environ), Dennis Lau & Ng Chun Man Architects & Engineers (Hong Kong) Limited (DLN), ADI Limited (ADI), AIM Group Limited (AIM) and MVA Hong Kong Limited (MVA) 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 Arup, Environ, ADI and MVA;
- Ms Janice W.M. Lai - having current business dealings with Arup, Environ and ADI;
- Mr Alex T.H. Lai - his firm having current business dealings with Arup, AIM and MVA;
- Mr Stephen L.H. Liu - having past business dealings with DLN; and
- Miss Winnie W.M. Ng - being a personal friend of the applicant.

28. Dr C.H. Hau and Dr Lawrence K.C. Li also declared interests on the item as Dr Hau owned a property in Kwu Tung and Dr Li was a member of the Hong Kong Golf Club which was not covered by the Fanling/Sheung Shui Outline Zoning Plan (OZP) but located near to the site.

29. The Committee noted that Mr Ivan C.S. Fu had tendered apology for being unable to attend the meeting and Miss Winnie W.M. Ng had left the meeting temporarily. As the interests of Mr Alex T.H. Lai, Mr Stephen L.H. Liu and Dr Lawrence K.C. Li were indirect, Ms Janice W.M. Lai had no involvement in the application and Dr C.H. Hau's property did not have a direct view to the site, the Committee agreed that they could stay in the meeting.

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

- Ms Maggie M.Y. Chin - District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FSYLE)

Mr Otto K.C. Chan	-	Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE)
Ms Theresa Yeung]	
Ms S.H. Lau]	
Dr K.W. Lo]	
Mr K.W. Cheung]	Applicant's Representatives
Ms Elsa Kwong]	
Mr Kelvin Leung]	
Dr Calvin Chiu]	

Presentation and Question Sessions

31. The Chairman extended a welcome and explained the procedures 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, Ms Maggie M.Y. Chin, DPO/FSYLE, presented the application and covered the following aspects:

- (a) background of the application;
- (b) the proposed rezoning of the site from "Comprehensive Development Area" ("CDA") to "CDA(1)" to facilitate a private residential development with provision of open space and other supporting facilities;
- (c) departmental comments – departmental comments were set out paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD commented that the proposed residential development would be visually prominent in the low-rise neighbourhood and diminish the knoll and the historic building as attribute to the townscape. Besides, the tall building towers would create rather significant adverse air ventilation impact on the surrounding areas. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of statutory publication periods, a total 172 public comments, including one supporting, 164 objecting and seven expressing comments on the application, were received from North District Council (NDC) members, a Legislative Council member, Hong Kong and China Gas Co. Ltd., Designing Hong Kong Limited, Green Sense, the President of the Incorporated Owners of Gold Parkview and individuals. Major supporting views and objection grounds were set out in paragraph 10 of the Paper. The District Officer (North) also conveyed local objections received from the NDC members, an Indigenous Inhabitant Representative (IIR) of Tai Tau Leng, three IIRs, Resident Representative (RR) and villagers of Tsung Pak Long, the Chairman and Vice-chairman of Golf Parkview Owner's Committee and 113 individuals mainly on traffic, air, noise, health and safety, visual, historical preservation and landscape grounds set out in paragraph 9.1.16 of the Paper; and
- (e) PlanD's views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed rezoning application involved an increase in plot ratio (PR) from 0.8 to 3.6 and in building height (BH) from 3 storeys over one level carport to 25 storeys to facilitate a residential development comprising seven residential blocks and providing a total of 816 flats. The proposed development was generally in line with the current intended use of the "CDA" zone and was not entirely incompatible with the surrounding areas where low to medium-rise residential developments were found. Various technical assessments were submitted in support of the application and concerned departments had no objection to or no adverse comment on the application. The Director of Leisure and Cultural Services had no in-principle objection to the applicant's proposal of in-situ preservation of Grade I historic building, the Oi Yuen Villa, and conversion for clubhouse use. Regarding CTP/UD&L, PlanD's comments, the applicant would be required to further address the urban design, visual and air ventilation concerns and to explore feasibility to alleviate visual and air ventilation impacts through building deposition and stepped height profile during the s.16 planning application stage, if the subject rezoning application was approved. Regarding the adverse public

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

32. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Ms Theresa Yeung, the applicant's representative, made the following main points:

- (a) the Oi Yuen Villa with a history of more than 100 years had been a private residence of Mr. Hui Oi Chow and a place for holding banquets attended by famous politicians and businessmen. The Oi Yuen Villa was confirmed as a Grade I historic building in June 2017;
- (b) the site was subject to a previous s.16 application No. A/FSS/156 approved with conditions by the Committee in 2003. According to the Master Layout Plan (MLP) of the s.16 application, the Oi Yuen Villa, located in the midst of the site, would be demolished to make way for a low-rise residential development. In order to conserve the Grade I historic building, the indicative development scheme under current application had changed the building disposition so as to allow in-situ preservation of the Oi Yuen Villa; and
- (c) the current application proposed to rezone the site from "CDA" to "CDA(1)" with all uses in Column 2. The proposed maximum PR of 3.6 and BH of 25 storeys had made reference to a sale site for private residential development which was under construction and located to the southeast of the site (the sale site). A s.16 planning application would be required at a later stage by the applicant after formulation of the detailed development proposal.

33. As the presentations of PlanD's representative and the applicant's representative were completed, the Chairman invited questions from Members.

Development Scale

34. The Chairman and a Member asked the following questions:

- (a) the applicant's justifications for the proposed increase in PR from 0.8 to 3.6;
- (b) noting that there were low-rise developments located to the north and northeast and the Hong Kong Golf Course located to the south of the site, whether the proposed development scale was considered compatible with those developments;
- (c) the background of the current "CDA" zone and the sale site in the vicinity; and
- (d) the factors PlanD had taken into account in considering the proposed PR of 3.6.

35. Ms Theresa Yeung, the applicant's representative, made the following responses:

- (a) in formulating the proposed maximum PR and BH for the "CDA(1)" zone, the applicant had not only made reference to the development intensity of the sale site, but also took into account the capacity of road network and infrastructure provision in the surrounding areas. In order to address the keen housing demand, PR of 3.6 was adopted in the current rezoning proposal; and
- (b) with reference to a photomontage illustrating the visual impact when viewing from the Tai Tau Leng Children's Playground, the building bulk of the proposed residential development at the site would be comparable with the residential development at the sale site. The visual impact arising from the proposed development was considered not very significant. Notwithstanding that recreational use, particularly the Hong Kong Golf Club, was considered a less visually sensitive receiver, a 10m to 15m wide landscape planting was also proposed along the northern and southern boundaries of the site to enhance the screening effect for surrounding areas.

36. Ms Maggie M.Y. Chin, DPO/FSYLE, also made the following responses:

- (a) the site was first zoned “Green Belt”, but subsequently rezoned to “CDA” with a maximum PR of 0.8, site coverage of 27% and BH of 3 storeys over one level carport based on the objection raised by the land owner in respect of the draft Fanling/Sheung Shui OZP which was gazetted on 2.11.1990. The sale site was not covered by any statutory plan and previously formed part of a plant nursery of the Hong Kong Golf Club. It was sold for private residential development with a maximum PR of 3.6 and BH of 25 storeys and was now under construction; and
- (b) the maximum PR under “CDA(1)” zone of the subject application was proposed by the applicant taking into account various planning consideration such as traffic conditions, infrastructure provision and the surrounding developments. Having considered that there were a number of residential developments with similar or higher development intensity located near the Sheung Shui Town Centre, such as Choi Po Court and Choi Yuen Estate, as well as the residential development at the sale site, the proposed residential development with PR of 3.6 was considered not incompatible with those developments. Besides, various technical assessments, including traffic impact, visual impact and air ventilation assessments, were submitted in support of the application and concerned departments had no in-principle objection to the application. Though CTP/UD&L, PlanD opined that there would be rather significant visual and air ventilation impacts arising from the proposed development, the applicant could explore feasible way to incorporate suitable measures to alleviate those impacts at the detailed design stage. Given that there was significant change in planning circumstance in the surrounding areas and there was no insurmountable impact arising from the proposed development, PlanD had no objection to the application.

