

TOWN PLANNING BOARD

Minutes of 593rd Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 8.12.2017

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Professor K.C. Chau

Ms Janice W.M. Lai

Ms Christina M. Lee

Mr H.F. Leung

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Dr C.H. Hau

Mr Alex T.H. Lai

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

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

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

Principal Environmental Protection Officer (Strategic Assessment),
Environmental Protection Department
Mr Raymond W.M. Wong

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

Deputy Director of Planning/District
Miss Fiona S.Y. Lung

Secretary

Absent with Apologies

Mr Ivan C.S. Fu

Mr Philip S.L. Kan

Dr Lawrence K.C. Li

In Attendance

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

Town Planner/Town Planning Board
Miss Gloria Y.L. Sze

Agenda Item 1

Confirmation of the Draft Minutes of the 592nd RNTPC Meeting held on 24.11.2017

[Open Meeting]

1. The draft minutes of the 592nd RNTPC meeting held on 24.11.2017 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Sha Tin, Tai Po and North District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/ST/33 Application for Amendment to the Draft Sha Tin Outline Zoning Plan No. S/ST/33, To Rezone the Application Site from “Residential (Group B)” and “Green Belt” to “Other Specified Uses” annotated “Religious Institution with Columbarium”, Lots 2, 671 and 819 RP in D.D. 181, Tai Wai, Sha Tin
(RNTPC Paper No. Y/ST/33A)

3. The Secretary reported that the application was submitted by Good Faith Limited and the application site was located in Tai Wai, and Ramboll Environ Hong Kong Limited (Environ) was one of the consultants of the applicant. The following Members had declared interests on the item:

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|---------------------|---|--|
| Mr Ivan C.S. Fu | } | having current business dealings with Environ; |
| Ms Janice W.M. Lai | | |
| Mr Alex T.H. Lai | - | his firm having current business dealings with Good Faith Limited; and |
| Ms Christina M. Lee | - | her spouse owning a flat in Tai Wai. |

4. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting and Ms Janice W.M. Lai had not yet arrived to join the meeting. The Committee agreed that as the property of Ms Christina M. Lee's spouse did not have a direct view on the application site and Mr Alex T.H. Lai had no involvement in the application, they could stay in the meeting.

5. The Committee noted that the applicant's representative requested on 24.11.2017 deferment of the consideration of the application for two months in order to allow time to review the implication of the policy initiatives related to land premium and traffic impact assessment (TIA) of pre-cut-off columbaria announced by the Government on 22.11.2017 on the application, as well as to seek advice from the Transport Department on requirement on traffic aspect. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including TIA and Sewerage Impact Assessment.

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

Sai Kung and Islands District

Agenda Item 4

Section 16 Application

[Open Meeting]

A/I-PC/12 Proposed Comprehensive Residential Development and a Commercial Complex with a Boutique Hotel in “Other Specified Uses” annotated “Comprehensive Residential Development including a Commercial Complex” Zone, Lot 678 in D.D. Peng Chau, Peng Lei Road, Peng Chau

(RNTPC Paper No. A/I-PC/12A)

7. The Secretary reported that T K Tsui - Gabriel Yu Limited (TKT), Landes Limited (Landes) and Savills Valuation and Professional Services Limited (Savills) were three of the consultants of the applicant. The following Members had declared interests on the item:

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

8. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting and Ms Janice W.M. Lai had not yet arrived to join the meeting. The Committee agreed that Mr Alex T.H. Lai could stay in the meeting as he had no involvement in the application.

9. The Committee noted that the applicant’s representative requested on 30.11.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental 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 responses to departmental comments and a Traffic Impact Assessment.

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

Agenda Item 5

Section 16 Application

[Open Meeting]

A/SK-HC/278 Temporary Film Studio for a Period of 3 Years in "Recreation" and "Green Belt" Zones, Lots 287 (Part), 288 (Part), 289 S.A, 289 RP, 295, 299, 309 (Part) and 815 (Part) in D.D. 247 and Adjoining Government Land, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/278)

11. The Committee noted that the applicant's representative requested on 20.11.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

[Mr William W.T. Wong, Senior Town Planner/Sai Kung and Islands (STP/SKIs), was invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-SKT/17 Proposed Eating Place (Redevelopment of an Existing Building and a Proposed Building with a Bridge Connecting Two Buildings) in “Village Type Development” and “Open Space” Zones, Lots 86 and 94 in D.D. 215 and Adjoining Government Land, Sai Kung
(RNTPC Paper No. A/SK-SKT/17B)

13. The Secretary reported that the application site was located in Sai Kung, and Arthur Yung and Associates Company Limited (AYA) and Vibro (H.K.) Limited (Vibro) were two of the consultants of the applicant. The following Members had declared interests on the item:

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| Ms Janice W.M. Lai | - | her spouse owning a shop in Sai Kung Town;
and |
| Mr Alex T.H. Lai | - | his firm having current business dealings with
AYA and Vibro. |

14. The Committee noted that Ms Janice W.M. Lai had not yet arrived to join the meeting, and agreed that Mr Alex T.H. Lai could stay in the meeting as he had no involvement in the application.

Presentation and Question Sessions

15. With the aid of a PowerPoint presentation, Mr William W.T. Wong, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed eating place (redevelopment of an existing building and a proposed building with a bridge connecting the two buildings);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, 12 public comments were received from the Sai Kung North Rural Committee, Sai Kung Kai Fong Committee (西貢街坊會), Sai Kung Traditional Cultural Education Foundation, Resident Representatives of Sha Tsui New Village, Lei Ling Ha, Wong Chuk Shan New Village and Kai Ham Village and some local organizations supporting the application, and 57 local residents or individuals objecting to or raising concerns on the application. Major views and concerns were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The application site was located at the fringe of the “Village Type Development” zone and in close proximity to the Sai Kung Old Town and Sai Kung Town Centre. The proposed eating place could provide catering facilities to serve visitors, tourists and local residents. The proposed use was not incompatible with the land uses in the vicinity. In view of the

small scale of the proposed use, approval of the application would not adversely affect the character of Sai Kung Old Town and was unlikely to cause significant adverse impacts on environmental, visual, traffic, drainage, sewerage, geotechnical and fire safety aspects. The application was generally in line with the Town Planning Board Guidelines No. 15A. Technical concerns of the Director of Fire Services on fire safety arrangement could be addressed through the implementation of relevant approval condition. The proposed eating place would be subject to control by the licensing authority. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

16. In response to the Chairman's enquiry, Mr William W.T. Wong, STP/SKIs, said that should the application be approved, the applicant would submit building plans for the proposed use to the Buildings Department for approval.

Deliberation Session

17. 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 8.12.2021, 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 firefighting to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) the submission and implementation of a tree preservation and landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 7

Section 16 Application

[Open Meeting]

A/SK-TLS/52 Proposed Minor Relaxation of Plot Ratio, Site Coverage and Building Height Restrictions for Permitted Residential Development in “Residential (Group C) 1” Zone, Lot 1109 RP (Part) in D.D. 253, 8 Ka Shue Road, Sai Kung
(RNTPC Paper No. A/SK-TLS/52)

19. The Secretary reported that the application was submitted by Double One Limited. Mr Alex T.H. Lai had declared interest on the item as his firm was having current business dealings with the applicant.

20. The Committee noted that the applicant had requested deferment of consideration of the application and agreed that Mr Alex T.H. Lai could stay in the meeting as he had no involvement in the application.

21. The Committee noted that the applicant’s representative requested on 30.11.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

[The Chairman thanked Mr William W.T. Wong, STP/SKIs, for his attendance to answer Members' enquiries. He left the meeting at this point.]

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

Sha Tin, Tai Po and North District

[Mr Kenny C.H. Lau and Ms Kathy C.L. Chan, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), and Ms Cindy K.F. Wong, Town Planner/Shan Tin, Tai Po and North (TP/STN), were invited to the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/MOS/119 Proposed House (New Territories Exempted House - Small House) in
 "Green Belt" Zone, Government Land in D.D. 167, Sai O Village, Sai
 Kung North
 (RNTPC Paper No. A/MOS/119)

Presentation and Question Sessions

23. 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 proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L,

PlanD) had some reservations on the application as the proposed development was not in line with the planning intention of the “Green Belt” (“GB”) zone and approval of the application would encourage more similar developments in the area and would result in further degradation of landscape character and cause adverse landscape impact on the area. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, three objecting public comments were received from the Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited and an individual. Major objection grounds were set out in paragraph 11 of the Paper; and

- (e) PlanD’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the proposed Small House was not in line with the planning intention of the “GB” zone and CTP/UD&L, PlanD had reservation on the application, the application site was currently paved and vacant without vegetation and situated at the southern fringe of Sai O Village. The proposed Small House development was considered not incompatible with the surrounding village setting and rural character. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the footprint of the proposed Small House fell within the village ‘environs’ of Sai O Village. Land was available within the “Village Type Development” zone to meet the outstanding Small House applications but could not fully meet the future Small House demand. Given the application site was bounded by existing village houses and approved applications to the north and east, and the village ‘environs’ and vegetated slope to its immediate west and south, and was in close proximity to the existing village cluster, sympathetic consideration might be given to the application. Similar applications in close proximity and within the same “GB” zone had been approved by the Committee and the circumstances of those approved applications were similar to the subject application.

