

**TOWN PLANNING BOARD**

**Minutes of 592<sup>nd</sup> Meeting of the  
Rural and New Town Planning Committee held at 2:30 p.m. on 24.11.2017**

**Present**

Director of Planning  
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Professor K.C. Chau

Mr Ivan C.S. Fu

Ms Janice W.M. Lai

Ms Christina M. Lee

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr C.H. Hau

Mr Alex T.H. Lai

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

Principal Environmental Protection Officer (Metro Assessment),  
Environmental Protection Department  
Mr Tony W.H. Cheung

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.F. Leung

Dr F.C. Chan

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

**In Attendance**

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

Chief Town Planner/Town Planning Board  
Ms Doris S.Y. Ting

Town Planner/Town Planning Board  
Mr Dennis C.C. Tsang

**Agenda Item 1**

Confirmation of the Draft Minutes of the 591<sup>st</sup> RNTPC Meeting held on 10.11.2017

[Open Meeting]

1. The draft minutes of the 591<sup>st</sup> RNTPC meeting held on 10.11.2017 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

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

[Messrs David Y.T. Lui and Tony W.H. Cheung arrived to join the meeting at this point.]

**Sai Kung and Islands District**

**Agenda Item 3**

Section 12A Application

[Open Meeting]

Y/I-LWKS/1

Application for Amendment to the Approved Luk Wu and Keung Shan Outline Zoning Plan No. S/I-LWKS/2, To rezone the application site from “Government, Institution or Community (1)” to “Government, Institution or Community (2)”, Lot 724 (Part) in D.D. 311 and Adjoining Government Land, Keung Shan, Lantau Island, New Territories

(RNTPC Paper No. Y/I-LWKS/1A)

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

the item:

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

4. The Committee noted that the applicant had requested deferment of consideration of the application and Ms Janice W.M. Lai had not yet arrived to join the meeting. As Mr Ivan C.S. Fu had no involvement in the application, the Committee agreed that he could stay in the meeting

5. The Committee noted that the applicant's representative requested on 9.11.2017 deferment of the consideration of the application for two months so as to allow time for preparation of detailed responses and assessments to address departmental and public comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a revised traffic impact assessment report, a revised environmental assessment report and a new traffic and crowd management plan.

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 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.

**Fanling, Sheung Shui and Yuen Long East District**

**Agenda Item 4**

**Section 12A Application**

[Open Meeting]

Y/NE-KTS/7

Application for Amendment to the Draft Kwu Tung South Outline Zoning Plan No. S/NE-KTS/15, To Rezone the application site from “Agriculture” to “Residential (Group C) 6”, Lots 1263 RP (Part), 1271, 1273 to 1278, 1280 to 1287, 1289 to 1296, 1299 to 1301, 1303 to 1313, 1314 S.A, 1314 RP, 1316 to 1318, 1319 (Part), 1321, 1322, 1330 (Part), 1338 RP (Part), 1339 to 1343, 1345 S.A, 1345 S.B, 1345 S.C, 1346 to 1357, 1358 RP, 1362 RP (Part), 1363, 1364 RP (Part), 1369 RP, 1370 RP, 1378 RP (Part), 1379 RP (Part), 1730 and 1794 in D.D. 100 and Lots 1 and 2 (Part) in D.D. 108 and Adjoining Government Land, Kwu Tung South, New Territories

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[Withdrawn]

**Sha Tin, Tai Po and North District**

[Mr Kenny C.H. Lau, Mr Tim T.Y. Fung and Ms Kathy C.L. Chan, Senior Town Planner/Sha Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

**Agenda Item 5**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/936                      Shop and Services (Bicycle Sale, Rental and Maintenance) in  
   “Industrial” Zone, Shop B2C, G/F, Unison Industrial Centre, 27-31 Au  
   Pui Wan Street, Fo Tan, Sha Tin  
   (RNTPC Paper No. A/ST/936)

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7.                      The Secretary reported that the application site was located in Sha Tin. Professor K.C. Chau had declared an interest on the item as he co-owned with his spouse a flat in Fo Tan. As the flat co-owned by Professor Chau and his spouse did not have a direct view of the site, the Committee agreed that he could stay in the meeting.

**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the shop and services (bicycle sale, rental and maintenance);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The applied use was considered not incompatible with the uses in the subject industrial building and the surrounding developments and similar

applications for shop and services use had been approved for other units on the ground floor of the same building. The aggregate commercial area on the ground floor, including the use under application, was within the maximum permissible limit of 460m<sup>2</sup> for industrial buildings with a sprinkler system. The Director of Fire Services had no objection to the application. The application generally complied with the Town Planning Board Guidelines No. 25D including the fire safety and traffic aspects. In order not to jeopardise the long-term planning intention of industrial use for the premises and to monitor the supply and demand of industrial floor space in the area, a temporary approval for a period of three years was recommended.

9. Members had no question on the application.

#### Deliberation Session

10. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.11.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission and implementation of the fire service installations proposal within 6 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 24.5.2018; and
- (b) if the above planning condition (a) 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.”

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

[Ms Christina M. Lee and Mr Philip S.L. Kan arrived to join the meeting at this point.]