Landscape Proposal

37. Some Member asked the following questions:

- (a) noting that the Grade I historic building was currently surrounded by a piece of beautiful lawn, and as shown in the proposed Landscape Master Plan (LMP), a number of new trees would be planted and a swimming pool and a large turnaround were proposed near the historic building, whether the piece of lawn could be conserved and the design could be revised;
- (b) according to the tree survey, there were 277 existing trees within the site. Noting that there was sign of tree felling at the site, whether the tree survey had taken into account those trees already felled before the submission of application;
- (c) the design concept of the tree planting proposal adopted in the proposed LMP; and
- (d) whether an ecological impact assessment had been conducted.

38. Mr K.W. Cheung and Ms Elsa Kwong, the applicant's representatives, made the following responses:

- (a) the proposed LMP aimed to preserve the Grade I historic building and its immediate environ. The surrounding lawn could be conserved and there were rooms to further improve the proposed LMP at later stage; and
- (b) the Oi Yuen Villa had been left vacant for a long time. The whole site was currently managed by two gardeners to undertake regular maintenance works. Given the weather conditions and safety concerns, some damaged trees or trees in poor health conditions were removed. Nevertheless, the applicant was fully aware of the importance of greenery and the LMP would bring additional greenery space to the proposed development. The tree survey was conducted about 9 months ago and there was no information on the number of trees already removed before the tree survey was conducted;
- (c) with reference to the tree planting proposal, historical landscape of the Oi

Yuen Villa would be preserved, including seven mature and important trees. Besides, a number of native tree species and ornamental trees would be adopted in the tree planting mix to enhance the landscape value and biodiversity; and

- (d) as the site was a developed area, no ecological impact assessment had been conducted at this stage.

39. Noted the responses related to the tree planting proposal, a Member opined that those tree species listed in the tree planting mix were only common species adopted in various developments and might not be able to enhance biodiversity of the area. The applicant should make reference to the relevant greening guidelines and take into account the biodiversity of the local area in formulating a suitable tree planting mix for the proposed development. The applicant's representatives noted the Member's comments.

Technical Concerns

40. Some Member asked the following questions:

- (a) what criteria were adopted in selecting the viewing points for conducting the visual impact assessment (VIA);
- (b) the reasons of not including the Long Valley Nature Park as one of the viewing point; and
- (c) whether a noise impact assessment (NIA) had been carried out for the three proposed residential blocks in proximity to the Fanling Highway.

41. Ms Theresa Yeung made the following responses:

- (a) a total of six viewing points, including Shek Wu Hui Jockey Club Playground, Tai Tau Leng Children's Playground, North District Hospital, the Hong Kong Golf Club, Tsung Pak Long Children's Playground and Kam Tsin Village Children's Playground, had been selected to illustrate the potential visual impact arising from the proposed development. Selected

viewing points were mainly open space or popular locations. For example, the visitor centre of Hong Kong Golf Club was selected as a viewing point in the VIA as it was a popular location to those peoples visiting the Hong Kong Golf Club;

- (b) as Long Valley was largely blocked by Tsung Pak Long, it was not selected as a viewing point in the VIA. Nonetheless, the visitor centre of Long Valley Nature Park could be included in the VIA at the s.16 planning application stage; and
- (c) the NIA was submitted in support of the current application and the Director of Environmental Protection had no objection to the application on traffic noise aspect at this stage.

Others

42. In response to a Member's enquiry, Ms Maggie M.Y. Chin said that the area occupied by the Hong Kong Golf Club was not covered by any statutory plan. Nevertheless, the area was under review in the Preliminary Feasibility Study on Developing the New Territories North (the Study). Subject to the Study's findings, the Government would decide on the future development of the area.

43. 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 them of the Committee's decision in due course. The Chairman thanked PlanD's representatives and the applicant's representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

44. The Chairman remarked that the current application proposed to rezone the site from "CDA" with a maximum PR of 0.8 and BH of 3 storeys over one level carport to "CDA(1)" with PR of 3.6 and BH of 25 storeys.

45. Some Members had the following views/concerns on the application:
- (a) the original PR and BH restrictions of “CDA” zone were appropriate and the selection of viewing points in the submitted VIA were not acceptable as some viewing points were unreasonably far away from the site, such as the viewing point of Hong Kong Golf Club. In addition, Tsung Pak Long and Hak Ka Wai which were located to the north of the site across Fanling Highway would be subject to significant visual impact. The footprint and BH of the proposed development were considered too excessive and not compatible with the surrounding rural characters;
 - (b) making reference to the development parameters of the sale site as the justification for the proposed relaxation of development restrictions was not satisfactory. The proposed PR of 3.6 and BH of 25 storeys were incompatible with the adjacent low-rise and village type developments. Instead of adopting the same BH as the sale site, a stepped BH profile should be considered, taking into account the nearby low-rise developments;
 - (c) according to the indicative development scheme that all the residential blocks would be 25 storeys in height, there would be limited scope to adopt the stepped BH profile in the proposed residential development if major development parameters were not adjusted;
 - (d) extensive tree felling took place at the site before the tree survey was conducted. This was not acceptable and should not be encouraged;
 - (e) the immediate environ of the historic building should be taken into account in assessing the in-situ conservation proposal and the heritage impact assessment should be conducted to ensure that the historical landscape of Oi Yuen Villa would be well conserved and not be affected by the proposed development; and
 - (f) noting that Castle Peak Road – Kwu Tung and the junction of Po Shek Wu

Road and Fanling Highway had already been very congested, the conclusion and proposed mitigation measures of the submitted TIA was doubtful.

46. Regarding the criteria for selecting viewing points in VIA, the Chairman explained that the Town Planning Board Guidelines No. 41 specified the requirements on selecting suitable viewing points. Generally, it was more important to protect public views from areas which were easily accessible and popular to the public. The Committee also noted that the heritage value of the Oi Yuen Villa was assessed mainly focusing on the building itself.

47. Some Members enquired about visual impact of the sale site and the planning approval of the residential development at the sale site. The Committee noted that the sale site was not covered by any statutory plan and no planning approval was required.

48. Members generally considered that there were no strong justifications to approve the application. While some Members considered that the PR of 0.8 and BH of 3 storeys over one level of carport could be relaxed due to the change in planning circumstances and to achieve better utilization of land resources, more justifications should be provided to demonstrate the acceptability of an appropriate PR and BH at the site taking into account the development scale of the surrounding areas, including both the sale site as well as the low-rise and village type developments. Some Members also suggested the applicant to explore the possibility of adopting a stepped BH profile in the proposed development.

49. Members were generally of the view that the PR and BH of the proposed “CDA(1)” zone were excessive taking into account the low-rise development in the surrounding areas and there were no strong justifications provided in the current submission to substantiate the PR and BH of the proposed “CDA(1)” zone, and approval of the application without strong justification would set an undesirable precedent for similar rezoning applications.

50. After deliberation, the Committee decided not to agree to the application. The reasons were:

- “(a) the development intensity of the proposed “Comprehensive Development Area (1)” (“CDA(1)”) zoning was considered excessive and not compatible with the surrounding areas. The applicant fails to provide strong justification for rezoning the site from “CDA” to “CDA(1)” with the proposed development restrictions; and
- (b) approval of the rezoning application would set an undesirable precedent for similar rezoning applications. The cumulative effect of approving such similar applications would result in adverse impacts on the surrounding area.”

[The meeting was adjourned for a five-minute break. Mr Alex H.T. Lai left the meeting at this point.]

Sai Kung and Islands District

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

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/I-TCTC/58 Proposed House (New Territories Exempted House - Small House) in “Green Belt” and “Village Type Development” Zones, Government Land in D.D. 3 TC, Ha Ling Pei Village, Tung Chung, Lantau Island
(RNTPC Paper No. A/I-TCTC/58)

Presentation and Question Sessions

51. 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 house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) had reservation on the application as extensive tree felling would be required for the proposed Small House development. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) also had reservation on the application as approval of the application would set an undesirable precedent that would attract other similar applications encroaching upon the “Green Belt” (“GB”) zone resulting in a general degradation of the landscape character and undermining the intactness of the “GB” zone. The existing topography would be changed irreversibly if the application was approved. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, four comments were received from Kadoorie Farm Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and an individual raising objections to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed Small House development was not in line with the planning intention of the “GB” zone. No strong planning justifications had been given in the submission for the proposed development in the “GB” zone. There was land still available within the “Village Type Development” (“V”) zone of Sheung Ling Pei, Ha Ling Pei, Wong Ka Wai and Lung Tseng Tau to meet the outstanding Small House demand. It was considered more appropriate to

concentrate the proposed Small House within the “V” zone for orderly development pattern, efficient use of land and provision of infrastructures and services. Given that the site was located on a slope with vegetation and trees, DAFC and CTP/UD&L had reservation on the application. Approval of the application would set an undesirable precedent for similar application, resulting in the encroachment on the “GB” zone and a general degradation of the landscape character of the area. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

52. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to preserve the existing topography and natural vegetation at the fringe of the new town as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) land is still available within the “Village Type Development” (“V”) zone of Sheung Ling Pei, Ha Ling Pei, Wong Ka Wai and Lung Tseng Tau for Small House development. It is considered more appropriate to concentrate the proposed Small House within the “V” zone for orderly development pattern, efficient use of land and provision of infrastructures and services; and
- (c) the approval of the application would set an undesirable precedent for

similar applications within the “GB” zone. The cumulative effect of approving such similar applications would result in the encroachment on the “GB” zone and a general degradation of the landscape character of the area.”