Application No. A/MOS/108 for Small House development, which was located away from the approved Small House cluster, was rejected by the Committee in 2017 mainly for the reasons of insufficient planning justifications, clearance of vegetation and adverse landscape and geotechnical impacts. The location and planning circumstances of that application were different from the subject application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

24. Members had no question on the application.

Deliberation Session

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 8.12.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

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

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

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/927 Comprehensive Development with Government, Institution or Community Facilities and Public Transport Interchange (Master Layout Plan Submission) in “Comprehensive Development Area (1)” Zone, East Rail Fo Tan Station and its adjoining area at Au Pui Wan Street and Lok King Street, Sha Tin
(RNTPC Paper No. A/ST/927)

27. The Secretary reported that the application site was located in Fo Tan, Sha Tin, and Masterplan Limited (Masterplan), Ove Arup & Partners Hong Kong Limited (Arup), MVA Hong Kong Limited (MVA), Ramboll Environ Hong Kong Limited (Environ) and Dennis Lau & Ng Chun Man Architects & Engineers (HK) Limited (DLN) were five of the consultants of the applicant. The following Members had declared interests on the item:

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| Mr Ivan C.S. Fu | - | having current business dealings with Masterplan, Arup, MVA and Environ; |
| Ms Janice W.M. Lai | - | having current business dealings with Arup and Environ; |
| Mr Alex T.H. Lai | - | his firm having current business dealings with Arup; |
| Mr Stephen L.H. Liu | - | having past business dealings with DLN; and |
| Professor K.C. Chau | - | co-owning with spouse a flat in Fo Tan. |

28. The Committee noted that Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting. The Committee agreed that as the property co-owned by Professor K.C. Chau did not have a direct view on the application site and Ms Janice W.M. Lai and Messrs Alex T.H. Lai and Stephen L.H. Liu had no involvement in the application, they could stay in the meeting.

Presentation and Question Sessions

29. With the aid of a PowerPoint presentation, Mr Kenny C.H. Lau, STP/STN, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the comprehensive development with government, institution or community (GIC) facilities and public transport interchange (master layout plan (MLP) submission);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, 3,855 public comments were received from Sha Tin District Council members, the MTR Corporation Limited, China Resources (Holdings) Company Limited, the Owners' Corporation of the Palazzo, Chairman of the Owners' Committee of Royal Ascot, the Incorporated Owners of Jubilee Garden (Shatin), Joint Committee of Owners and Residents of Sui Wo Court, local residents, property owners and workers in Fo Tan and Sha Tin. Among them, one supported, one offering views and the remaining 3,853 objecting to the application. Major views and concerns were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. According to the Town Planning Board Guidelines No. 17A, for "Comprehensive Development Area" ("CDA") site which was not under single ownership, allowance for phased development could be considered. Same as the previously approved applications, a MLP was prepared on the basis that a comprehensive development of the whole "CDA(1)" site could be implemented in phases relating to the land ownership pattern. The

subject application was a revised scheme of the latest approved scheme (No. A/ST/658-1). The amendments under current application mainly included an increase of the total number of flats; a reduction of the overall average flat size; and changes in the layout of podium, number of storeys, building height, form and disposition of towers, without any change to the major development parameters. The Chief Town Planner/Urban Design and Landscape, PlanD considered that the current scheme would not result in adverse visual and air ventilation impacts. While there was no building height restriction for the “CDA(1)” zone on the Outline Zoning Plan, there were public concerns on the building bulk and height. An approval condition related to the maximum building height restriction was recommended. To address the technical concerns of the Commissioner for Transport and the Director of Environmental Protection on the design, provision and management of the covered public transport interchange and noise mitigation measures respectively, relevant approval conditions were recommended. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant, and the provision of open space and GIC facilities were generally sufficient to meet the need of planned population of Sha Tin in accordance with the Hong Kong Planning Standards and Guidelines.

30. Members had no question on the application.

Deliberation Session

31. Members noted that the objections or concerns raised in the public comments on the subject application were similar to those of the previously approved application.

32. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 8.12.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the submission and implementation of a revised Master Layout Plan to incorporate where appropriate the approval conditions as stated in paragraphs (b) to (i) to the satisfaction of the Director of Planning or of the TPB;
- (b) the building heights for the proposed development (in terms of mPD) should not exceed the maximum building heights as proposed by the applicant;
- (c) the submission and implementation of a Landscape Master Plan to the satisfaction of the Director of Planning or of the TPB;
- (d) the submission of Noise Impact Assessment Report and implementation of necessary noise mitigation measures to the satisfaction of the Director of Environmental Protection or of the TPB;
- (e) the design and provision of vehicular access, car parking spaces, loading/unloading/lay-by facilities and pedestrian circulation system to the satisfaction of the Commissioner for Transport or of the TPB;
- (f) the design, provision, management and maintenance of the public transport interchange and the mini-transport interchange to the satisfaction of the Commissioner for Transport or of the TPB;
- (g) the submission of revised drainage and sewerage impact assessments and implementation of the upgrading measures identified therein to the satisfaction of the Director of Drainage Services or of the TPB;
- (h) the design and provision of a kindergarten to the satisfaction of the Secretary for Education or of the TPB; and
- (i) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Items 10 to 12

Section 16 Applications

[Open Meeting]

A/NE-TT/4 Proposed House (New Territories Exempted House - Small House) in “Green Belt” and “Village Type Development” Zones, Lots 456 S.A and 457 S.A in D.D. 289, Ko Tong, Tai Po

A/NE-TT/5 Proposed House (New Territories Exempted House - Small House) in “Green Belt” and “Village Type Development” Zones, Lot 457 S.B in D.D. 289, Ko Tong, Tai Po

A/NE-TT/6 Proposed House (New Territories Exempted House - Small House) in “Green Belt” and “Village Type Development” Zones, Lot 476 S.B ss.2 in D.D. 289, Ko Tong, Tai Po
(RNTPC Paper No. A/NE-TT/4 to 6A)

34. The Committee noted that the three applications for proposed house (New Territories Exempted House (NTEH) – Small House) were similar in nature and the application sites were located in close proximity to one another and within the same “Green Belt” and “Village Type Development” zones. The Committee agreed that the applications could be considered together.

35. The Committee noted that the applicants’ representative requested on 16.11.2017, 17.11.2017 and 20.11.2017 deferment of the consideration of the applications for two months respectively in order to allow time to prepare further information to address departmental comments. It was the second time that the applicants requested deferment of the applications. Since the last deferment, the applicants had not submitted any further information and indicated that additional time was needed for preparation of response to departmental comments.

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

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

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

37. 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 temporary shop and services (real estate agency) with ancillary car park for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the application site possessed potential for agricultural rehabilitation and there were active agricultural activities in the vicinity of the application site. The Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) had some reservations on the application as the proposed use was considered incompatible with the landscape setting, and not in line with the planning intention of the “Agriculture” (“AGR”) zone and approval of the application would set an undesirable precedent which could jeopardize the existing landscape resources and function of 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 period, 53 public comments were received from a Tai Po District Council member, Resident Representatives of Pak Ngau Shek Ha Tsuen and Pak Ngau Shek Sheung Tsuen and local villagers supporting the application and four individuals objecting to the application. Major views were set out in paragraph 10 of the Paper; and

- (e) PlanD’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with the planning intention of the “AGR” zone, it could provide real estate services to serve the local community. Approval of the application on a temporary basis would not frustrate the long-term planning intention. The use to be provided in a single-storey temporary office was not incompatible with surrounding areas. The application site was located within the water gathering ground and the applicant confirmed that there would be no toilet facility or waste water generation from the proposed development. Concerned government departments including the Director of Environmental Protection and the Chief Engineer/Construction, Water Supplies Department had no objection to the application. Relevant

approval conditions and advisory clauses were recommended to minimise any possible environmental nuisance and address technical requirements of concerned departments. While there was no similar application within the same “AGR” zone on the Lam Tsuen Outline Zoning Plan (OZP), similar applications within “AGR” zone on other OZPs had been approved on a temporary basis by the Committee between 2010 and 2017. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

38. Some Members raised the following questions:

- (a) whether there were other commercial uses or toilet facilities in the vicinity of the application site;
- (b) whether there was an office in the vicinity of the application site as shown on Plan A-2 of the Paper; and
- (c) whether storage of goods or vehicles would be permitted at the application site should the subject application be approved.