**Agenda Item 6**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LK/110            Proposed House (New Territories Exempted House - Small House) in  
                                 “Green Belt” Zone, Lot 1352 S.A in D.D. 39, Ma Tseuk Leng Village,  
                                 Sha Tau Kok, New Territories  
                                 (RNTPC Paper No. A/NE-LK/110)

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**Presentation and Question Sessions**

12.            Mr Tim T.Y. Fung, 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 V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from nature conservation point of view as the proposed development would be in direct conflict with mature trees and other vegetation on the site. The Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) objected to the application as the site was located within a wooded area with dense vegetation and two native trees in good condition would be affected. Significant vegetation clearance within and adjacent to the site was anticipated. Approval of the application would set an undesirable precedent for similar applications in the subject “Green Belt” (“GB”) zone. The Commissioner for Transport had reservation on the application and considered that the proposed development should be confined within the “Village Type Development” (“V”) zone as far as possible. However, the



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

- (d) during the first three weeks of the statutory publication period, eight public comments on the application were received. A North District Council member supported the application and the Chairman of Sheung Shui District Rural Committee had no comment on the application. Six comments against the application were received from the Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited, Hong Kong Bird Watching Society and two individuals. Major supportive views and objection grounds on the application were set out in paragraph 11 of the Paper; and
  
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “GB” zone. There was a general presumption against development in “GB” zone and no strong justification had been given to merit a departure from the planning intention. DAFC did not support the application from nature conservation point of view. The proposed development did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (Interim Criteria) in that land was still available within the “V” zone to meet the outstanding Small House applications and the proposed development would cause adverse landscape impact on the surrounding area, and the Town Planning Board Guidelines No. 10 (TPB PG-No. 10) in that the proposed development would involve clearance of vegetation and would affect the existing natural landscape in the surrounding environment. Approval of the subject application would encourage similar applications leading to further degradation of the landscape quality in the surrounding area. There were five similar applications for Small House development in the vicinity of the site. Three were approved by the Committee between 2004 and 2007 mainly on sympathetic considerations that there were already a number of existing

village houses in the vicinity; and the landscape concern could be addressed by the stipulation of approval condition. Two were rejected by the Committee in 2014, mainly on the grounds that the proposed development was not in line with the planning intention and did not comply with the Interim Criteria and TPB PG-No. 10; and the approval of the application would set an undesirable precedent for similar applications in the area. There had not been major change in planning circumstances of the area since the approval/rejection of the similar applications. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

13. Members had no question on the application.

#### Deliberation Session

14. The Committee noted that the site was the subject of a previous application (No. A/NE-LK/108) for the same use submitted by the same applicant. The application was rejected by the Committee on 28.4.2017 and there had not been major changes in planning circumstances since the rejection of the application.

15. 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 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 Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories and Town Planning Board Guidelines No. 10 for

‘Application for Development within “GB” Zone under Section 16 of the Town Planning Ordinance’ in that the proposed development would involve clearance of vegetation and would affect the existing natural landscape in the surrounding environment;

- (c) land is still available within the “Village Type Development” zone of Ma Tseuk Leng, San Uk Ha and Shek Kiu Tau village cluster where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for 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.”

### **Agenda Item 7**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/611            Proposed House (New Territories Exempted House) in “Agriculture”  
Zone, Lot 207 in D.D. 18, Lung A Pai, Lam Tsuen, Tai Po, New  
Territories  
(RNTPC Paper No. A/NE-LT/611B)

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#### **Presentation and Question Sessions**

16.            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));
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) advised that the subject lot had an area of about 80.9m<sup>2</sup> of building status under the Block Government Lease with entitlement for development of an NTEH with a footprint of 65.03m<sup>2</sup> and a height of not more than 3 storeys (8.23m) as permitted under the Buildings Ordinance (Application to the New Territories) Ordinance. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) objected to the application as there was dense groundcovers, wild grass and an existing tree (*Bridelia tomentosa*) in good condition at the site. The surrounding area was rural in character of high landscape quality with a dense woodland in the immediate southwest. Site formation and/or future permanent access might be required which might further affect the existing nearby trees. Approval of the application would set an undesirable precedent encouraging more similar applications in the surrounding area. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site had high potential for rehabilitation of agricultural activities. The Commissioner for Transport 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 the development of one Small House only could be tolerated. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, three public comments objecting to the application were received from the Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) PlanD’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed

NTEH development was not in line with the planning intention of the “AGR” zone, and DAFC and CTP/UD&L, PlanD did not support the application as the site had high potential for rehabilitation of agricultural activities and there was an existing *Bridelia tomentosa* and dense ground cover at the site, this was an exceptional case, where according to DLO/TP, LandsD, the site was entitled for the development of an NTEH under the Block Government Lease. As such, sympathetic consideration might be given to the subject application and its approval should not set an undesirable precedent for similar applications within the “Agriculture” (“AGR”) zone. Regarding the Interim Criteria for Assessing Planning Applications for NTEH/Small House Development in the New Territories (Interim Criteria) and the proposed NTEH within the water gathering grounds would be able to be connected to the public sewerage system. Application No. A/NE-LT/610 for Small House development was rejected by the Committee in 2017 for the reasons of non-compliance with the planning intention of the “AGR” zone and the Interim Criteria. The circumstances of the application were not similar nor relevant to the subject application. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

17. Members had no question on the application.

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

#### Deliberation Session

18. Noting that the proposed development was separated from the existing village cluster, a Member was concerned that granting planning permission to the application might set an undesirable precedent for other similar applications in the surrounding areas, thus extending the village development outside the “V” zone. As land was still available within the “V” zone, it was considered more appropriate for the proposed development to be concentrated within the “V” zone. However, sympathetic consideration might be given if the site was of building status. It was noted that PlanD’s recommendation to approve the

current application was based on the exceptional circumstances that the site had a building status.