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SLC/147 Proposed Temporary Holiday Camp (Caravan Holiday Camp) and Tent Camping Ground with ancillary Hobby Farm for a Period of 3 Years and Excavation of land (Sewage Facilities) in “Coastal Protection Area” Zone, Lots 606, 611, 624 to 630, 632 to 637, 639 to 642, 647 to 650, 705 to 707, 710 to 712, 715 RP, 716, 717 and 718 RP in D.D. 316L and Adjoining Government Land, Pui O, Lantau Island
(RNTPC Paper No. A/SLC/147)

[Withdrawn]

Agenda Items 9 to 14

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/272 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 546 S.D, 548 S.A and 549 S.A in D.D. 244, Ho Chung, Sai Kung

A/SK-HC/273 Proposed Two Houses (New Territories Exempted Houses - Small Houses) in “Agriculture” Zone, Lots 546 S.F, 546 S.G, 548 S.C, 548 S.D and 549 S.C in D.D. 244, Ho Chung, Sai Kung

A/SK-HC/274	Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 548 RP (Part), 548 S.D (Part), 549 S.D (Part) and 549 RP (Part) in D.D. 244 and Adjoining Government Land, Ho Chung, Sai Kung
A/SK-HC/275	Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 678 S.A and 678 S.B ss.1 in D.D. 244, Ho Chung, Sai Kung
A/SK-HC/276	Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 425 S.A ss.1, 425 S.D, 426 S.D ss.1 and 426 S.H in D.D. 244, Ho Chung, Sai Kung
A/SK-HC/277	Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 678 S.C ss.2 and 678 S.D in D.D. 244, Ho Chung, Sai Kung (RNTPC Papers No. A/SK-HC/272 to 274, A/SK-HC/275 and 277, and A/SK-HC/276)

54. As the six s.16 applications were similar in nature (New Territories Exempted Houses (NTEHs) - Small Houses) and the sites were located in proximity to one another and within the same “Agriculture” (“AGR”) zone, the Committee agreed that the six applications could be considered together.

Presentation and Question Sessions

55. Mr William W.T. Wong, STP/SKIs, presented the applications and covered the following aspects as detailed in the Papers :

- (a) background to the application;
- (b) the proposed house (NTEH – Small House) at the sites under application No. A/SK-HC/272, 274 to 277 and the proposed two houses (NTEHs – Small Houses) at the site under application No. A/SK-HC/273;

- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Papers. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the applications as the sites had high potential for agricultural rehabilitation. The Commissioner for Transport (C for T) had reservation on the applications and considered that such type of developments should be confined within the “Village Type Development” (“V”) zone as far as possible. Nevertheless, the applications only involved one/two Small Houses could be tolerated. Other concerned departments had no objection to or no adverse comment on the applications;

- (d) during the first three weeks of the statutory publication period, three public comments were received in respect of each of applications No. A/SK-HC/272, 273, 275 and 277; four public comments were received in respect of application No. A/SK-HC/274; and five public comments were received in respect of application No. A/SK-HC/276. Most of the commenters, including a Sai Kung District Council member, Designing Hong Kong Limited and Sai Kung Planning Concern Front, raised objection to the application(s), while an individual opined that villagers and village representatives should be consulted in respect of applications No. A/SK-HC/274 and 276. Major objection grounds were set out in paragraph 10 of the Papers.

- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Papers. Although the proposed Small House developments were not in line with the planning intention of the “AGR” zone and DAFC did not support the applications, there was no farming activity at the sites and their vicinity and the proposed developments were not incompatible with the surrounding areas. The applications generally complied with the Interim Criteria for Consideration of NTEH/Small House in New Territories in that the footprints of the proposed Small Houses fell entirely within the village ‘environ’ of Ho Chung and there was a general shortage of land in meeting Small House development in the “V” zone. All sites were the subject of

previous applications for the same use approved by the Committee between 2009 to 2012. Since the approval of the previous applications, there was no change in planning circumstances. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

56. In response to the Chairman's question, Mr William W.T. Wong, STP/SKIs, with the aid of visualizer, said that the six sites were located in the same "AGR" zone and could be grouped in three clusters. The sites under applications No. A/SK-HC/272 to 274 were located in the north, the sites under application No. A/SK-HC/275 and 277 were located in the east, and the site under application No. A/SK-HC/276 was located in the west of the subject "AGR" zone.

Deliberation Session

57. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 27.10.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. Each of the permissions was subject to the following condition(s) :

- “(a) the provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB; and
- (b) submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the TPB.” (for application No. A/SK-HC/277 only)

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

Agenda Item 15

Section 16 Application

[Open Meeting]

A/SK-PK/243 Proposed Public Utility Installation (Micro Cell Base Station and Antenna) and Excavation of Land in “Coastal Protection Area” Zone, Government Land in D.D. 258, Tai Mong Tsai Road, Sai Kung
(RNTPC Paper No. A/SK-PK/243)

59. The Secretary reported that the application was submitted by Hong Kong Telecommunication Limited (HKT), which was a subsidiary of PCCW Limited (PCCW). The following Members had declared interests on the item:

Mr Ivan C.S. Fu - having current business dealings with PCCW; and

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

60. The Committed noted that Mr Ivan C.S. Fu had tendered apology for being unable to attend the meeting and Mr Alex T.H. Lai had already left the meeting.

61. The Committee noted that the applicant’s representative requested on 18.10.2017 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested for deferment of the application.

62. 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.

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

Sha Tin, Tai Po and North District

Agenda Item 16

Section 16 Application

[Open Meeting]

A/ST/934 Shop and Services (Fast Food Shop) in "Industrial" Zone, Workshop C8, LG/F, Valiant Industrial Centre, 2-12 Au Pui Wan Street, Sha Tin
(RNTPC Paper No. A/ST/934)

63. The Secretary reported that the application was located in Fo Tan area. The following Members had declared interests on the item:

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

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

64. The Committee noted that Ms Christina M. Lee had tendered apology for being unable to attend the meeting and the applicant had requested for deferment of consideration of the application. Since Professor K.C. Chau's property did not have a direct view of the site, the Committee agreed that he could stay in the meeting.

65. The Committee noted that the applicant's representative requested on 18.10.2017 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested for deferment of the application.

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, and no further deferment would be granted unless under very special circumstances.

Agenda Item 17

Section 16 Application

[Open Meeting]

A/ST/935 Proposed School (Kindergarten/Nursery) in "Residential (Group B)"
Zone, G/F of Podium B (Portion), Julimount Garden, 1-5 Hin Tai
Street, Sha Tin
(RNTPC Paper No. A/ST/935)

67. The Secretary reported that the application was located in Tai Wai area and Lee Mark & Associates Architects & Surveyors Limited (LMA) was one of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Alex T.H. Lai - his firm having past business dealings with LMA;

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

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

68. The Committee noted that Ms Christina M. Lee had tendered apology for being unable to attend the meeting, Mr Alex T.H. Lai had already left the meeting and the applicant

had requested for deferment of consideration of the application. Since Professor K.C. Chau's property did not have a direct view of the site, the Committee agreed that he could stay in the meeting.

69. The Committee noted that the applicant's representative requested on 16.10.2017 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments of the Transport Department. It was the first time that the applicant requested for deferment of the application.

70. 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.