39. Ms Kathy C.L. Chan, STP/STN, made the following responses:

- (a) the surrounding area of the application site was mainly rural in character with village houses and agricultural land. No commercial use was found in the vicinity of the application site;
- (b) according to the applicant, no toilet facilities would be provided within the application site. There was no information at hand on whether public toilet was found in the vicinity;
- (c) based on the recent site inspection, a structure to the south-west of the application site, as shown on Plan A-4b, was used as an office; and

- (d) the subject application was for proposed temporary real estate agency use and the ancillary car park was only for use by staff and visitors. Any storage use or storage of vehicles would not be permitted, should the application be approved.

Deliberation Session

40. Given that the surrounding area of the application site was rural in character predominated by village housing and agricultural land, a Member cast doubt on the demand for real estate services in this area and considered that there was no strong justification for the proposed use.

41. Another Member raised concern on the possibility of setting a precedent on other similar applications if the application was approved, the cumulative impact of approving such applications might result in infiltration of commercial uses into the area.

42. The Chairman said that the Member's concern on the precedent effect was noted but each application would be considered on its individual merits.

43. A Member considered that the scale of the proposed development was not incompatible with the rural setting. Members noted that no planning permission had been granted to the office use in the vicinity.

44. Noting that there were village houses in the vicinity of the application site, a Member said that the proposed use could provide real estate services for the local villagers. Moreover, as the application site was currently vacant with no agricultural activities, approval of the temporary use could be tolerated as it would not frustrate the long-term planning intention of the application site.

45. Another Member also considered that the application could be approved given that the proposed use was temporary in nature and the District Officer (Tai Po) conveyed local comments in paragraph 9.1.14 of the Paper that there was a great demand of property agency services in the area. Besides, technical requirements of concerned government departments could be properly addressed by imposition of relevant approval conditions.

46. Members also noted that while there was no similar application for real estate agency within the “AGR” zone on the Lam Tsuen OZP, similar applications within the “AGR” zone of other OZPs had been approved on a temporary basis by the Committee between 2010 and 2017.

47. After further deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.12.2020, 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. from Mondays to Sundays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no reversing of vehicles into or out from the site is allowed at any time during the planning approval period;
- (d) the provision of boundary fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.6.2018;
- (e) the implementation of the accepted landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.9.2018;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.6.2018;

- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.9.2018;
- (h) the submission of a fire service installations and water supplies for firefighting proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.6.2018;
- (i) in relation to (h) above, the implementation of the water supplies for fire fighting and 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 8.9.2018;
- (j) the submission of a slope stability assessment within 6 months from the date of planning approval to the satisfaction of the Director of Civil Engineering and Development or of the TPB by 8.6.2018;
- (k) in relation to (j) above, the implementation of the mitigation measures identified in the slope stability assessment within 9 months from the date of planning approval to the satisfaction of the Director of Civil Engineering and Development or of the TPB by 8.9.2018;
- (l) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (d), (e), (f), (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 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.”

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

Agenda Item 14

Section 16 Application

[Open Meeting]

A/NE-LT/619 Proposed House (New Territories Exempted House - Small House) in
“Village Type Development” and “Agriculture” Zones, Lot 261 S.F in
D.D. 8 and Adjoining Government Land, Tai Yeung Che Village, Lam
Tsuen, Tai Po

(RNTPC Paper No. A/NE-LT/619)

49. The Committee noted that the applicant’s representative requested on 20.11.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments on technical issues. It was the first time that the applicant requested deferment of the application.

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

[Mr H.W. Cheung arrived to join the meeting and Mr Alex T.H. Lai left the meeting at this point.]

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/627 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lots 256 S.A
ss.1 and 256 S.A ss.2 in D.D. 17, Ting Kok Village, Tai Po
(RNTPC Paper No. A/NE-TK/627)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The Commissioner for Transport (C for T) 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. 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 objecting public comments were received from individuals. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper.

Although the proposed Small House was not in line with the planning intention of the “Agriculture” zone, the Director of Agriculture, Fisheries and Conservation had no comment on the application as the application site was paved. While C for T had reservation on the application, the proposed Small House was not incompatible with the surrounding areas with village clusters, fallow and active agricultural land. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the footprint of the proposed Small House fell within the village ‘environs’ of Ting Kok. Land was still available within the “V” zone to meet the outstanding Small House applications but not fully meet the 10-year Small House demand forecast. Sympathetic consideration might be given to the subject application given that the application site was a piece of residual land located between the fringe of village clusters and an existing cycle track along Ting Kok Road. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

52. Members had no question on the application.

Deliberation Session

53. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 8.12.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and

- (c) the connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Drainage Services or of the TPB.”

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

Agenda Item 16

Section 16 Application

[Open Meeting]

A/TP/636 Proposed House (New Territories Exempted House - Small House) in
“Green Belt” and “Village Type Development” Zones, Lot 179 S.B in
D.D. 32, Sheung Wong Yi Au Village, Tai Po
(RNTPC Paper No. A/TP/636)

55. The Committee noted that the applicant’s representative requested on 27.11.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

56. 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 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/TP/637 Temporary Bus Maintenance Centre for a Period of 7 Years in an area shown as 'Road', Government Land at the junction of Dai Fuk Street and Dai Wah Street, Tai Po

(RNTPC Paper No. A/TP/637)

57. The Secretary reported that the application was submitted by MTR Corporation Limited (MTR). Townland Consultants Limited (Townland) and Meinhardt (Hong Kong) Limited (Meinhardt) were two of the consultants of the applicant. The following Members had declared interests on the item:

- | | | |
|---------------------|---|---|
| Mr Ivan C.S. Fu | - | having current business dealings with MTR and Meinhardt (C&S) Limited; |
| Ms Janice W.M. Lai | - | having current business dealings with MTR; |
| Mr Stephen L.H. Liu | - | having past business dealings with MTR; |
| Mr H.F. Leung | - | being the convenor of the Railway Objections Hearing Panel; |
| Mr Alex T.H. Lai | - | his firm having current business dealings with MTR, Townland and Meinhardt; and |
| Miss Winnie W.M. Ng | - | being a Director of the Kowloon Motor Bus (1933) Company Limited (KMB). |

58. The Committee noted Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting and Mr Alex T.H. Lai had already left the meeting. As the interest of Ms Janice W.M. Lai was direct, the Committee agreed that she should leave the meeting temporarily for the item. The Committee also agreed that as the interests of Mr H.F. Leung and Miss Winnie W.M. Ng were indirect and Mr Stephen L.H. Liu had no involvement in the application, they could stay in the meeting.

[Ms Janice W.M. Lai left the meeting temporarily at this point.]

Presentation and Question Sessions

59. 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 temporary bus maintenance centre for a period of 7 years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two supporting public comments were received from individuals. Major supporting views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of seven years based on the assessments set out in paragraph 10 of the Paper. The application was for continuing the operation of the existing MTR Tai Po Bus Maintenance Centre (TPBMC) in support of the feeder bus services in Tai Po area and no change had been made to the existing development parameters and operations of the TPBMC. The application site was considered as a transition area between the Tai Po Industrial Estate and residential uses and the applied use was not incompatible with the surrounding areas predominantly occupied by industrial buildings. The Commissioner for Transport supported the application and advised that the bus maintenance centre had been in operation since July 2015 and there was no programme for the development of the public transport interchange (PTI) at the application site at the moment. The submitted Environmental Assessment had demonstrated that, with appropriate mitigation measures, the applied use would not cause adverse environmental impact.

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

- (a) the reasons for applying the temporary use for a period of seven years;
- (b) the normal term of Short Term Tenancy (STT); and
- (c) whether there was any implementation programme for the PTI at the application site.

61. Ms Kathy C.L. Chan, STP/STN, made the following responses:

- (a) the applied use had been in operation for two years. The duration of the application period for seven years was proposed by the applicant after consultation with concerned government departments;
- (b) the term of STT was normally not longer than seven years; and
- (c) as confirmed by the Transport Department (TD), there was no implementation programme for the PTI at the application site at the moment, and hence the proposed use for a temporary period of seven years could be tolerated.

62. Mr Edwin W.K. Chan, Assistant Director/Regional 3, Lands Department, supplemented that the normal term for STT was one year or three years depending on circumstances, and the longest one being not more than seven years.