19. In response to the Member's concern, the Chairman said that in considering applications for NTEH/Small House developments, the Committee had been adopting a prudent approach in that such application would not normally be approved if sufficient land was still available with the "V" zone. However, there were special circumstances in the subject case that might warrant sympathetic consideration.

20. Members noted that the application (No. A/NE-LT/610) for Small House development situated to the immediate southwest of the site, which was rejected by the Committee in July 2017, was for Small House development. The circumstances of that application were not similar nor relevant to the subject application for NTEH.

21. Noting from Plans A-3 and A-4 of the Paper that the site was subject to vegetation clearance in the past, a Member raised concern on the impact of the proposed development on the existing trees within the site.

22. On the tree preservation issue, Members noted from paragraph 9.4(c) of the Paper that the existing tree (*Bridelelia tomentosa*) at the eastern corner of the site was not in direct conflict with the proposed NTEH and could be retained. Moreover, with a view to minimising the impact on the existing trees within the site, an approval condition on the submission and implementation of tree preservation proposal was recommended in paragraph 12.2(a) of the Paper.

23. A Member considered that the approval of the application would not set an undesirable precedent as each application had to be considered on its individual merits. Sympathetic consideration could be given to the application for the reason that the site had a building status under the lease and it had been the Board's established practice to respect the building right of the land owners in considering similar planning applications. There was no strong reason to deviate from the Committee's existing practice. Another Member supported the application and concurred with the above views.

24. With respect to the concern on setting of undesirable precedent, the Committee

noted that based on the information provided by DLO/TP, LandsD, apart from the site, there were only two other lots, adjoining the site to the southeast and northwest, within the “AGR” zone that had similar building status.

25. 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 24.11.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission and implementation of tree preservation proposal to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) the connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Water Supplies or of the TPB; and
- (d) the provision of protective measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or the TPB.”

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

**Agenda Item 8**

**Section 16 Application**

[Open Meeting]

A/NE-SSH/111 Proposed Temporary Private Car Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Comprehensive Development Area” Zone, Lots 847 (Part), 848 (Part), 849, 850 (Part), 1082 (Part), 1083, 1084 and 1085 (Part) in D.D. 218, Shap Sz Heung, New Territories  
(RNTPC Paper No. A/NE-SSH/111)

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27. The Committee noted that the applicant’s representative requested on 7.11.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the Lands Department’s comments. It was the first time that the applicant requested deferment of the application.

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



**Agenda Item 9**

**Section 16 Application**

[Open Meeting]

A/NE-TK/625 Temporary Barbecue Site and Car Park for a Period of 3 Years in “Agriculture” Zone and an area shown as ‘Road’, Lots 384 RP (Part), 388 (Part), 393 (Part), 394, 395 and 396 RP (Part) in D.D. 17 and Lots 317, 318, 321, 322, 323 S.A, 323 S.B, 323 S.C (Part), 324, 1016 RP (Part), 1019 RP, 1020 RP, 1022, 1023 S.A, 1023 S.B, 1023 S.C, 1023 S.D, 1023 S.E, 1023 S.F, 1023 S.G, 1023 RP, 1024 S.B, 1024 S.C, 1024 S.D, 1024 S.E, 1024 RP, 1025 S.A, 1025 S.B, 1025 RP, 1026, 1027 (Part), 1028 S.A, 1028 S.B, 1028 S.C, 1028 S.D, 1028 RP, 1029 (Part), 1040 (Part), 1041 to 1044, 1049 and 1050 in D.D. 29, Ting Kok Village, Ting Kok Road, Tai Po, New Territories  
(RNTPC Paper No. A/NE-TK/625)

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29. The Committee noted that the applicant’s representative requested on 3.11.2017 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 deferment of the application.

30. 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 10**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/630                      Proposed Religious Institution (Church) in “Residential (Group A)”  
Zone, G/F Entrance and 1/F, Jade Garden, 9 Pak Shing Street, Tai Po  
(RNTPC Paper No. A/TP/630)

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

32.            The Committee noted that a replacement page (page 7 of the Paper) revising the approval condition in paragraph 11.2 of the Paper had been tabled at the meeting.

**Presentation and Question Sessions**

33.            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 religious institution (church);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual objecting the application was received. The grounds of objection were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the

application based on the assessment set out in paragraph 10 of the Paper. The proposed use was not incompatible with other existing uses on the non-domestic floors of the subject residential development. As the commercial podium and the residential towers had separate entrances, the proposed use would not cause nuisance to the residents. The proposed church was also considered not incompatible with the adjacent land uses. Regarding the public comment received, the comments of government departments and the planning assessments above were relevant.

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

34. In response to a Member's enquiry, Ms Kathy C.L. Chan, STP/STN, said that while the applicant was the owner of the premises, the existing Residential Care Home for the Elderly on the premises was operated by another party.

35. In response to another Member's enquiry, Ms Kathy C.L. Chan said that based on the information provided by the applicant, as the subject premises were located close to the railway station, it was anticipated that most visitors would use public transport.