[Ms Kathy C.L. Chan and Mr. Wallace W.K. Tang, Senior Town Planners/Shau Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/536 Proposed Public Utility Installation (Outdoor Switchgear Enclosure) in
"Agriculture" Zone, Government Land in D.D. 9, Kiu Tau, Kau Lung
Hang, Tai Po
(RNTPC Paper No. A/NE-KLH/536)

71. The Secretary reported that the application was submitted by CLP Power Hong

Kong Limited (CLP) and Geotechnics & Concrete Engineering (H.K.) Limited (GCE) was one of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Stephen L.H. Liu - having past business dealings with CLP;
- Mr Alex T.H. Lai - his firm having past business dealings with CLP and GCE; and
- Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which had obtained sponsorship from CLP before.

72. The Committee noted that Ms Christina M. Lee had tendered apology for being unable to attend the meeting and Mr Alex T.H. Lai had already left the meeting. Since the interest of Mr Stephen L.H. Liu was indirect, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

73. Ms Kathy C.L. Chan, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed public utility installation (outdoor switchgear enclosure);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; 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. Although the proposed development was not in line with the planning intention of the “Agriculture” zone, the Director of Agricultural, Fisheries and Conservation had no comment on the application and it was not incompatible with the surrounding rural environment. Given its small scale, the proposed development would unlikely cause significant adverse impact on the surrounding areas. Besides, the proposed development was for enhancing the reliability and security of electricity supply to the nearby area and concerned departments had no adverse comment on the application.

74. Members had no question on the application.

Deliberation Session

75. 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 27.10.2021, 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) no oil leakage or spillage in the flood pumping gathering grounds is allowed;
- (b) no storage and discharge of toxicant, flammable or toxic solvents, petroleum oil or tar and other toxic substances are allowed within the flood pumping gathering grounds;
- (c) no provision of toilet facilities is allowed; and
- (d) the submission of site formation, construction and drainage plans to the satisfaction of the Director of Water Supplies or of the TPB.”

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

[Dr F.C. Chan and Dr C.H. Hau left the meeting at this point.]

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/614 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 194 in D.D. 10, Pak Ngau Shek Sheung Tsuen
(RNTPC Paper No. A/NE-LT/614)

Presentation and Question Sessions

77. Ms Kathy C.L. Chan, 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 10 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site had high potential for agricultural rehabilitation. The Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) objected to and the Director of Environmental Protection (DEP) did not support the application as the proposed sewer connection was considered not feasible. The Commissioner for Transport (C for T) had reservation on the application and considered that such type of development should be confined within the “Village Type Development” (“V”) zone. However,

the application only involving development of one Small House could be tolerated. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as the crown of a tree was in potential conflict with the proposed Small House and pruning might be required. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, 23 public comments were received from the Hong Kong Bird Watching Society, Designing Hong Kong Limited, Conservancy Association, World Wide Fund for Nature Hong Kong, Green Sense and individuals objecting to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The application was not in line with the planning intention of the “Agriculture” zone and DAFC did not support the application. The site was within indirect water gathering ground (WGG) and the applicant had submitted a sewerage connection proposal. However, both DEP and CE/C of WSD did not support the application for the reasons of infeasible implementation. CTP/UD&L, PlanD and C for T also had reservation on the application on landscape and traffic grounds. The application did not comply with the Interim Criteria for Consideration of NTEH/Small House in New Territories in that land available within the “V” zone of Sheung Pak Ngau Shek and Ha Pak Ngau Shek was sufficient to meet the future Small House demand, and the applicant failed to demonstrate that the proposed development would be able to be connected to the existing/planned public sewer and there would be no adverse water quality and landscape impacts. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

78. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the current submission for a departure from the planning intention;
- (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 there is no general shortage of land in meeting the demand for Small House development in the “Village Type Development” (“V”) zone of Sheung Pak Ngau Shek and Ha Pak Ngau Shek; the applicant fails to demonstrate that the proposed development located within water gathering grounds would be able to be connected to the existing/ planned sewerage system and would not cause adverse impact on the water quality in the area; and the proposed development would not have adverse landscape impact on the surrounding area; and
- (c) land is still available within the “V” zone of Sheung Pak Ngau Shek and Ha Pak Ngau Shek 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]

A/NE-LT/615 Proposed Temporary Shop and Services (Real Estate Agency) with Ancillary Car Park for a Period of 3 Years in “Agriculture” Zone, Lot No. 431 RP (Part) in D.D. 10, Lam Kam Road, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/615A)

80. The Committee noted that the applicant’s representative requested on 9.10.2017 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address comments of the Planning Department. It was the second time that the applicant requested for deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

81. 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.

[Ms Janice W.M. Lai and Mr Edwin W.K. Chan left the meeting at this point.]

Agenda Item 21

Section 16 Application

[Open Meeting]

A/NE-SSH/110 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm and Tent Camping Ground) for a Period of 3 Years in “Coastal Protection Area” Zone, Lots 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590 and 591 in D.D. 209, Kei Ling Ha Lo Wai, Sai Kung
(RNTPC Paper No. A/NE-SSH/110)

82. The Committee noted that the applicant’s representative requested on 13.10.2017 for deferment of the consideration of the application for two months so as to allow time for preparation of further information in response to departmental comments. It was the first time that the applicant requested for deferment of the application.

83. 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 22

Section 16 Application

[Open Meeting]

A/NE-TK/623 House (Private Garden Ancillary to House) in “Green Belt” Zone,
Government Land in D.D. 27, Sha Lan, Tai Po
(RNTPC Paper No. A/NE-TK/623)

84. The Committee noted that the applicant requested on 19.10.2017 for deferment of the consideration of the application for two months so as to allow time for preparation of further information in support of the application. It was the first time that the applicant requested for deferment of the application.

85. 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 23

Section 16 Application

[Open Meeting]

A/NE-FTA/167 Proposed Temporary Goods Distribution and Storage Use for a Period of 3 Years in “Other Specified Uses” annotated “Port Back-up Uses” Zone and an area shown as ‘Road’, Lots 182 RP (Part) and 183 RP (Part) in D.D. 52, Fu Tei Au, Sheung Shui
(RNTPC Paper No. A/NE-FTA/167B)

86. The Committee noted that the applicant’s representative requested on 12.10.2017 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address further comments of the Transport Department (TD). It was the third time that the applicant requested for deferment of the application. Since the last deferment, the applicant had submitted a traffic impact assessment to respond to TD’s comments.

87. 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 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/631 Temporary Warehouses (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, No. 31A Ma Liu Shui San Tsuen, Fanling (RNTPC Paper No. A/NE-LYT/631A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary warehouses (excluding dangerous goods godown) 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 domestic use in the vicinity of the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from the Chairmen of Sheung Shui District Rural Committee and Fanling District Rural Committee and an individual. While the Chairmen indicated no comment, the individual objected to the application. Major objection grounds were set out in paragraph 10 of the Paper. The District Officer/North conveyed objection from the Village Representative of Ma Liu Shui San Tsuen mainly for pedestrian safety

reason as set out in paragraph 9.1.10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was not in line with the planning intention of the “Residential (Group C)” (“R(C)”) and “Agriculture” zones, however the site was located at the fringe of the “R(C)” zone, there was no known development programme on the site and the Director of Agriculture, Fisheries and Conservation had no strong view against the application. Approval of the application on a temporary basis would not frustrate the long-term planning intentions of the site. Also, the applied use was considered not incompatible with the surrounding areas and concerned departments had no objection to or no adverse comment on the application, except DEP. Although DEP did not support the application, there had been no environmental complaint concerning the site in the past three years and relevant approval conditions were recommended to address the possible environmental nuisance. The site was the subject of six previous applications for various workshops/warehouses uses, which were all approved with conditions by the Committee. Approval of the application was in line with the Committee's previous decisions. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

89. Members had no question on the application.

Deliberation Session

90. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 27.10.2020, 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 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no operation except indoor forklift operation inside the enclosed warehouses between 7:00 p.m. to 8:00 p.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) gates shall be provided at the entrance of the site at all times during the planning approval period;
- (e) a maximum of two heavy goods vehicles/container vehicles are allowed to enter the site per day, as proposed by the applicant, during the planning approval period;
- (f) all vehicles shall only be allowed to use the ingress/egress at Dao Yang Road at all times during the planning approval period;
- (g) no open storage of materials shall be carried out on the site at any time during the planning approval period;
- (h) no manufacturing activities shall be carried out on the site at any time during the planning approval period;
- (i) no used electrical appliances, televisions, computer monitors, computer parts or any other types of electronic waste are allowed to be stored on the site at any time during the planning approval period;
- (j) the maintenance of the existing trees within the site at all times during the planning approval period;
- (k) the maintenance of the existing drainage facilities within the site properly at all times during the planning approval period;
- (l) all vehicles entering and exiting the site during the planning approval

period shall be restricted to non-peak hours (i.e. from 10:00 a.m. to 4:00 p.m.), as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;

- (m) the implementation of the traffic mitigation measures during the planning approval period, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (n) the submission of a condition record of the 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 27.1.2018;
- (o) 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 27.4.2018;
- (p) in relation to (o) above, the implementation of proposals for 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 27.7.2018;
- (q) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l) or (m) 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
- (r) if any of the above planning conditions (n), (o) or (p) 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.”