Deliberation Session

63. A Member asked whether the application site could be resumed for the planned PTI use should the planning application be approved. The Secretary explained that there was established mechanism for taking back the application site for the planned use, if necessary. Mr Edwin W.K. Chan said that the granting of STT for a term of seven years would only be made after consultation with concerned government departments. A shorter

term would be granted if the site might be required earlier.

64. Members noted that TD had confirmed that the application site would not be required for PTI development in the coming seven years.

65. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 7 years until 8.12.2024, 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 a.m. and 11:00 p.m. on Sundays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no permanent structure or support for any structure shall be erected at the site during the planning approval period;
- (c) no structure or support for any structure shall be erected within the area of drainage reserves at the site during the planning approval period;
- (d) the submission of a landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.6.2018;
- (e) in relation to (d) above, the implementation of the landscape and tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.9.2018;
- (f) the submission of a water supplies for fire fighting and 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 8.6.2018;
- (g) in relation to (f) above, the implementation of the water supplies for fire fighting and 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 8.9.2018;

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

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

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

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/638 Proposed Three Houses (New Territories Exempted Houses - Small Houses) in “Agriculture” Zone, Lots 1576 S.A, 1576 S.B and 1576 S.C in D.D. 76, Kan Tau Tsuen, Fanling
(RNTPC Paper No. A/NE-LYT/638)

Presentation and Question Sessions

67. Ms Cindy K.F. Wong, TP/STN, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;

- (b) the proposed three houses (New Territories Exempted Houses (NTEHs) - Small Houses);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the application site had high potential for agricultural rehabilitation and there were active agricultural activities in the vicinity of the application site. 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 three Small Houses only could be tolerated. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments from Designing Hong Kong Limited and an individual objecting to the application, and two public comments from the Chairmen of the Fanling District Rural Committee (FDRC) and the Sheung Shui District Rural Committee indicating ‘no comment’ on the application. Major objection grounds were set out in paragraph 10 of the Paper. The District Officer (North) advised that while the Chairman of FDRC and the Resident Representative (RR) of Kan Tau Tsuen had no comment on the application, the RR of Kan Tau Tsuen also offered other views and the Indigenous Inhabitant Representative of Kan Tau Tsuen objected to the application. Major views and objection grounds were set out in paragraphs 9.1.13 and 10 of the Main Paper and paragraph 9 of Appendix V of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed Small Houses were not in line with the planning intention of the “Agriculture” zone and DAFC did not support the

application, they were not incompatible with the surrounding rural setting. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the footprints of the proposed Small Houses fell within the village ‘environs’ of Kan Tau Tsuen. Land was still available within the “V” zone to meet the outstanding Small House applications but not fully meet the 10-year Small House demand forecast. The application site was the subject of a previously approved application (No. A/NE-LYT/512) for development of three Small Houses and there were a number of similar applications in the vicinity of the application site approved by the Committee, which were at different stages of development and forming new village clusters in the locality. There had not been major change in planning circumstances of the area since the approval of the similar applications. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

68. Members had no question on the application.

Deliberation Session

69. 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 8.12.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

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

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

Agenda Item 19

Section 16 Application

[Open Meeting]

A/NE-LYT/639 Proposed School (Private School) in “Government, Institution or Community” and “Green Belt” Zones, Lots 1671 and 2122RP (Part) in D.D. 83 and Adjoining Government Land, Fanling
(RNTPC Paper No. A/NE-LYT/639)

71. The Secretary reported that Spence Robinson LT Limited (SRLT), Urbis Limited (Urbis) and Ramboll Environ Hong Kong Limited (Environ) were three of the consultants of the applicant. The following Members had declared interests on the item:

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|--------------------|---|--|
| Mr Ivan C.S. Fu | - | having current business dealings with Urbis and Environ; and |
| Ms Janice W.M. Lai | - | having current business dealings with SRLT, Urbis and Environ. |

72. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting. The Committee agreed that Ms Janice W.M. Lai could stay in the meeting as she had no involvement in the application.

73. The Committee noted that the applicant’s representative requested on 23.11.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 20

Section 16 Application

[Open Meeting]

A/NE-LYT/640 Temporary Private Vehicle Park for Private Car and Light Goods Vehicle (Excluding Container Vehicle) and Loading/Unloading for a Period of 3 Years in "Residential (Group C)" Zone, Lots 799 S.A RP, 800 S.B RP and 801 S.B in D.D. 83, 192 Sha Tau Kok Road, Lung Yeuk Tau, Fanling
(RNTPC Paper No. A/NE-LYT/640)

75. The Committee noted that the applicant's representative requested on 22.11.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address the comments of the Transport Department. It was the first time that the applicant requested deferment of the application.

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

[The Chairman thanked Mr Kenny C.H. Lau and Ms Kathy C.L. Chan, STPs/STN, and Ms Cindy K.F. Wong, TP/STN, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

[Mr Otto K.C. Chan and Ms Emily P.W. Tong, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), and Ms Carmen S.Y. Chan, Town Planner/Fanling, Sheung Shui and Yuen Long East (TP/FSYLE), were invited to the meeting at this point.]

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/FSS/261	Religious Institution, Columbarium (within a Religious Institution) and Residential Institution in "Green Belt" Zone, Government Land in D.D. 51, Wong Kong Shan, Fanling (RNTPC Paper No. A/FSS/261)
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77. The Committee noted that a set of further information (FI) submitted by the applicant dated 6.12.2017, which was received after issuance of the Paper, and the latest comments of the Director of Environmental Protection (DEP) on the FI were tabled for Members' consideration.

Presentation and Question Sessions

78. With the aid of a PowerPoint presentation, Mr Otto K.C. Chan, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the religious institution, columbarium (within a religious institution) and residential institution;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Commissioner for Transport advised that a comprehensive traffic impact assessment should be carried out to assess the associated impacts and to recommend necessary mitigation measures. The Commissioner of Police raised concern about the impact on traffic flow and the potential problem of vehicle obstruction to the vicinity of the application site as there was no vehicular access to the site. The Director of Environmental Protection could not lend support to the application at this stage as the applicant had not provided sufficient information on the development and justifications to demonstrate that the development would not cause adverse environmental impact. The Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) said that approval of the application would deviate from the planning intention of the “Green Belt” (“GB”) zone and would set an undesirable precedent, leading to the loss of quality landscape resource (i.e. woodland vegetation), and cumulative effect of piecemeal developments would cause adverse impact on the landscape resource and the character of the area. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments from individuals supporting the application, five indicating no comment or provided views were received from a Legislative Council (LegCo) member and individuals, and 451 from a LegCo member, a North

District Council (NDC) member, the Chairman of the Fanling District Rural Committee (FDRC), the management offices and the Owners' Corporations (OCs) of nearby residential developments and individuals raising objection to the application. The District Officer (North) advised that the Chairman of FDRC, the incumbent NDC member of Fanling Town constituency, the incumbent NDC member of Fanling South constituency (cum the Chairman of the OC of Dawning Views), the Chairmen of the OCs of Fanling Centre, The Avon Park, the Fortune House (Fanling), Parkford Garden, Century Court, Magdalene Garden and Royal Knoll and individuals in Fanling Town, Avon Park and Dawning Views objected to the application. Major views and concerns were set out in paragraphs 9.1.11 and 10 of the Paper; and

- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The applied use was not in line with the planning intention of the “GB” zone and the Town Planning Board Guidelines No. 10 in that the application involved new columbarium structure and new residential institution through building conversion without strong justifications; the development would potentially lead to an increase in the number of visitors and vehicles to the application site and might overstrain the capacity of the existing nearby road networks; and it would potentially be a source of pollution given that a joss paper furnace was provided within the development. The development was not compatible with the surrounding uses predominantly with domestic structures, rural industrial workshops or open storage use, though a permitted burial ground with scattered graves was located to the immediate north of the application site at Wong Kong Shan knoll. The applicant had not submitted any assessment on traffic impact, crowd management and environmental impact to demonstrate that the development would not cause adverse traffic and environmental impact. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

79. In response to a Member's enquiry on the eligibility of the applicant to submit the subject application, the Secretary explained that any person could submit an application for permission under section 16 of the Town Planning Ordinance (TPO), and if the applicant was not the sole current land owner of the application site or premises, the applicant should comply with the "owner's consent/notification" requirement under the TPO. However, the requirement was not applicable to the subject application as the application site involved government land only.