#### Deliberation Session

36. 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 24.11.2021, 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 fire service installations and water supplies for fire fighting before operation of the proposed use to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (b) if the above planning condition (a) is not complied with before operation of the proposed use, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

### **Agenda Items 11 and 12**

#### **Section 16 Applications**

[Open Meeting]

A/NE-TT/2 Proposed House (New Territories Exempted House - Small House) in “Green Belt” Zone, Lot 483 RP in D.D. 289, Ko Tong, Tai Po

A/NE-TT/3 Proposed House (New Territories Exempted House - Small House) in “Green Belt” Zone, Lot 483 S.A ss. 1 in D.D. 289, Ko Tong, Tai Po  
(RNTPC Paper No. A/NE-TT/2 and 3A)

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38. As the two applications were similar in nature (New Territories Exempted Houses (NTEH) – Small Houses) and the application sites were located in close proximity to one another within the same “Green Belt” zone, the Committee agreed that the two applications could be considered together.

39. The Committee noted that the applicants’ representative requested on 10.11.2017 deferment of the consideration of the applications for two months so as to allow more time for preparation of further information to address the comments of the Chief Town Planner/ Urban Design and Landscape, Planning Department. It was the second time that the applicants requested deferment of the application. Since the last deferment, the applicant had not submitted any further information and indicated that additional time was needed for preparation of response to departmental comments.

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

meeting for the Committee's consideration. The Committee also agreed to advise the applicants 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.

[The Chairman thanked Mr Kenny C.H. Lau, Mr Tim T.Y. Fung and Ms Kathy C.L. Chan, STPs/STN, for their attendance to answer Members' enquiries. They left the meeting at this point.]

### **Fanling, Sheung Shui and Yuen Long East District**

#### **Agenda Item 13**

##### **Section 16 Application**

[Open Meeting]

A/YL-KTS/756      Proposed Temporary Place of Recreation, Sports or Culture for a Period of 3 Years in "Village Type Development" Zone, Government Land in D.D. 106, Kam Tin, Yuen Long (Former Shek Wu School)  
(RNTPC Paper No. A/YL-KTS/756)

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41.            The Secretary reported that the application site was located in Kam Tin South. Ms Janice W.M. Lai had declared an interest on the item as her family owned a property at Cheung Po Tsuen, Kam Tin South. The Committee noted that the applicant had requested deferment of consideration of the application and Ms Janice W.M. Lai had not yet arrived to join the meeting.

42.            The Committee noted that the applicant's representative requested on 14.11.2017 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 deferment of the application.

43. 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 Ivy C.W. Wong, Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE), was invited to the meeting at this point.]

#### **Agenda Item 14**

##### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/757      Renewal of Planning Approval for Temporary Open Storage of Construction Machinery, Construction Material, Vehicle and Vehicle Parts for a Period of 3 Years in "Other Specified Uses" annotated "Rural Use" Zone, Lots 447 RP (Part) and 448 (Part) in D.D. 106, Kam Sheung Road, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/757)

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44. The Secretary reported that the application site was located in Kam Tin South. Ms Janice W.M. Lai had declared an interest on the item as her family owned a property at Cheung Po Tsuen, Kam Tin South. The Committee noted that Ms Janice W.M. Lai had not yet arrived to join the meeting.

##### **Presentation and Question Sessions**

45. 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 construction machinery, construction material, vehicle and vehicle parks for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity and environmental nuisance was expected. One substantiated environmental complaint related to machine noise was received in the past three years. The Chief Town Planner/ Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservation on the application as the applicant failed to maintain the existing landscape implemented in the last approved application (No. A/YL-KTS/653) and the landscape was in poor condition. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) PlanD's views – PlanD considered that the temporary use could be further 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 “Rural Use” (“OU(RU)”) zone, there was no known programme for long-term development at the site. The approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “OU(RU)”) zone. The use under application was not incompatible with the surrounding areas. The application was generally in line with the Town Planning Board Guidelines No. 13E and 34B in that previous

approvals for open storage use had been granted since 1998 and all approval conditions under the last approved application had been complied with. Most relevant departments consulted had no objection to or no adverse comment on the application. To address CTP/UD&L, PlanD's concerns, approval conditions requiring the submission and implementation of tree preservation proposal including tree compensatory proposal were recommended. To address DEP's concerns on the possible nuisance generated by the applied use, approval conditions restricting the operation hours, and no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities on site were recommended. Since the granting of the last approval, there was no change in planning circumstances, sympathetic consideration could be given to the current application.

46. Members had no question on the application.

#### Deliberation Session

47. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years, from 13.12.2017 until 12.12.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at



any time during the planning approval period;

- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a record of the existing drainage facilities on 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 13.3.2018;
- (g) the submission of tree preservation proposal including tree compensatory proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Planning or of the TPB by 13.6.2018;
- (h) in relation to (g) above, the implementation of tree preservation proposal including tree compensatory proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Planning or of the TPB by 13.9.2018;
- (i) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.1.2018;
- (j) the implementation of the accepted 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 13.6.2018;
- (k) 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;

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

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

### **Agenda Item 15**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/758 Proposed Temporary Public Vehicle Park (Private Cars, Lorries and Coaches) for a Period of 3 Years in “Agriculture” Zone, Lots 56 (Part), 61 (Part) and 62 (Part) in D.D. 114, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/758)

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49. The Secretary reported that the application site was located in Pat Heung. Ms Janice W.M. Lai had declared an interest on the item as her family member owned a property at Leung Uk Tsuen, Pat Heung. The Committee noted that Ms Janice W.M. Lai had not yet arrived to join the meeting.