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

[Mr David Y.T. Lui arrived and Miss Winnie W.M. Ng returned to join the meeting at this

point.]

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/636 Temporary Place of Recreation, Sports or Culture (Barbecue Site) for a Period of 3 Years in “Agriculture” Zone, Lot 926 (Part) in D.D. 83, Lung Ma Road, Fanling
(RNTPC Paper No. A/NE-LYT/636)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary place of recreation, sports or culture (barbecue site) 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) did not support the application as the applicant failed to provide information on the traffic impact assessment and the number of car parking spaces within the site. The Commissioner of Police (C of P) had concern on the impact on traffic flow and the potential problem of vehicle obstruction. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as clearance of vegetation had been taken place prior to applying planning permission and considered that the approval of the application would set an undesirable precedent encouraging similar development to encroach onto the “Agriculture” (“AGR”) zone resulting in further degradation of landscape character in the area. The Director of Agriculture, Fisheries and

Conservation (DAFC) did not support the application as the site possessed potential for agricultural use. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, nine public comments were received. While a North District Council member supported the application and the Chairmen of Sheung Shui District Rural Committee and Fanling District Rural Committee had no comment, four commenters, including Kadoorie Farm and Botanic Garden Corporation, a group of residents of Queen's Hill and Ma Liu Shui San Tsuen, two local residents and an individual, objected to the application. The remaining two comments were irrelevant to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The temporary use was not in line with the planning intention of “AGR” zone and DFAC did not support the application. No strong planning justification had been given in the submission to justify a departure from the planning intention, even on a temporary basis. The site had undergone vegetation clearance prior to submitting the current application. Approval of the application would set an undesirable precedent and encourage similar development to encroach onto the “AGR” zone. CTP/UD&L, PlanD, C for T and C of P had reservation on or did not support the application for reasons of landscape and traffic impacts arising from the temporary use. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

93. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of the “Agriculture” (“AGR”) zone in Lung Yeuk Tau and Kwan Tei South 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, even on a temporary basis;
- (b) the applicant fails to demonstrate in the submission that the development under application would not cause adverse traffic impact on the surrounding areas; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/637 Proposed House (New Territories Exempted House - Small House) in
“Green Belt” Zone, Lot 1782 S.B in D.D. 83, Tsz Tong Tsuen, Fanling
(RNTPC Paper No. A/NE-LYT/637)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as vegetation clearance had been taken place at the site prior to obtaining planning permission and approval of the application would set an undesirable precedent to encourage similar applications to extend into the “Green Belt” (“GB”) zone resulting in a gradual degradation and irreversible change. The Commissioner for Transport (C for T) had reservation on the application and considered that such type of development should be confined within the “Village Type Development” (“V”) zone. However, the application involving one Small House could be tolerated. Other concerned 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. While a North District Council member and one comment from two village representatives of Tsz Tong Tsuen and 10 local villages supported the application, the Chairmen of Sheung Shui District Rural Committee and Fanling District Rural Committee had no comment. The remaining four comments from Designing Hong Kong Limited, Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature Hong Kong and an individual objected to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed Small House development was not in line with the planning intention of the “GB” zone. No strong planning justification had been given in the submission for a departure from the planning intention of the “GB” zone. The application did not comply with the Town Planning Board Guidelines No.

10 as the proposed development had involved extensive clearance of vegetation and generated adverse landscape impact on the surrounding areas. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, land available within the “V” zones of Lung Yeuk Tau village was still capable to meet the outstanding Small House application. It was 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 infrastructures and services. Approval of the application would set an undesirable precedent to encourage similar applications to extend into the “GB” zone, the cumulative impact of which would result in gradual degradation and irreversible change to the “GB” zone. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

96. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone in the Lung Yeuk Tau and Kwan Tei South area which is primarily to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the proposed development does not comply with the Town Planning Board Guidelines No. 10 for Application for Development within “GB” zone under section 16 of the Town Planning Ordinance and the Interim Criteria for Consideration of Application for New Territories Exempted

House/Small House in New Territories in that it has involved extensive clearance of vegetation, and the applicant fails to demonstrate in his submission that the proposed development would not cause adverse landscape impact on the surrounding area;

- (c) land is still available within the “Village Type Development” zones of the Lung Yeuk Tau village cluster where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for more orderly development pattern, efficient use of land and provision of infrastructures and services; and
- (d) the approval of the application would set an undesirable precedent for similar applications in the area. The cumulative impacts of approving such applications would result in a general degradation of the environment and landscape quality of the area.”

[The Chairman thanked Ms Kathy C.L. Chan and Mr. Wallace W.K. Tang, STPs/STN, for their attendance to answer Members’ enquiries. Ms Chan and Mr Tang left the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

[Ms Maggie M.Y. Chin, District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPP/FSYLE), Mr Otto K.C. Chan, 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 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/FLN/14 Renewal of Planning Approval for Temporary “Vehicle Park for Rehabuses” for a Period of 3 Years in “Open Space” Zone and an area shown as ‘Road’, Government Land in D.D. 51, Tin Ping Shan, Sheung Shui

(RNTPC Paper No. A/FLN/14A)

98. The Secretary reported that the application was submitted by the Hong Kong Society for Rehabilitation (HKSR) and Mr Alex T.H. Lai had declared interest on the item as his firm was having current business dealings with HKSR. The Committee noted that Mr Alexi T.H. Lai had already left the meeting.

Presentation and Question Sessions

99. Mr Otto K.C. Chan, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary vehicle park for rehabuses for a period of three years;
- (c) departmental comments – departmental comments were set out in

paragraph 8 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were domestic structures in the vicinity of the site. Other concerned departments had no objection to or no adverse comment on the application

- (d) during the first three weeks of the statutory publication period, three public comments were received from a North District Council (NDC) member, the Chairman of Sheung Shui District Rural Committee (SSDRC) and an individual. While the NDC member and the Chairman of SSDRC indicated no comment, the remaining commenter objected to the application. Major objection grounds were set out in paragraph 9 of the Paper. The District Officer/North also conveyed objections received from the Chairman of the Owners' Committee of Woodland Crest mainly on the grounds of violation of the conditions of Short Term Tenancy and environmental nuisance as set out in paragraph 8.1.12 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessment set out in paragraph 10 of the Paper. Although the applied use was not in line with the planning intention of “Open Space” (“O”) zone, approval of the application on a temporary basis would not frustrate the long-term planning intention of implementation programme of “O” zone. The applied use was also not incompatible with the surrounding land uses. The application was generally in line with the Town Planning Board Guidelines No. 34B in that there were no adverse planning implications arising from the renewal application, all approval conditions under the previous planning approval had been complied with, there was no change in planning circumstances since the last approval and there was no adverse comment from concerned departments, except DEP. Though DEP did not support the application, no environmental complaint concerning the site had been received in the past three years and approval conditions were recommended to address the possible environmental nuisances. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

100. Members had no question on the application.

Deliberation Session

101. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 1.11.2017 until 31.10.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle other than private light buses/private buses are allowed to be parked on the site at any time during the planning approval period;
- (b) no operation between 11:00 p.m. to 6:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) ‘No honking’ signs shall be provided on the site at all times during the planning approval period;
- (d) no vehicle repairing, car washing, fuelling and dismantling activities shall be carried out on the site at any time during planning approval period;
- (e) the existing trees on the site shall be maintained at all times during the planning approval period;
- (f) the submission of fire service installations and water supplies for fire fighting proposals within 6 months from the date of commencement of renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.5.2018;
- (g) in relation to (f) above, the implementation of fire service installations and water supplies for fire fighting proposals within 9 months from the date of commencement of renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.8.2018;

- (h) if any of 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
- (i) if any of the above planning conditions (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same time be revoked without further notice.”