80. In response to the same Member's enquiry on illegal occupation of government land, Mr Otto K.C. Chan, STP/FSYLE, said that according to the District Lands Officer/North's comments as set out in paragraph 9.1.2 of the Paper, the application site was not the subject of any valid government land licence or Short Term Tenancy and the structures currently found on the application site were surveyed squatter structures, of which columbarium use was not allowed. Warning letters were issued by the Squatter Control/New Territories East (2) Office, Lands Department (SCO/NTE2, LandsD) on 7.3.2016 requesting the occupant to rectify the irregularity of change in use into the existing columbarium. The occupant of Tak Wo To Tong subsequently submitted the subject application under the TPO and enforcement action was withheld by SCO/NTE2, LandsD until a decision on the subject planning application had been made. Mr Edwin W.K. Chan, Assistant Director/Regional 3, LandsD, supplemented that under the existing policy, surveyed squatter structures on government land were tolerated until the land was required by the Government for development. Should the subject planning application be rejected, enforcement action would be resumed by LandsD in accordance with the prevailing policy and practice.

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

- (a) whether the nine structures as indicated in the development proposal of the subject application were existing structures currently found at the application site;
- (b) the number of urns and memorial/ancestor tablets currently found at the application site and proposed in the subject application;

- (c) the categorization of use for memorial/ancestral tablets in planning terms; and
- (d) whether fire service installations would need to be provided by the applicant.

82. Mr Otto K.C. Chan made the following responses:

- (a) the nine structures proposed in the subject application were the structures currently found at the application site. The applied use mainly involved internal alteration of the existing structures. With reference to Drawing A-1 of the Paper, Structure 2 currently for domestic/storage use would be converted to columbarium use, and Structures 6 and 7 currently for storage use would be converted to 'For Soul' structures for cells for memorial/ancestral tablets. The use of other structures within the application site would remain the same;
- (b) according to the applicant's submission, 300 niches were currently found at the application site, of which 44 had been occupied, 18 had been sold but awaiting occupation, and the remaining 238 were vacant. There were also 233 memorial/ancestor tablets. Under the subject application, a total of 1,114 niches and 5,290 memorial/ancestor tablets were proposed;
- (c) generally speaking, memorial/ancestral tablets could be regarded as ancillary use to religious institution; and
- (d) while the Director of Fire Services had no specific comment on the application, the applicant would be required to provide fire service installations and water supplies for firefighting should the subject application be approved.

83. In response to a Member's enquiry on the legality of the 44 occupied niches within the application site, the Chairman said that no planning permission had been granted for columbarium use on the application site.

Deliberation Session

84. Noting that no technical assessment such as traffic impact assessment, crowd management plan and environmental assessment had been submitted by the applicant to demonstrate that the development would not have adverse impact on the surrounding areas, Members did not support the application.

85. 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 “Green Belt” (“GB”) zone for the area 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 no strong planning justification in the submission for a departure from this planning intention;
- (b) the development is not in line with the Town Planning Board Guidelines No. 10 in that the applied use involves building conversion without strong planning justifications; it may overstrain the capacity of the existing nearby road networks; and the proposed development may be a source of pollution;
- (c) the applicant has failed to demonstrate that the development would not have adverse traffic and environmental impacts on the surrounding areas; and
- (d) approval of the application would set an undesirable precedent for other similar application in the “GB” zone. The cumulative effect of approving such similar applications would result in adverse traffic and environmental impacts in the area.”

Agenda Item 22

Section 16 Application

[Open Meeting]

A/YL-KTN/577 Proposed Temporary Animal Boarding Establishment for a Period of 3
Years in “Agriculture” Zone, Lot 4 (Part) in D.D. 110, Tai Kong Po,
Yuen Long
(RNTPC Paper No. A/YL-KTN/577)

86. The Committee noted that the applicant’s representative requested on 1.12.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 23

Section 16 Application

[Open Meeting]

A/YL-KTS/748 Proposed Temporary Open Storage of Private Vehicles and Light Goods Vehicles for a Period of 3 Years in “Agriculture” Zone, Lot 140 RP in D.D. 113, Kam Tin South, Yuen Long
(RNTPC Paper No. A/YL-KTS/748A)

88. The Secretary reported that the application site was located in Kam Tin South and Ms Janice W.M. Lai had declared interest on the item as her family member owned a house at Cheung Po Tsuen, Kam Tin South. The Committee noted that the applicant had requested deferment of consideration of the application and agreed that Ms Janice W.M. Lai could stay in the meeting as the property of her family member did not have a direct view on the application site.

89. The Committee noted that the applicant requested on 15.11.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address further 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 comments of TD.

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

Agenda Item 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/760 Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years in “Residential (Group D)” Zone, Lot 139 RP (Part) in D.D. 108, Ta Shek Wu, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/760)

91. The Secretary reported that the application site was located in Pat Heung and Ms Janice W.M. Lai had declared interest on the item as her family member owned property at Leung Uk Tsuen, Pat Heung. The Committee agreed that Ms Janice W.M. Lai could stay in the meeting as the property of her family member did not have a direct view on the application site.

Presentation and Question Sessions

92. Ms Carmen S.Y. Chan, TP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary open storage of construction materials 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 application 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 an individual. 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 applied use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone and there was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis. The applied use was not compatible with the surrounding land uses which were rural and natural in character with dense vegetation / mature trees, residential structures/dwellings and agricultural land. The applied use was not in line with the Town Planning Board Guidelines No. 13E in that no previous approval had been granted at the application site and that existing and approved open storage use should be contained within the Category 3 areas and further proliferation of such use was not acceptable. DEP did not support the application and the subject application did not warrant sympathetic consideration. Previous applications and similar applications for various temporary open storage uses in the area were rejected. Although three similar applications covering the same site located to the south-east of the application site were approved by the Committee from 2010 to 2016, they were subject to previous approvals since 2002. Approval of the application would set an undesirable precedent for similar applications within the “R(D)” zone, and cumulative effect of approving such applications would result in a general degradation of the rural environment of the area. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

93. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone which is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings, and for low-rise, low-density residential developments subject to planning permission from the Town Planning Board. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the application does not comply with the Town Planning Board Guidelines No. 13E in that no previous approval has been granted at the site and there is adverse departmental comment on the application. The proposed development is also not compatible with the surrounding land uses which are rural and natural in character with residential structures/dwellings and agricultural land;
- (c) the applicant fails to demonstrate that the development would not generate adverse environmental impact on the surrounding areas; and
- (d) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within this part of the “R(D)” zone. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area.”

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/761 Proposed Temporary Shop and Services (Pet Clinic) for a Period of 3 Years in “Village Type Development” Zone, Lots 714 S.A ss.2 (Part), 714 S.A ss.3 (Part) and 714 S.B ss.2 in D.D. 111, Ha Che Tsuen, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/761)

95. The Secretary reported that the application site was located in Pat Heung and Ms Janice W.M. Lai had declared interest on the item as her family member owned property at Leung Uk Tsuen, Pat Heung. The Committee agreed that Ms Janice W.M. Lai could stay in the meeting as the property of her family member did not have a direct view on the application site.

Presentation and Question Sessions

96. Ms Carmen S.Y. Chan, TP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary shop and services (pet clinic) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, six public comments objecting to the application were received from individuals. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis of three years based on the assessments set out in paragraph 11 of the Paper. The District Lands Officer/Yuen Long advised that there was no Small House application approved or currently under process at the application site and approval of the application on a temporary basis would not jeopardize the planning intention of the “Village Type Development” zone. The applied use would serve the residential neighbourhood and was not incompatible with the surrounding land uses predominated by residential structures/dwellings, open storage yards and vacant/unused land. Concerned government departments had no objection to or no adverse comment on the application. Relevant approval conditions had been recommended to minimise any potential environmental nuisance and to address technical requirements of concerned government departments. Regarding the adverse public comments, an advisory clause had been recommended to advise the applicant to resolve any land issues relating to the access to the proposed development with the concerned land owners.

97. Members had no question on the application.

Deliberation Session

98. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.12.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 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 overnight stay of animals on-site, as proposed by the applicant, is allowed on the site 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 are 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 submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.6.2018;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.9.2018;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.6.2018;
- (i) in relation to (h) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.9.2018;
- (j) if any of the above planning conditions (a), (b), (c) (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

- (l) upon 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.”