#### **Presentation and Question Sessions**

50. 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 public vehicle park (private cars, lorries and coaches) 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 was a sensitive receiver of residential use in the vicinity of the site and environmental nuisance was expected. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as there were active agricultural activities in the vicinity of the site and the site possessed potential for agricultural rehabilitation. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservation on the application as the proposed use was not in line with the planning intention of “Agriculture” (“AGR”) zone and approval of the application would set an undesirable precedent for other similar applications within the “AGR” zone. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, three public comments objecting to the application were received from Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited and a general public. 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 proposed development was not in line with the planning intention of the “AGR” zone. The site had potential for agricultural rehabilitation and DAFC did not support the application. No strong planning justification had been given in the submission to justify for a departure from the planning intention, even on a temporary basis. CTP/UD&L, PlanD had reservation on the application as approval of the application would set an undesirable precedent for other similar applications within the “AGR” zone, and cumulative effect of approving similar applications would result in

degradation of landscape resources/character and cause adverse landscape impact on the area. DEP did not support the application as the proposed use involved heavy vehicles and there was a sensitive receiver in the vicinity of the site and environmental nuisances were expected. There was no similar application for public vehicle park within the same “AGR” zone. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

51. Members had no question on the application.

#### Deliberation Session

52. 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 which is to retain and safeguard good quality agricultural land/ farm/fish ponds for agricultural purposes. This zone is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the applicant fails to demonstrate that the development would not generate adverse environmental impacts on the surrounding areas; and
- (c) the approval of the application, even on a temporary basis, would set an undesirable precedent for other similar applications to proliferate into this part of the “AGR” zone. The cumulative effect of approving such application would result in a general degradation of the rural environment of the area.”

**Agenda Item 16**

**Section 16 Application**

[Open Meeting]

A/YL-PH/759                      Proposed Temporary Private Car Park for a Period of 3 Years in  
“Village Type Development” Zone, Lot 761 (Part) in D.D. 111, Sheung  
Che Tsuen, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/759)

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53.            The Secretary reported that the application site was located in Pat Heung. Ms Janice W.M. Lai had declared an interest on the item as her family member owned a property at Leung Uk Tsuen, Pat Heung. The Committee noted that the applicants had requested deferment of consideration of the application and Ms Janice W.M. Lai had not yet arrived to join the meeting.

54.            The Committee noted that the applicants requested on 17.11.2017 deferment of the consideration of the applications for two months so as to allow time for preparation of further information to address the departmental comments. It was the first time that the applicants requested deferment of the application.

55.            After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. 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 applicants. If the further information submitted by the applicants 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 applicants 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 (Presentation and Question Sessions Only)]

A/YL-SK/230            Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 110 S.D RP (Part) in D.D. 112, Sheung Tsuen,  
Kam Sheung Road, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-SK/230)

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**Presentation and Question Sessions**

56.            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 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 did not support the application as there were active agricultural activities in the close vicinity of the site. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, five public comments objecting to the application from the residents’ representative of Sheung Tsuen, Kadoorie Farm and Botanic Garden, Designing Hong Kong Limited, Green Sense and a general public were received. 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.

The proposed Small House development was not in line with the planning intention of “Agriculture” (“AGR”) zone. The approval of the application would set an undesirable precedent to encourage more village house developments in the “AGR” zone. The application did not comply with the Interim Criteria for consideration of application for NTEH/Small House in the New Territories (Interim Criteria) in that the site and the footprint of the proposed Small House did not fall within the village ‘environs’ (‘VE’) of any recognised village and land was still available within the “Village Type Development” (“V”) zone of Sheung Tsuen to meet the outstanding Small House applications. Three similar applications for proposed NTEH (Small House) within the same “AGR” zone since the first promulgation of the Interim Criteria in 2000 were rejected by the Committee mainly on the grounds that the proposed development was not in line with the planning intention of the “AGR” zone; the proposed development did not comply with the Interim Criteria; there was no strong justification to demonstrate that land was not available within the “V” zone; and approval of the application would set undesirable precedent. Rejection of the current application was in line with the previous decision of the Committee on the similar applications. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

57. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposed Small House development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is to retain and safeguard good quality agricultural land for agricultural purposes. It is 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 submission for a departure from the planning intention;

- (b) the application does not comply with the Interim Criteria for assessing planning applications for New Territories Exempted House (NTEH) – Small House development in that the proposed NTEH – Small House footprint falls entirely outside the village ‘environs’ of any recognised village and the “Village Type Development” (“V”) zone. Land is still available within the “V” zone of Sheung Tsuen 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 orderly development pattern, efficient use of land and provision of infrastructure and services. There is no exceptional circumstance to justify approval of the application; and
- (c) approval of the application would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such applications would lead to degradation of the rural character and environment of the area.”

[The Chairman thanked Ms Ivy C.W. Wong, STP/FSYLE, for her attendance to answer Members’ enquiries. She left the meeting at this point.]