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

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/32 Social Welfare Facility (Residential Care Home for Persons with Disabilities) in “Village Type Development” Zone, Lots 1386 RP (Part), 1387 S.A, 1387 S.B (Part), 1387 RP (Part), 1388 S.A (Part), 1388 RP (Part) in D.D. 95 and Adjoining Government Land, Ho Sheung Heung, Sheung Shui
(RNTPC Paper No. A/KTN/32B)

103. The Secretary reported that the site was located in Kwu Tung North and Dr C.H. Hau had declared interest on the item as he owned a property in the area. The Committee noted that Dr C.H. Hau had already left the meeting.

Presentation and Question Sessions

104. 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 social welfare facility (residential care home for persons with disabilities (RCHD));
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, two comments were received. While they had no comment on the application, one commenter indicated that the local residents should be consulted; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Village Type Development” zone, it could provide residential care home services to person with disabilities, was not incompatible with the surrounding developments and would not cause significant adverse traffic, environmental, drainage, sewerage, fire safety and landscape impacts on the surrounding areas. The RCHD was issued with a Certificate of Exemption (CoE) by the Social Welfare Department (SWD) and obtaining planning permission was part of the condition of the CoE. The site was the subject of a previous application No. A/KTN/13 for the same use approved with conditions by the Committee on 17.4.2015. Subsequently, the planning permission was revoked on 17.10.2016 due to non-compliance of approval conditions on the submission and implementation of drainage and landscape proposals as well as the provision of fire services installation and water supplies for fire fighting. Hence, shorter compliance periods were recommended to closely monitor the progress of compliance.

105. A Member raised the following questions:

- (a) what kind of disabled persons was accommodated in the RCHD and its operation;
- (b) noting that only one staircase was provided within the NTEH, any measures were proposed to address fire safety issue; and
- (c) whether the RCHD had fulfilled all conditions stipulated on the CoE as required by SWD.

106. Ms S.H. Lam, STP/FSYLE, made the following responses:

- (a) she had no detailed information on the type of disabled persons the RCHD was serving but the operation of RCHD should comply with the relevant operation guidelines issued by SWD;
- (b) an approval condition on the submission and implementation of proposal for fire service installations and water supplies for firefighting was recommended in the Paper to address the associated fire safety concern, if the application was approved; and
- (c) the RCHE had been operating since 2010 before the commencement of the Residential Care Homes (Persons with Disability) Ordinance (the RCHD Ordinance). It was issued with a CoE by SWD in 2013 in accordance with the RCHD Ordinance with conditions of improvement for full compliance with the licensing requirements. The RCHD was required to satisfactorily complete the required improvements works and comply with the stipulated conditions, in order to obtain the licence.

Deliberation Session

107. The Committee noted that the previous approval had been revoked and in the current application, the applicant had made efforts to submit proposals on drainage and sewerage facilities, fire service installations and landscape aspects. According to the applicant's submission, various fire safety measures, including smoke and heat detectors, fire

alarms, emergency lighting and exit sign and a 5m-wide emergency vehicular access, were proposed. The Committee also noted that the RCHD mainly served mentally-ill persons.

108. Noting that the RCHD had been in operation for several years and necessary fire service installations were yet to be implemented, a Member expressed concern on the fire safety risk to the patients inhabited in the subject RCHD and enquired if additional means of escape should be provided as NTEH only had one set of staircases. The same Member considered that approval from the Director of Fire Service (D of FS) should be obtained prior to granting planning permission. The Committee noted that D of FS had no in-principle objection to the applicant's proposal on fire service installations and detailed fire safety requirements would be formulated at a later stage.

109. 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 was subject to the following conditions :

- “(a) the submission and implementation 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 27.4.2018;
- (b) the submission and implementation of 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 27.4.2018;
- (c) the submission and implementation of proposal for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 27.4.2018; and
- (d) if any of the above planning conditions (a), (b) and (c) 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.”

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

set out at Appendix V of the Paper.

Agenda Item 29

Section 16 Application

[Open Meeting]

A/YL-KTN/567 Proposed Flat in “Residential (Group E)1” Zone, Lots 111 RP, 112 RP, 114 RP, 115 RP, 116 RP, 120 RP, 261 RP (Part), 264 S.(A to D) RP and 264 S.(E to H) RP in D.D. 109, and Adjoining Government Land, Kam Tin North, Yuen Long
(RNTPC Paper No. A/YL-KTN/567)

[Rescheduled]

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/576 Proposed 2 Houses (New Territories Exempted Houses - Small Houses) in “Agriculture” Zone, Lots 750 S.A4 ss.2 and 750 S.A8 ss.2 RP (Part) in D.D. 110, Tai Kong Po Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/576)

Presentation and Question Sessions

111. 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 two houses (New Territories Exempted Houses (NTEHs) – Small Houses);
- (c) departmental comments – departmental comments were set out in

paragraph 10 and Appendix V of the Paper. Concerned 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 Designing Hong Kong Limited and individuals raising objection to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the proposed developments were not in line with the planning intention of “Agriculture” zone, the Director of Agriculture, Fisheries and Conservation had no objection to the application and it was not incompatible with the surrounding areas which were predominantly rural in character. The application generally met the Interim Criteria in Consideration of Application for NTEH/Small House in New Territories (the Interim Criteria) as the site fell within the village ‘environ’ (‘VE’) of Tai Kong Po and there was no “Village Type Development” zone for Tai Kong Po to meet the outstanding Small House applications and 10-year Small House demand. Since villagers of Tai Kong Po could only apply Small Houses within the ‘VE’ of Tai Kong Po, sympathetic consideration could be given to the application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

112. Members had no question on the application.

Deliberation Session

113. 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 27.10.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

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

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

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/693 Proposed Flat and House Development in “Other Specified Uses” annotated “Rural Use” Zone, Lots 547 RP (Part), 550 RP and 551 in D.D. 106 and Adjoining Government Land, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/693D)

115. The Secretary reported that the site was located in Kam Tin South and Landes Limited (Landes), Ramboll Environ Hong Kong Limited (Environ) and Driltech Ground Engineering Limited (DGE) were three 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 Environ;
- Ms Janice W.M. Lai - having current business dealings with Landes and Environ, and her family member owning a property in Kam Tin South area; and
- Mr Alex T.H. Lai - his firm having current business dealings with DGE.

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

Presentation and Question Sessions

117. With the aid of a PowerPoint Presentation, 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 flat and house development;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Housing (D of Housing) strongly objected to the application as the application site took up a large portion of Site 4a at Kam Tin South which was identified for public housing development. Encroachment of the private development upon the land area of Site 4a should not be allowed as it would reduce the site area and flat production of the public housing development and delay the overall development programme. Other concerned 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 29 public comments were received from a Yuen Long District Council member, Kam Tin Rural Committee, village representative of Ng Ka Tsuen and 3 individuals raising objections to the application. Major objection grounds 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. On 13.10.2017, the Committee agreed to rezone Site 4a, including the site, to “Residential (Group A)” (“R(A)”) for medium-density public housing development. The proposed private residential development under

application was not in line with the latest planning intention of “R(A)” zone. Though the proposed development was not incompatible with the surrounding areas and concerned departments had no adverse comment on the submitted technical assessments, it would jeopardize the implementation of the planned public housing developments with about 3,750 flats. In this regard, D of Housing objected to the application as the approval of the application would reduce the site area and flat production, and it would affect the housing design and overall development programme of the planned public housing developments. Besides, about 53.7% of the application site was on government land and there was no strong justification provided in the submission to include government land in the proposed development. Approval of the current application would frustrate the proposed public housing development and was against public interest. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

118. Members had no question on the application.

Deliberation Session

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

“the Site is located within an area of a comprehensive planned public housing development. Approval of the application would jeopardise the implementation of the public housing development and affect the supply of public housing flats.”