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/264 Proposed Temporary Shop and Services (Metalware Retail Shop) for a Period of 3 Years in “Open Space” Zone, Lots 2907 S.C RP, 2908 RP (Part), 2910 (Part) and 2911 RP (Part) in D.D. 104 and Adjoining Government Land, Castle Peak Road - Mai Po, Mai Po, Yuen Long (RNTPC Paper No. A/YL-MP/264A)

100. The Secretary reported that the application site was located in Mai Po and Dr Lawrence K.C. Li had declared interest on the item as he co-owned with his spouse a house in Mai Po. The Committee noted that Dr Lawrence K.C. Li had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services (metalware retail shop) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no

objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment objecting to the application was received from an individual. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis 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 “Open Space” (“O”) zone, the Director of Leisure and Cultural Services advised that there was no plan to develop the application site into public open space at the moment. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “O” zone. The applied use which would serve the neighbourhood was not incompatible with the surrounding land uses. Although the site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No. 12C, it was located at some distance from the fish ponds and wetlands in the Deep Bay area and the Director of Agriculture, Fisheries and Conservation had no comment on the application noting that the application site was paved and disturbed. Significant adverse off-site disturbance impact on wetlands and fish ponds was not anticipated. In view of the scale and nature of the applied use, it would unlikely generate significant adverse environmental, traffic, fire safety, drainage and landscape impacts. Relevant approval conditions were recommended to minimise any possible environmental nuisance and address technical requirements of concerned departments. Similar applications within the same “O” zone had been approved by the Committee and approval of the application was in line with the Committee's previous decisions. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

102. Members had no question on the application.

Deliberation Session

103. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.12.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:30 p.m. and 9:30 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes or container trailers/tractors as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to access the site at any time during the planning approval period;
- (c) the existing paving shall be maintained at all times during the planning approval period;
- (d) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.6.2018;
- (e) in relation to (d) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.9.2018;
- (f) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.6.2018;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.9.2018;

- (h) the submission of a tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.6.2018;
- (i) in relation to (h) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.9.2018;
- (j) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (d), (e), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/263 Proposed Religious Institution (Church) in “Undetermined” Zone, Lots
732 S.A and 732 S.B in D.D. 115, Tung Shing Lei, Yuen Long
(RNTPC Paper No. A/YL-NSW/263)

105. The Secretary reported that the application was submitted by The Chinese Rhenish Church Hong Kong Synod. Mr Alex T.H. Lai had declared interest on the item as his firm was having current business dealings with the applicant. The Committee noted that Mr Alex T.H. Lai had already left the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed religious institution (church);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Housing advised that the application site was located next to a potential public housing site at Tung Shing Lei which was one of the 26 potential housing sites identified to be made available for housing development in the short- to medium-term according to the 2017 Policy Address. 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 supporting the application were received from a Yuen Long District Council member and an individual. Major supporting views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Paper. The application site fell within the “Undetermined” (“U”) zone in Tung Shing Lei which had been identified as one of the potential public housing sites, subject to further feasibility study. The proposed development, which could provide community facilities and services to the neighbourhood, was not incompatible with the long-term planning intention for public housing development in the area and the immediate surrounding land uses with low-rise structures of village houses, hotel, rural workshops and warehouses. The application site was the subject of a previously approved application (No. A/YL-NSW/186) for the same development submitted by the same applicant and approval of the application was in line

with the previous decision of the Committee. The application site had a building entitlement of a covered area of about 242.75m². The development scale of the proposed church redevelopment under the subject application, in the form of four New Territories Exempted Houses (NTEHs), with reduction in plot ratio (PR) and building height as compared with the previously approved application, was in line with the building entitlement. In view of its small scale, the proposed development would not cause significant adverse traffic, environmental, drainage impacts on the surrounding areas. Relevant approval conditions were recommended to address technical concerns of concerned departments.

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

- (a) the differences in the development parameters and design between the subject application and the previously approved application (No. A/YL-NSW/186);
- (b) the reasons for not taking up the previous planning approval; and
- (c) whether the approval of the subject application would affect the implementation of the potential public housing development within the subject “U” zone.

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

- (a) as compared with the previously approved application, the subject application involved a reduction in the PR (from 1.85 to 0.95) and number of storeys (from 3 to 2), and an increase in the number of structures (from one to four (in form of four NTEHs));
- (b) according to the applicant, the redevelopment of the church was held up due to the issue of right of access from Castle Peak Road and the general building plan was thus disapproved by the Building Authority in 2016 and the planning permission lapsed in 2016; and

- (c) the planning history of the application site, that it was previously occupied by a church until its demolition in 2012 and had obtained a planning permission for redevelopment of church, was duly taken into account by the concerned departments when the subject “U” zone was identified for potential public housing development.

Deliberation Session

109. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 8.12.2021, 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 implementation of a tree preservation and landscape proposal for the site to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (c) the submission and implementation of a water supplies for fire fighting and fire service installations proposals to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/345 Proposed Utility Installation for Private Project (CLP Transformer Room) and Excavation of Land (by 2.5m) in “Village Type Development” Zone, Lots 2307 S.R and 2310 S.C in D.D. 104, Sheung Chuk Yuen, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/345)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed utility installation for private project (CLP transformer room) and excavation of land (by 2.5m);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) 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 applications 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 “Village Type Development” zone as it would provide electricity supply to about 57 future Small Houses in the vicinity of the application site and the District Lands Officer/Yuen Long advised that there was no Small House application received or being processed at the application site. The

applied use was not incompatible with the adjacent uses with village houses under construction and some public utility installations in the vicinity. Given the nature and scale of the proposed development, significant adverse impact on the surrounding areas was not expected. Relevant approval conditions were recommended to address technical requirements of concerned departments.

112. Members had no question on the application.

Deliberation Session

113. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 8.12.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (b) the provision of water supplies for firefighting and fire services installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/348 Temporary Public Vehicle Park (including Container Vehicles) and Ancillary Tyre and Repairing Use for a Period of 3 Years in “Open Storage” Zone, Lots 2781 RP, 2782 RP, 2783 RP, 2785 RP, 2786 RP, 2787 RP, 2788 RP, 2789, 2791, 2792, 2793 S.A, 2793 S.B, 2794, 2795, 2962 RP and 2963 RP in D.D. 102 and Adjoining Government Land, Ngau Tam Mei, Yuen Long

(RNTPC Paper No. A/YL-NTM/348)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary public vehicle park (including container vehicles) and ancillary tyre and repairing use for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity of the application site 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 had no objection to the application on a temporary basis of three years based on the assessments set

out in paragraph 12 of the Paper. The applied use was generally in line with the planning intention of the “Open Storage” (“OS”) zone and was compatible with the surrounding land uses of open storages, lorry and container vehicle parks, warehouses and vehicle repair workshops. The application was in line with the Town Planning Board Guidelines No. 13E in that the application site fell within Category 1 areas. Though DEP did not support the application, there was no substantiated environmental complaint concerning the application site in the past three years and relevant approval conditions had been recommended to minimise any potential environmental nuisances. Six previous applications for the same or similar use at the application site and 25 similar applications within the same “OS” zone had been approved by the Committee. Approval of the application was in line with the Committee’s previous decisions.

116. Members had no question on the application.

Deliberation Session

117. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.12.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 7:00 a.m. on Mondays to Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) in addition to (a) above, no operation between 5:00 p.m. and 10:00 a.m. on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the existing trees and landscape planting on the site shall be preserved and maintained at all times during the planning approval period;

- (d) the submission of an updated drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.6.2018;
- (e) in relation to (d) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.9.2018;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.6.2018;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.9.2018;
- (i) the submission of a proposal for buffer area within the application site fronting Kwu Tung Road within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 8.6.2018;
- (j) in relation to (i) above, the provision of the buffer area within the application site fronting Kwu Tung Road within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 8.9.2018;
- (k) if any of the above planning conditions (a), (b), (c) 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; and

- (l) if any of the above planning conditions (d), (e), (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.”

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

Agenda Item 30

Section 16 Application

[Open Meeting]

A/YL-NTM/349 Proposed Filling of Ponds for Permitted Open Storage Use (Tiles and Metal Construction Equipment) in “Open Storage” Zone, Lot 2385 (Part) in D.D. 102 and Adjoining Government Land, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/349)

119. The Committee noted that the applicant’s representative requested on 17.11.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/511 Proposed Temporary Open Storage and Retail Shop of Vehicle Parts and Accessories for a Period of 3 Years in “Residential (Group D)” Zone, Lot 46 (Part) in D.D. 105 and Adjoining Government Land, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/511)

121. The Committee noted that a replacement page (page 3 of Appendix VI) of the Paper regarding addition of advisory clause (j) was dispatched to Members before the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary open storage and retail shop of vehicle parts and accessories for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one objecting public comment was received from an individual. Major objection grounds were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD 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. Though the applied use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no immediate development proposal for the application site and approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone. The proposed use was considered not incompatible with the surrounding uses. The application was generally in line with the Town Planning Board Guidelines No.13E in that the application site fell within Category 3 areas where previous planning approval for the same use had been granted since 1996; and concerned government departments had no objection to or no adverse comment on the application. Relevant advisory clause was recommended to advise the applicant to preserve and properly maintain the existing landscape planting along the application site boundary and in close vicinity of the site, and avoid disturbing the breeding birds including their nests and eggs. Previous applications and a number of similar applications within the same “R(D)” zone had been approved by the Committee and approval of the application was in line with the Committee's previous decisions. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