### **Tuen Mun and Yuen Long West District**

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



**Agenda Item 18**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PN/49            Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Coastal Protection Area” Zone, Lots 11 (Part), 14 and 15 in D.D. 135 and Adjoining Government Land, Sheung Pak Nai, Yuen Long  
(RNTPC Paper No. A/YL-PN/49A)

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**Presentation and Question Sessions**

59.            Ms Stella Y. Ng, STP/TMYLW, drew Members’ attention that the applicant on 22.11.2017 submitted further information to clarify that the application site would not be hard paved. A copy of the letter was tabled at the meeting for Members’ information. Ms Ng then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports or culture (hobby farm) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation had raised concern on the application from ecological viewpoint and commented that the site was quite near the coastal areas, any potential direct or indirect impacts on the habitats in Deep Bay and the Pak Nai Site of Special Scientific Interest should be avoided as far as possible. The Director of Environmental Protection advised that one substantiated environmental complaint regarding illegal dumping of construction and demolition waste pertaining to the site was received in 2016. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, six public comments objecting to the application were received from World Wide Fund for Nature Hong Kong, Kadoorie Farm and Botanic Garden Corporation, Hong Kong Bird Watching Society, Designing Hong Kong Limited, Green Sense and an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
  
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Coastal Protection Area” (“CPA”) zone. There was a general presumption against development within the zone. The applicant failed to demonstrate that the proposal was needed to support the conservation of the existing natural landscape and scenic quality of the area or essential infrastructural project with overriding public interests. There was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis. Vegetation clearance had taken place on the site and approval of the application would set an undesirable precedent for similar development within the same “CPA” zone. Although there were seven similar approved applications involving two sites for temporary place of recreation, sports or culture uses, they involved using the existing fish ponds for fishing grounds and did not require any land/pond filling and were different in nature from the current application. The two approved applications referred to by the applicant fell within another OZP and the planning circumstances were different. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

60. A Member raised the following questions:

- (a) whether the site was subject to any enforcement action; and
  
- (b) whether the applicant had submitted any proposals in support of the conservation of the natural landscape and scenic quality of the “CPA” zone.

61. Ms Stella Y. Ng, STP/TMYLW, made the following responses:

- (a) the site was subject to previous enforcement actions for filling of land. Enforcement Notices (ENs) were issued in November 2011 and January 2013, and both ENs were complied with in September 2014. The site was also related to a public complaint of suspected land filling and warning letter was issued by the Central Enforcement and Prosecution Section (CEPS), PlanD in August 2016. Recent site inspection revealed that part of the site was paved with floor tiles. CEPS, PlanD was investigating the case and would take appropriate enforcement action should unauthorised development be found on the site; and
- (b) the applicant had not submitted any proposal in support of the conservation and protection of the natural coastlines and environment. Based on the information submitted by the applicant, only around 30% of the site area was proposed for farming activities. Majority of the site was proposed for team building activities.

#### Deliberation Session

62. A Member did not support the application. In view that the site was located in an environmentally sensitive area and the site had been involved in a number of enforcement cases since 2011, the Member considered that CEPS, PlanD should closely monitor the situation of the site and take prompt and more stringent enforcement action as appropriate.

63. The Chairman said that all along it had been the established practice for CEPS, PlanD to accord high priority to carry out enforcement action involving sites within conservation zonings. Nevertheless, the Member's concern could be conveyed to CEPS, PlanD for consideration and follow-up action as appropriate.

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

- “(a) the “Coastal Protection Area” (“CPA”) zoning is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. There is a general presumption against development in this zone. The proposed development is not in line with the planning intention of the “CPA” zone. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis; and
- (b) approval of the application would set an undesirable precedent for similar applications in the “CPA” zone. The cumulative effect of approving such applications would result in a general degradation of the natural environment and landscape quality in the area.”

### **Agenda Item 19**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/24                      Temporary Open Storage of Construction Materials and Construction Machinery, Warehouse and Container Vehicle Park for a Period of 3 Years in “Residential (Group A) 3” Zone and an area shown as ‘Road’, Lots 844 RP (Part) and 845 (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/24)

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#### **Presentation and Question Sessions**

65.            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 open storage of construction materials and construction machinery, warehouse and container vehicle park for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity of the site and along the access road and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Residential (Group A) 3” (“R(A)3”) zone, the implementation programme for the subject part of the Hung Shui Kiu New Development Area was still being formulated. Approval of the application on a temporary basis would not jeopardise the long-term development of the site. The proposed development was not incompatible with the surrounding land uses and was generally in line with the Town Planning Board Guidelines No. 13E (TPB PG-No. 13E) in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up uses and relevant proposals had been submitted to demonstrate the proposed use would not generate adverse impacts. Although DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years. The potential environmental nuisances could be addressed by relevant approval conditions. The Committee had approved seven previous applications for similar open storage, warehouse and container vehicle park uses at the site and eight similar applications within the subject “R(A)3” zone since promulgation of TPB PG-No. 13E in 2008. The two

previous planning permissions (applications No. A/YL-HT/908 and 936) were revoked as the applicant had failed to comply with the approval conditions. For the last approved application No. A/YL-HT/936, all except the condition on implementation of fire service installations (FSIs) were complied with by the applicant. In the current application, the applicant had submitted FSIs proposal and the Director of Fire Services had no objection to the application. Sympathetic consideration might be given to the application but a shorter compliance period for approval conditions was recommended to monitor the progress of compliance with the approval conditions.

66. Members had no question on the application.

#### Deliberation Session

67. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.11.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the stacking height of materials stored within 5m of the periphery of the site shall not exceed the height of the boundary fence at any time during the planning approval period;
- (d) no cutting, dismantling, cleaning, repairing, compacting, vehicle repair and workshop activity, is allowed on site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from the public road

at any times during the planning approval period;

- (f) the landscape planting on the site shall be maintained at all times during the planning approval period;
- (g) the existing fencing on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of existing drainage facilities within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 24.2.2018;
- (i) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.1.2018;
- (k) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.2.2018;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.5.2018;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) 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;
- (n) if any of the above planning conditions (h), (j), (k) or (l) 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

- (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.”