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/746 Proposed Temporary Shop and Services (Motor Vehicles Showroom) for a Period of 3 Years in “Residential (Group C)” and “Village Type Development” Zones, Lots 1689 S.C, 1689 S.D, 1689 S.E, 1689 S.F, 1689 S.G, 1689 S.H and 1689 RP in D.D. 109 and Adjoining Government Land, Kam Tin Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/746A)

Presentation and Question Sessions

120. 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 shop and services (motor vehicles showroom) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received raising objection to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessment set out in paragraph 11 of the Paper. Although the application, largely fell within the “Residential (Group C)” (“R(C)”) zone, was not in

line with the planning intention, there was no known development programme at the site and the applied use was not incompatible with the surrounding areas. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(C)” zone. The site was subject to a previous application No. A/YL-KTS/223 for temporary car park rejected by the Committee mainly on the grounds of pedestrian safety concerns. As such, the applicant had proposed a number of traffic control measures under the current application to demonstrate that there would be no conflict of traffic movement and the Commissioner for Transport had no objection to the application. Relevant approval conditions were also recommended to address possible environmental nuisance. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

121. Members had no question on the application.

Deliberation Session

122. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 27.10.2020, 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 10:30 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) 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;
- (c) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, at any time during the planning approval period;

- (d) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) no vehicle is allowed to make left turn from public road to the Site or right turn from the site to the public road at any time during the planning approval period;
- (g) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of the Drainage Services or of the TPB by 27.4.2018;
- (h) in relation to (g) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 27.7.2018;
- (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 landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 27.4.2018;
- (k) in relation to (j) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of Director of Planning or of the TPB by 27.7.2018;
- (l) the submission of 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 27.4.2018;
- (m) in relation to (l) 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 27.7.2018;

- (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 Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/757 Renewal of Planning Approval for Temporary “Open Storage of Building Materials and Vehicles for Sale” for a Period of 3 Years in “Residential (Group D)” Zone, Lots 100 RP, 101 S.A&B RP and 101 S.C RP in D.D. 111, A Kung Tin, Fan Kam Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/757)

124. The Secretary reported that the site was located in Pat Heung area and Ms Janice W.M. Lai had declared interest on the item as her family member owned a property in Pat

Heung area. The Committee noted that Ms Janice W.M. Lai had already left the meeting.

Presentation and Question Sessions

125. 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 renewal of planning approval for temporary open storage of building materials and vehicles for sale 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 residential use located in the vicinity of the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual raising objection to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. As there was no known programme to implement the intended use and the temporary use was not incompatible with the surrounding areas, approval of the application on a temporary basis would not frustrate the long term planning intention of the “Residential (Group D)” zone. The application was generally in line with the Town Planning Board Guidelines No. 34B and 13E in that all the approval conditions under the previous approval had been complied with, there had been no major change in planning

circumstances since the last approval and concerned departments had no adverse comment on the application, except DEP. Though DEP did not support the application, no environmental complaint concerning the site had been received in the past three years and relevant approval conditions were recommended to address possible environmental nuisance. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

126. Members had no question on the application.

Deliberation Session

127. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 15.11.2017 until 14.11.2020, 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 8:00 a.m., as proposed by the applicants, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicants, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (d) the existing boundary fencing at the site shall be maintained at all 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) no vehicles is allowed to queue back to or reverse onto/from public road at

any time during the planning approval period;

- (g) the existing trees and vegetation on the site shall be maintained satisfactorily at all times during the planning approval period;
- (h) the submission of a report on the condition of the existing water mains underneath the ingress and egress of the site within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Water Supplies or of the TPB by 15.5.2018;
- (i) in relation to (h) above, the implementation of mitigation measures to avoid impact on the existing water mains within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Water Supplies or of the TPB by 15.8.2018;
- (j) the submission of the record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 15.2.2018;
- (k) the provision of fire extinguisher(s) within 6 weeks with a valid fire certificate (FS 251) from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 27.12.2017;
- (l) the submission of fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 15.5.2018;
- (m) in relation to (l) above, the implementation of fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 15.8.2018;

- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (o) if any of the above planning conditions (h), (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 application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/265 Renewal of Planning Approval for Temporary Restaurant for a Period of 3 Years in “Open Space” Zone, Lots 5, 6, 7, 8 RP, 9 RP and 10 in D.D. 101, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/265)

129. The Secretary reported that the site was located in Mai Po. Dr Lawrence K.C. Li had declared interest on the item as he co-owned a house with spouse in Mai Po. The Committed agreed that Dr Lawrence K.C. Lai could stay in the meeting as his property did not have a direct view on the site.

Presentation and Question Sessions

130. 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 renewal of planning approval for temporary restaurant for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual raising objection to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. As there was no programme to implement the planned use and the temporary use was not incompatible with the surrounding areas, approval of the application on a temporary basis would not frustrate the planning intention of the “Open Space” zone. The application was in line with the Town Planning Board Guidelines No. 34B in that there had been no major change in planning circumstances since the last approval, concerned departments had no adverse comment on the application and all approval conditions under the previous approval had been complied with. The site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No.12C which specified that temporary uses were exempted from the requirement of Ecological Impact Assessment and the Director of Agriculture, Fisheries and Conservation had no adverse comment on the application. Adverse environmental, traffic, fire safety, drainage and landscape impacts were not envisaged and relevant approval conditions were recommended.

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

131. Members had no question on the application.

Deliberation Session

132. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 8.11.2017 to 7.11.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 12:00 a.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (c) no medium or heavy goods vehicle (i.e. exceeding 5.5 tonnes) including container trailer/tractor as defined in the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (d) the paving and boundary fencing on the site shall be maintained at all times during the planning approval period;
- (e) the existing trees and vegetation within the site shall be maintained at all times during the planning approval period;
- (f) the submission of drainage proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.5.2018;

- (g) in relation to (f) above, the implementation of drainage proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.8.2018;
- (h) the submission of water supply for fire fighting and fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.5.2018;
- (i) in relation to (h) above, the implementation of water supply for fire fighting and fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.8.2018;
- (j) if any of 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;
- (k) if any of the above planning conditions (f), (g), (h), or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 35

Section 16 Application

[Open Meeting]

A/YL-NSW/259 Proposed Temporary Religious Institution and Community Centre for a Period of 3 Years in “Undetermined” Zone, Former Small Traders New Village Public School in D.D.115, Small Traders New Village, Nam Sang Wai, Yuen Long
(RNTPC Paper No. A/YL-NSW/259)

[Withdrawn]

Agenda Item 36

Section 16 Application

[Open Meeting]

A/YL-NSW/261 Proposed Temporary Shop and Services (Local Provisions Store) for a Period of 3 Years in “Undetermined” Zone, Lot 635 in D.D. 115, Tung Shing Lei, Nam Sang Wai, Yuen Long
(RNTPC Paper No. A/YL-NSW/261)

134. The Committee noted that the applicant requested on 10.10.2017 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested for deferment of the application.

135. 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 37

Section 16 Application

[Open Meeting]

A/YL-NSW/262 Temporary Open Storage of Private Vehicle with ancillary Office and Staff Rest Room for a Period of 3 Years in “Undetermined” Zone, Lots 689 RP (Part), 690 RP (Part), 704 S.B RP (Part) and 716 RP (Part) in D.D. 115 and Adjoining Government Land, Tung Shing Lei, Nam Sang Wai, Yuen Long
(RNTPC Paper No. A/YL-NSW/262)

136. The Committee noted that the applicant requested on 12.10.2017 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested for deferment of the application.

137. 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 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/510 Renewal of Planning Approval for Temporary Vehicle Repair Workshop with Office for a Period of 3 Years in “Residential (Group D)” Zone, Lots 341 S.B RP (Part), 353 (Part), 354 (Part) and 210 (Part) in D.D. 105 and Adjoining Government Land, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/510)

Presentation and Question Sessions

138. 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 renewal of planning approval for temporary vehicle repair workshop with office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned department had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. As there was no immediate permanent development at the site and the temporary use was not incompatible with the surrounding areas, approval of the application on a temporary basis would not frustrate the long-term planning intention of “Residential (Group D)” zone. The application was in line with the Town

Planning Board Guideline No. 34B in that there was no major change in planning circumstance since the last approval, concerned departments had no adverse comment on the application and all approval conditions under the previous approval had been complied with. The site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No. 12C which specified that temporary uses were exempted from the requirement of Ecological Impact Assessment and the Director of Agriculture, Fisheries and Conservation had no comment on the application. Approval conditions were also recommended to address the technical concerns of relevant departments.