123. Members had no question on the application.

Deliberation Session

124. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.12.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 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 heavy goods vehicles (i.e. exceeding 5.5 tonnes) as defined in the Road Traffic Ordinance or container trailers/tractors are allowed to be parked/stored on the site at any time during the planning approval period;
- (c) no car washing, dismantling, repairing works involving metal cutting, drilling, hammering, paint spraying and oil/lubricant changing are allowed on the site at any time during the planning approval period;
- (d) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.1.2018;
- (e) 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 8.6.2018;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.6.2018;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.9.2018;
- (h) the submission of a landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.6.2018;
- (i) in relation to (h) above, the implementation of the landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.9.2018;
- (j) the submission of a run-in proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the

TPB by 8.6.2018;

- (k) in relation to (j) above, the provision of the run-in within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 8.9.2018;
- (l) the submission of a fire service installations proposals within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.6.2018;
- (m) in relation to (l) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.9.2018;
- (n) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (o) if any of the above planning conditions (d), (e), (f), (g), (h), (i), (j), (k), (l) or (m) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (p) upon the expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/512 Renewal of Planning Approval for Temporary Logistic Centre with Ancillary Container Vehicle Park, Vehicle Repair Workshop and Car Beauty Service for a Period of 3 Years in “Residential (Group D)” Zone, Lots 764 RP (Part) and 768 RP (Part) in D.D. 99, Lots 199 S.C (Part), 200 S.B (Part), 204 RP (Part) and 215 RP (Part) in D.D. 105 and Adjoining Government Land, San Tin, Yuen Long

(RNTPC Paper No. A/YL-ST/512)

126. The Committee noted that two replacement pages (pages 15 and 16) of the Paper making revisions to approval conditions (f) to (m); two additional pages for Appendix I of the Paper enclosing the applicant’s letter dated 17.10.2017; and one additional page for Appendix IV of the paper for an addition of advisory clauses (j) and (k) were dispatched to Members before the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary logistic centre with ancillary container vehicle park, vehicle repair workshop and car beauty service 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 application site 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 further period of three years based on the assessments set out in paragraph 12 of the Paper. Though the applied use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no immediate development proposal for the application site and approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone. The applied use was not incompatible with the surrounding uses predominated by open storage yard, cargo handling facilities, vehicle repair workshop, container trailer park and public vehicle park. The application was generally in line with Town Planning Board Guidelines No. 13E in that the application site fell within Category 2 areas where previous approvals had been granted; concerned government departments except DEP had no objection to or no adverse comment on the application; and no local objection had been received. Though DEP did not support the application, there was no substantiated environmental complaint concerning the application site in the past three years and relevant approval conditions had been recommended to minimise any potential environmental nuisances and technical concerns of other departments. The application was also in line with Town Planning Board Guidelines No. 34B in that there had been no major change in planning circumstances since the last approval and all approval conditions under the previous approval had been complied with; and the three-year planning approval period sought was the same time as the previous approval. Although the site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No. 12C, the Director of Agriculture, Fisheries and Conservation had no comment on the application as the application site involved continuation of current uses in the application site which were previously approved. Previous applications and two similar applications within the same “R(D)” zone had been

approved by the Committee and approval of the application was in line with the Committee's previous decisions.

128. Members had no question on the application.

Deliberation Session

129. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 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 8:00 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) the containers stacked within 5m of the periphery of the site should not exceed the height of the boundary fence at any time during the planning approval period;
- (d) the stacking height of containers stored at any other location within the site should not exceed 8 units at any time during the planning approval period;
- (e) the paving and boundary fencing on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a fire service installations proposal within 6 months from the date of the commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.6.2018;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of the commencement of the

renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.9.2018;

- (h) the submission of a drainage proposal within 6 months from the date of the commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.6.2018;
- (i) in relation to (h) above, the implementation of the drainage proposal within 9 months from the date of the commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.9.2018;
- (j) the submission of a tree preservation proposal within 6 months from the date of the commencement of the renewed planning approval to the satisfaction of the Director of Planning or of the TPB by 13.6.2018;
- (k) in relation to (j) above, the implementation of the tree preservation proposal within 9 months from the date of the commencement of the renewed planning approval to the satisfaction of the Director of Planning or of the TPB by 13.9.2018;
- (l) the submission of a buffer area proposal fronting Castle Peak Road – San Tin within 6 months from the date the commencement of the renewed planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 13.6.2018;
- (m) in relation to (l) above, the provision of the buffer area fronting Castle Peak Road – San Tin within 9 months from the date of the commencement of the renewed planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 13.9.2018;
- (n) if any of the above planning condition (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;

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

130. 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 Mr Otto K.C. Chan and Ms Emily P.W. Tong, STPs/FSYLE, and Ms Carmen S.Y. Chan, TP/FSYLE, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Tuen Mun and Yuen Long West District

Agenda Item 33

Section 16 Application

[Open Meeting]

A/YL-PS/547 Proposed Filling of Land (by 0.2m) for Permitted Place of Recreation, Sports and Culture (Golf Driving Range with Ancillary Shop and Services, Eating Place and Office, and Barbecue Area) in “Recreation” Zone, Lots 48 (Part), 51, 52, 53, 54, 55 RP and 65 (Part) in D.D. 126, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/547)

131. The Committee noted that the applicant requested on 20.11.2017 deferment of the consideration of the application for two months in order to allow time to prepare further

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

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

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

Agenda Item 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/548 Renewal of Planning Approval for Temporary Open Storage of Building Materials and Machinery for a Period of 3 Years in "Recreation" Zone, Lots 114 (Part), 115 RP (Part) and 203 (Part) in D.D. 126, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/548)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) the renewal of planning approval for temporary open storage of building materials and machinery 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 application 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 objecting public comments were received from a Yuen Long District Council member and an individual. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intention of the “Recreation” (“REC”) zone. However, there was no known proposal to implement the zoned use at the application site. Approval of the application on a temporary basis for a period of 3 years would not frustrate the long-term planning intention. The application was in line with the Town Planning Board Guidelines No. 13E in that the application site fell within Category 3 areas where previous approvals had been granted; and concerned government departments except DEP had no objection to or no adverse comment on the application. Though DEP did not support the application, there was no substantiated environmental complaint pertaining the application site in the past three years and relevant approval conditions had been recommended to minimise any potential environmental nuisances and technical requirements of other government departments. The application was also in line with Town Planning Board Guidelines No. 34B in that there had been no material change in planning circumstances since the last approval and all approval

conditions under the previous approval had been complied with; and the approval period sought was of the same timeframe as the previous approval. Previous applications and similar applications within the same “REC” zone had been approved by the Committee and approval of the application was in line with the Committee’s previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

134. Members had no question on the application.

Deliberation Session

135. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 17.12.2017 until 16.12.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 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) only light and medium goods vehicles as defined under the Road Traffic Ordinance are allowed to enter/be parked at the site at all times during the planning approval period;
- (d) no dismantling, repairing or other workshop activity is allowed on the site at all times during the planning approval period;
- (e) no storage of electrical appliances including computer parts and television sets is allowed on the site at any time during the planning approval period;

- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the maintenance of existing drainage facilities on the site at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities 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 17.3.2018;
- (i) the submission of a tree preservation 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 17.6.2018;
- (j) in relation to (i) above, the implementation of the tree preservation 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 17.9.2018;
- (k) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) 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 28.1.2018;
- (l) the submission of a 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 17.6.2018;
- (m) in relation to (l) above, the provision of fire service installations 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 17.9.2018;

- (n) the provision of boundary fencing, as proposed by the applicant, 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 17.6.2018;
- (o) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (p) if any of the above planning conditions (h), (i), (j), (k), (l), (m) or (n) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (q) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 35

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/414 Proposed Temporary Shop and Services (Grocery Store) for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” Zone, Lots 1005 S.B (Part) and 1019 (Part) in D.D. 118, Yuen Long
(RNTPC Paper No. A/YL-TT/414)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services (grocery store) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application since the application site was originally partly active farm and partly vegetated with trees and shrubs but was now hard paved. Approval of the application would set an undesirable precedent encouraging other similar applications to clear and form the application site prior to planning approval. The cumulative impact would result in the degradation of the rural landscape character in general. 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 objecting public comment was received from an individual. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD 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 incompatible with the surrounding areas and could serve any such demand in the area. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “Other Specified Uses” annotated “Rural Use” (“OU(RU)”) zone. The application was generally in line with the Town Planning Board Guidelines No. 38 in that concerned

government departments except CTP/UD&L, PlanD had no objection to or no adverse comment on the application and significant adverse environmental, traffic, drainage and infrastructural impacts on the surrounding areas were not envisaged. While CTP/UD&L, PlanD had reservation on the application, the application site was zoned “OU(RU)” which was intended for upgrading or improving the area or providing support to the local communities. Relevant approval conditions were recommended to address the landscape concerns or the technical requirements of concerned government departments. Three similar applications within the same “OU(RU)” zone had been approved by the Committee and approval of the application was in line with the Committee’s previous decisions. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

138. Members had no question on the application.

Deliberation Session

139. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.12.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 9:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium 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 be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;

- (d) the submission of a tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.6.2018;
- (e) in relation to (d) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.9.2018;
- (f) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.6.2018;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.9.2018;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.6.2018;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.9.2018;
- (k) if any of the above planning conditions (a), (b), (c) 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;
- (l) if any of the above planning conditions (d), (e), (f), (g), (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.”