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

## **Agenda Item 20**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/25                      Temporary Warehouse with Ancillary Site Office for a Period of 3 Years in “Commercial (5)”, “Open Space” and “Residential (Group B) 2” Zones, Lots 2187 RP (Part), 2380 RP (Part), 2381 RP (Part), 2382 (Part), 2383 RP (Part), 2384 S.B (Part), 2385 RP (Part), 2412 RP, 2415 RP, 2416 (Part), 2417, 2418 RP (Part) and 2419 RP (Part) in D.D. 129 and Adjoining Government Land, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/25)

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### **Presentation and Question Sessions**

69. 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 warehouse with ancillary site office 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 uses along the access road and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the development under application was not in line with the planning intentions of the “Commercial (5)” and “Open Space” zones, the implementation programme for the subject part of the Hung Shui Kiu New Development Area was still being formulated. Approval of the application on a temporary basis would not jeopardise the long-term development of the site. The proposed development was not incompatible with the surrounding areas. Majority of the concerned government departments consulted had no adverse comment on the application. Although DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years. The potential environmental nuisances could be addressed by relevant approval conditions. The Committee had approved 11 previous applications for open storage, logistic centre, vehicle park and repair workshop uses in the site and three similar applications within the same zones.

70. Members had no question on the application.

#### Deliberation Session

71. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.11.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 8:00 p.m. to 8:00 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 vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (d) the landscape planting on the site shall be maintained at all time during the planning approval period;
- (e) 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 24.2.2018;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of run in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 24.5.2018;
- (h) in relation to (g) above, the implementation of the run in/out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 24.8.2018;
- (i) the submission of fire service installations proposals within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 24.5.2018;
- (j) in relation to (i) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 24.8.2018;

- (k) 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 24.5.2018;
- (l) if any of the above planning conditions (a), (b), (c), (d) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (e), (g), (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) upon 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.”

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

### **Agenda Item 21**

#### **Section 16 Application**

[Open Meeting]

A/YL-TT/406      Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years in “Village Type Development” Zone, Lots 1603 (Part), 1609 (Part) and 1610 (Part) in D.D. 119, Kiu Hing Road, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-TT/406A)

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73. The Committee noted that the applicant’s representative requested on 8.11.2017 deferment of the consideration of the application for two months so as to allow time to

respond to the comments of the Transport Department (TD). It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information in response to TD's comments.

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

## **Agenda Item 22**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/413            Renewal of Planning Approval for Temporary Forklift Training Centre with Ancillary Facilities for a Period of 3 Years in "Agriculture" Zone, Lots 2269 S.B ss.1 (Part), 2270 S.A (Part), 2270 S.B (Part), 2271 (Part), 2272 and 2273 (Part) in D.D. 118 and Adjoining Government Land, Sung Shan New Village, Tai Tong, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-TT/413)

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### **Presentation and Question Sessions**

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

- (a) background to the application;

- (b) the renewal of planning approval for temporary forklift training centre with ancillary facilities for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments raising concern on the application were received from the Chairman of the Yuen Long District Council and a member of the public. The major concerns were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the development was not in line with the planning intention of the “Agriculture” (“AGR”) zone, the site was the subject of six previous planning approvals since 2000 and the Director of Agriculture, Fisheries and Conservation had no strong view on the application. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone. The proposed development was considered not incompatible with the surrounding land uses. The application was generally in line with Town Planning Board Guidelines No. 34B in that there had been no material change in planning circumstances since the granting of the previous approval, the approval conditions had been complied with, and the three-year planning approval period sought was of the same timeframe as the previous approval. Majority of the government departments consulted had no adverse comment on the application. Although DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years. The

potential environmental nuisances could be addressed by relevant approval conditions. Regarding the public comments received, the planning assessments above were relevant.

76. Members had no question on the application.

#### Deliberation Session

77. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years from 13.12.2017 to 12.12.2020, 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 8:30 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) no forklift truck is allowed to be driven into/out from the site, as proposed by the applicant, at any time during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint-spraying and other workshop activities, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (e) no medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to park/store on or enter/exit the site at any time during the planning approval period;
- (f) no queuing and reverse movement of vehicle are allowed on public road at any time during the planning approval period;

- (g) all landscape plantings including trees and shrubs within the site should be maintained in good condition at all times during the planning approval period;
- (h) the existing drainage facilities on the site should be maintained at all times during the planning approval period;
- (i) the submission of a 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 13.3.2018;
- (j) 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 13.6.2018;
- (k) in relation to (j) 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 13.9.2018;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

### **Agenda Item 23**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/860 Temporary Open Storage of Metal Goods with Ancillary Warehouse for a Period of 3 Years in “Undetermined” Zone, Lots 776 (Part), 1878 (Part), 1879 S.A , 1879 S.B (Part), 1943 (Part), 1944 (Part) and 1945 (Part) in D.D. 117 and Adjoining Government Land, Kung Um Road, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-TYST/860)

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#### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the temporary open storage of metal goods with ancillary warehouse for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment objecting to the application was received from a member of the



public. The objection ground was set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone which was generally intended for open storage use. Although the site fell within the boundary of the Yuen Long South Development, approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The applied use was not incompatible with the surrounding uses. The application was generally in line with Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up use. Majority of the government departments consulted had no adverse comment on the application. Although DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years. The potential environmental nuisances could be addressed by relevant approval conditions. The Committee had approved four applications of similar open storage use covering the site and 93 other similar applications in the same “U” zone, approval of the subject application was in line with the Committee’s previous decisions. The last approved application was revoked in July 2017 due to non-compliance with approval condition on the submission of a record of existing drainage facilities. In the current application, the applicant had submitted a drainage proposal and the Chief Engineer/Mainland North, Drainage Services Department, had no objection in principle to the proposed use. Shorter compliance periods were recommended to closely monitor the progress on compliance with associated approval conditions. Regarding the public comment received, the planning considerations and assessments above were relevant.