139. Members had no question on the application.

Deliberation Session

140. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 1.11.2017 to 31.10.2020, 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 9:30 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) the paving and boundary fencing on the site shall be maintained at all times during the planning approval period;
- (d) the submission of drainage proposal within 6 month from the date of commencement of renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 1.5.2018;
- (e) in relation to (d) above, the implementation of drainage proposal within

9 months from the date of commencement of renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 1.8.2018;

- (f) the submission of tree preservation proposal within 6 month from the date of commencement of renewed planning approval to the satisfaction of the Director of Planning or of the TPB by 1.5.2018;
- (g) in relation to (f) above, the implementation of tree preservation proposal within 9 months from the date of commencement of renewed planning approval to the satisfaction of the Director of Planning or of the TPB by 1.8.2018;
- (h) the submission of fire service installations proposal within 6 months from the date of commencement of renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.5.2018;
- (i) in relation to (h) above, the implementation of fire service installations proposal within 9 months from the date of commencement of renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.8.2018;
- (j) if any of the above planning conditions (a), (b) or (c) 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;
- (k) if any of the above planning conditions (d), (e), (f), (g), (h), or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

[The Chairman thanked Ms Maggie M.Y. Chin, DPO/FSYLE, Mr Otto K.C. Chan, Ms S.H. Lam, Ms Ivy C.W. Wong and Ms Emily P.W. Tong, STPs/FSYLE, for their attendance to answer Members' enquiries. Ms Chin, Mr Chan, Ms Lam, Ms Wong and Ms Tong left the meeting at this point.]

Tuen Mun and Yuen Long West District

Agenda Item 39

Section 16 Application

[Open Meeting]

A/YL-TYST/858 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm), Picnic Area, Barbecue Spot and Tent Camping Ground for a Period of 3 Years in "Green Belt" Zone, Lots 40, 130, 502 (Part), 503, 504, 506, 507, 508, 509, 510, 512, 516, 519, 520, 521, 522, 523, 524, 544 and 2154 in D.D. 119 and Adjoining Government Land, Lam Tai West Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/858)

142. The Committee noted that the applicant's representative requested on 10.10.2017 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested for deferment of the application.

143. 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.

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

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/19 Temporary Logistics Centre for a Period of 3 Years in "Other Specified Uses" annotated "Sewage Treatment Works" Zone and an area shown as 'Road', Lots 1290 (Part), 1291 (Part), 1292, 1293 (Part), 1294 (Part), 1295 RP (Part), 1296, 1297, 1298, 1299, 1300, 1301, 1302 (Part), 1303 (Part), 1304, 1305 RP, 1306 RP (Part), 1343 (Part), 1344 (Part), 1345, 1346, 1347, 1348, 1349, 1350, 1351 (Part), 1352 (Part) and 1353 (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long (RNTPC Paper No. A/HSK/19)

Presentation and Question Sessions

144. 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 temporary logistics centre for a period of three years;
- (c) departmental comments – departmental comments were set out in

paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as sensitive uses were located along the access road (Ha Tsuen Road) and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, no public comment was received; 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 applied use was not in line with the planning intention of the “Other Specified Uses” annotated “Sewage Treatment Works” zone, the implementation programme was still being formulated and the Project Manager/New Territories West of Civil Engineering and Development Department had no objection to the application for a period of three years. Also, the applied use was not incompatible with the surrounding areas. Approval of the application on a temporary basis would not jeopardize the long-term development of the site. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which were suitable for open storage and port back-up uses and the applicant had demonstrated the applied use would not generate adverse impacts. Though DEP did not support the application, no environmental complaint concerning the site was received in the past three years and relevant approval conditions were recommended to address the possible environmental nuisance as well as technical concerns of government departments.

145. Members had no question on the application.

Deliberation Session

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

temporary basis for a period of 3 years until 27.10.2020, 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 workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the submission of a 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 27.4.2018;
- (f) in relation to (e) above, the implementation of the revised 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 27.7.2018;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of the 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 27.4.2018;
- (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 27.7.2018;

- (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 27.4.2018;
- (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 27.7.2018;
- (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 27.4.2018;
- (m) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (e), (f), (h), (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

147. 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]

A/TSW/70 Proposed Comprehensive Residential and Commercial Development with Eating Place, Shop and Services, School and Public Vehicle Park in “Comprehensive Development Area” Zone, Tin Shui Wai Planning Area 112 (Tin Shui Wai Town Lot 33)
(RNTPC Paper No. A/TSW/70)

[Rescheduled]

Agenda Item 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/8 Proposed Temporary Public Vehicle Park (Private Cars, Light and Medium Goods Vehicles) for a Period of 3 Years in “Village Type Development(1)” Zone and an area shown as ‘Road’, Lots 1677 (Part), 1684 (Part), 1685 (Part), 1687 (Part), 1688, 1689 (Part) and 1690 (Part) in D.D. 130, Tuen Mun
(RNTPC Paper No. A/HSK/8A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary public vehicle park (private cars, light and medium goods vehicles) for a period of three years;
- (c) departmental comments – departmental comments were set out in

paragraph 9 of the Paper. The Assistant Commissioner for Transport/New Territories (AC for T/NT) had reservation on the application as there was not enough vehicle manoeuvring space within the site and the applicant failed to advise the trip rates and assess the associated traffic impact arising from the proposed development. The Director of Environmental Protection (DEP) did not support the application as the development involved traffic of heavy goods vehicles and environmental nuisance was expected. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had strong reservation on the application in that the proposed development was not compatible with the surrounding environment which was mainly in rural landscape character and vegetation clearance had occurred at the site. Approval of the application might set an undesirable precedent encouraging other applications to clear the site prior to obtain planning permission and attract other incompatible uses to the vicinity. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, three public comments were received. While a Tuen Mun District Council member supported the application, an individual and a local villager objected to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) 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 “Village Type Development (1)” (“V(1)”) zone and no strong planning justification was given in the submission for a departure from such planning intention, even on a temporary basis. The applied use was not compatible with the surrounding land uses and open storage uses in the vicinity were suspected unauthorized developments subject to enforcement action and DEP, AC for T/NT and CTP/UD&L, PlanD objected to or had reservation on the application. The applicant failed to demonstrate that the proposed development would not generate adverse environmental and traffic impacts.

Approval of the application would set an undesirable precedent and encourage similar applications within the “V(1)” zone. The cumulative impact of which would result in a general degradation of the environment in the area. Regarding adverse public comments, the comments of government departments and planning assessments above were relevant.

149. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of the “Village Type Development (1)” zone, which is to provide land considered suitable for reprovisioning of village houses affected by Government projects. There is no strong planning justification in the current submission for a departure from such planning intention, even on a temporary basis;
- (b) the development is considered not compatible with the surrounding areas which are predominated by residential dwellings and cultivated agricultural land;
- (c) the applicant fails to demonstrate that the proposed development would not generate adverse environmental and traffic impacts; and
- (d) approval of the application, even on a temporary basis, would set an undesirable precedent for other similar applications in the area, the cumulative effect of which will result in a general degradation of the environment of the area.”

Agenda Item 43

Section 16 Application

[Open Meeting]

A/TM-LTY Y/338 Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles only) for a Period of 3 Year in “Residential (Group C)” Zone, Lots 1156 RP (Part), 1157 (Part) and 1158 (Part) in D.D. 130, Wong Kong Wai Road, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/338A)

151. The Committee noted that the applicant’s representative requested on 19.10.2017 for deferment of the consideration of the application for one month so as to allow time for preparation of further information to address the comments of the Transport Department. It was the second time that the applicant requested for deferment of the application. Since the last deferment, the applicant had submitted further information to address the comments of government departments.

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

Agenda Item 44

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/546 Proposed Temporary Public Vehicle Park for Private Car for a Period of 3 Years in “Residential (Group B) 1” Zone, Lots 123 (Part), 126 RP (Part), 130 (Part), 131 (Part), 132 RP (Part) and 135 RP (Part) in D.D. 121, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/546)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary public vehicle park for private car for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; 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. As there was no programme for the permanent development at the site, the applied use was not incompatible with the surrounding areas and the proposed development might meet some of the parking demand of the nearby residents, approval of the application on a temporary basis would not frustrate the long-term

planning intention of the “Residential (Group B)1” zone. Given its nature, the proposed development would unlikely cause significant adverse traffic, environmental and landscape impacts. Also, concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns.

154. Members had no question on the application.

Deliberation Session

155. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 27.10.2020, 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) only private cars as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter/be parked on the site at all times during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site at all times during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the site, as proposed by the applicant, 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 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 27.4.2018;
- (h) in relation to (g) above, the implementation of the revised 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 27.7.2018;
- (i) in relation to (h) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (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 27.4.2018;
- (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 27.7.2018;
- (l) 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 27.4.2018;
- (m) in relation to (l) 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 27.7.2018;
- (n) the provision of boundary fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 27.4.2018;

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

156. 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 Mr Vincent T.K. Lai and Ms Stella Y. Ng, STPs/TMYLW, for their attendance to answer Members’ enquiries. Mr Lai and Ms Ng left the meeting at this point.]

Agenda Item 45

Any Other Business

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