80. Members had no question on the application.

Deliberation Session

81. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.11.2020, 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 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 storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no dismantling, repairing, cleansing, paint-spraying or other workshop activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (e) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to park/store on or enter/exit the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) all existing trees and landscape plantings within the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site should be maintained at all times during the planning approval period;

- (i) the submission of a record of existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.2.2018;
- (j) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.1.2018;
- (k) the submission of fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.2.2018;
- (l) in relation to (k) above, the implementation 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 24.5.2018;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

**Agenda Item 24**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/861      Temporary Warehouse for Storage of Documents and Office Supplies for a Period of 3 Years in “Undetermined” Zone, Lots 1544 (Part) and 1545 (Part) in D.D. 119, Pak Sha Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/861)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the temporary warehouse for storage of documents and office supplies for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from a member of the public objecting to the application. The objection ground was set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was not

in conflict with the planning intention of the “Undetermined” zone which was generally intended to cater for the continuing demand for open storage use. While the site fell within the boundary of the Yuen Long South Development, approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The development was not incompatible with the surrounding uses. Majority of the government departments consulted had no adverse comment on the application. Although DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years. The potential environmental nuisances could be addressed by relevant approval conditions. The Committee had approved four previous applications for open storage or storage uses on the site and 31 similar applications in the vicinity of the site, approval of the subject application was in line with the Committee’s previous decisions. Regarding the public comment received, the planning considerations and assessments above were relevant.

84. Members had no question on the application.

#### Deliberation Session

85. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.11.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no workshop activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;

- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period ;
- (f) the existing trees on the site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of records of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.2.2018;
- (i) 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 24.5.2018;
- (j) in relation to (j) above, the implementation of 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 24.8.2018;
- (k) 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;
- (l) if any of the above planning conditions (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

- (m) upon 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.”

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

## **Agenda Item 25**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/238                      Proposed Eating Place in “Other Specified Uses” annotated “Public Car Park to Include Retail and Residential Uses” Zone, Shop No. 5, G/F and Cockloft of Shop No. 5, Springdale Villas, 80 Ma Tin Road, Yuen Long, New Territories  
(RNTPC Paper No. A/YL/238)

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### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed eating place;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. Although the proposed eating place was not entirely in line with the planning intention of the “Other Specified Uses” (“OU”) annotated “Public Car Park to include Retail and Residential Uses” zone, it could provide catering services to serve any such demand in the area. The proposed eating place was considered not incompatible with the existing uses on the same floor of the building. The small scale of the proposed use would unlikely cause significant adverse environmental and traffic impacts on the surrounding areas. Concerned government departments had no objection to or adverse comment on the application. The Committee had approved similar applications for eating place on the same floor of the development. Approval of the current application was in line with the Committee's previous decisions.

88. In response to a Member's enquiry, Mr Alan Y.L. Au, STP/TMYLW, said that the planning intention of the subject “OU” zone was primarily for public car park with retail and residential uses.

[Ms Janice W.M. Lai arrived to join the meeting at this point.]

#### Deliberation Session

89. Members noted that ‘Eating Place’ was a Column 2 use under the subject “OU” zone which required planning permission and there were five similar applications for eating place on the same floor of the application premises previously approved by the Committee.

90. 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 24.11.2021, 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 fire service installations and water supplies for fire fighting before commencement of the operation of the proposed use to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) if the above planning condition (a) is not complied with before commencement of the operation of the proposed use, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

## **Agenda Item 26**

### **Any Other Business**

#### (i) **Section 16A Application**

[Open Meeting]

A/YL-KTS/736-1 Application for Extension of Time for Compliance with Planning Conditions, Lots 353 RP (Part) and 354 RP (Part) in D.D. 109, Kam Sheung Road, Kam Tin, Yuen Long

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92. The Secretary reported that the application site was located in Kam Tin South. Ms Janice W.M. Lai had declared an interest on the item as her family member owned a property at Cheung Po Tsuen, Kam Tin South. As the property of Ms Janice W.M. Lai’s family member had no direct view of the application site, the Committee agreed that she could stay in the meeting.

93. The Secretary reported that the application was approved with conditions by the

Committee on 26.5.2017. The deadline for compliance with approval conditions (g), (i) and (l) was 26.11.2017. An application for extension of time for compliance with approval conditions (g), (i) and (l) for three months up till 26.2.2018 was received by the Town Planning Board on 14.11.2017, which was less than 10 working days before the expiry of the specified time limit for the approval conditions (g), (i) and (l). It was recommended not to consider the application as there was insufficient time to process the application before the expiry of the specified time limit for compliance with the conditions (g), (i) and (l).

94. Members noted that the recommendation was in line with the current practice of the Committee.

95. After deliberation, the Committee agreed not to consider the section 16A application as there was insufficient time to process the application before the expiry of the specified time limit for compliance with the conditions mentioned above.

96. There being no other business, the meeting closed at 3:30 p.m..