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

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/862 Proposed Temporary Warehouse for Storage of Machinery and Spare Parts for a Period of 3 Years in “Undetermined” Zone, Lots 1483 S.A RP and 1483 S.B RP in D.D. 119 and Adjoining Government Land, Kung Um Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/862)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary warehouse for storage of machinery and spare parts 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 application site 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. The temporary use was not in conflict with the planning intention of the “Undetermined” zone which was generally intended for open storage use. Whilst the use of the area was being reviewed under the Planning and Engineering Study for Housing Sites in Yuen Long South, the Chief Engineer/Cross-boundary Infrastructure and Development, Planning Department and the Project Manager (New Territories West), Civil Engineering and Development Department had no objection to the application. Approval of the application on a temporary basis would not frustrate the long-term development of the area. The applied use was not incompatible with the surrounding areas comprising similar uses. Though DEP did not support the application, there was no substantiated environmental complaint concerning the application site in the past three years and relevant approval conditions had been recommended to minimise any potential environmental nuisances. Previous applications for warehouse use at the application site and a number of similar applications in the vicinity of the application site had been approved by the Committee. Approval of the application was in line with the Committee's previous decisions.

142. Members had no question on the application.

Deliberation Session

143. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.12.2020, on the terms of the application as

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

- “(a) no operation between 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 repairing, dismantling, spraying or other workshop activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no open storage activities is allowed on 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 and landscape plantings 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 8.3.2018;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.6.2018;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the

satisfaction of the Director of Fire Services or of the TPB by 8.9.2018;

- (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.”

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

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/863 Renewal of Planning Approval for Temporary Concrete Batching Plant for a Period of 3 Years in “Industrial” Zone, Lots 1290 S.C RP, 1293 S.C and 2019 in D.D. 121 and Adjoining Government Land, San Fui Street, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/863)

145. The Secretary reported that Townland Consultants Limited (Townland) and Associated Architects Limited (AAL) were two of the consultants of the applicant. Mr Alex T.H. Lai had declared interest on the item as his firm was having current business dealings with Townland and AAL. The Committee noted that Mr Alex T.H. Lai had already left the meeting.

Presentation and Question Sessions

146. 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 concrete batching plant for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) 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 further 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 “Industrial” zone which was primarily for general industrial uses. The applied use was not incompatible with the surrounding areas which were predominantly industrial in character and could serve any such demand for concrete for the construction industry. The application was in line with the Town Planning Board Guidelines No. 34B in that there had been no material change in planning circumstances since the previous planning approval; all the approval conditions of the previous application had been complied with; and the three-year planning approval period sought was of the same timeframe as the previous approval. Concerned government departments had no objection to or no adverse comment on the application and there was no substantiated environmental complaint pertaining the application site in the past three years. The operation of the concrete batching plant

was also subject to a licence issued by the Environmental Protection Department and relevant approval conditions and advisory clauses were recommended to minimise any possible environmental nuisance and address technical requirements of other concerned departments. Six previous applications for the same use had been approved by the Committee and approval of the application was in line with the Committee's previous decisions.

147. Members had no question on the application.

Deliberation Session

148. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 18.2.2018 to 17.2.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) vehicles to and from the site are restricted to using the major trunk roads and industrial access roads in the vicinity of the site;
- (b) no vehicle queuing is allowed back to the public road and no vehicle reversing into/from the public road is allowed at any time during the planning approval period;
- (c) the existing trees on the site shall be maintained at all times during the planning approval period;
- (d) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the submission of a 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 18.5.2018;

- (f) the submission of a 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 18.8.2018;
- (g) in relation to (f) above, the implementation of the 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 18.11.2018;
- (h) if any of the above planning conditions (a), (b), (c) or (d) is not complied with at any time during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning conditions (e), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 38

Section 16 Application

[Open Meeting]

A/YL-TYST/864 Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles Only) for a Period of 3 Years in “Village Type Development” Zone, Lot 1543 (Part) in D.D. 121, Shan Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/864)

150. The Committee noted that the applicant's representative requested on 28.11.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address the comments of the Transport Department. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/27	Proposed Temporary Fish Farming (Accredited Fish Farm) and Orchard for a Period of 3 Years in "Government, Institution or Community" and "Other Specified Uses" annotated "Port Back-up, Storage and Workshop Uses" Zones, Lots 5 (Part), 6 S.B (Part) and 6 S.C in D.D. 125 and Lot 120 in D.D. 128, Fung Kong Tsuen, Ha Tsuen, Yuen Long (RNTPC Paper No. A/HSK/27)
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152. The Secretary reported that the application site was located in Ha Tsuen and Ms Janice W.M. Lai had declared interest on the item as her spouse was a shareholder of a company owning two pieces of land in Ha Tsuen. The Committee agreed that Ms Janice W.M. Lai could stay in the meeting as the property of her spouse's company did not have a direct view on the application site.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary fish farming (accredited fish farm) and orchard for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one objecting public comment was received from an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not in line with the planning intention of the “Government, Institution or Community” and “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses” zones, the implementation programme for this part of the Hung Shui Kiu New Development Area was still being formulated and the Project Manager (New Territories West), Civil Engineering and Development Department had no objection to the temporary use of the site for three years. Approval of the application on a temporary basis would not jeopardize the long-term development of the application site. The use was not incompatible with the surrounding uses. There was no adverse departmental comment and there had been no environmental complaint pertaining the application site received in the past three years. Relevant approval conditions had been recommended to

minimise the potential environmental nuisance or technical requirements of concerned government departments. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

154. Members had no question on the application.

Deliberation Session

155. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.12.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (c) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.6.2018;
- (d) in relation to (c) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.9.2018;
- (e) in relation to (d) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (f) the submission of a tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.6.2018;

- (g) in relation to (f) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.9.2018;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.6.2018;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.9.2018;
- (j) the provision of fencing of the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.6.2018;
- (k) if any of the above planning conditions (a), (b) or (e) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning conditions (c), (d), (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 site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/28 Temporary Vehicle Service Centre for a Period of 3 Years in “Commercial (4)” Zone and an area shown as ‘Road’, Lots 3138 RP (Part), 3139 (Part), 3141 (Part), 3142, 3143 (Part), 3144 (Part), 3145, 3146, 3148 RP, 3149 RP, 3190 RP, 3198 S.B, 3200 RP (Part) and Adjoining Government Land in D.D. 129, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/28)

157. The Secretary reported that the application site was located in Ha Tsuen and Ms Janice W.M. Lai had declared interest on the item as her spouse was a shareholder of a company owning two pieces of land in Ha Tsuen. The Committee agreed that Ms Janice W.M. Lai could stay in the meeting as the property of her spouse’s company did not have a direct view on the application site.

Presentation and Question Sessions

158. 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 vehicle service centre for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity of the application site 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. Whilst the applied use was not in line with the planning intention of the “Commercial (4)” zone, the implementation programme for this part of the Hung Shui Kiu New Development Area was still being formulated and the Project Manager (New Territories West), Civil Engineering and Development Department had no objection to the temporary use of the site for three years. Approval of the application on a temporary basis would not jeopardize the long-term development of the application site. The use was not incompatible with the surrounding uses. The application was generally in line with the Town Planning Board Guidelines No.13E in that the site fell within Category 1 areas. Though DEP did not support the application, there was no substantiated environmental complaint concerning the site in the past three years and relevant approval conditions had been recommended to address the concerns on the potential environmental nuisance or technical requirements of concerned government departments. A previous application for the same use at the application site had been approved by the Committee.

159. Members had no question on the application.

Deliberation Session

160. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.12.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the approval period;

- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (d) no vehicle spraying activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (e) 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 8.3.2018;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the landscape planting on the site shall be maintained at all time during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.6.2018;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.9.2018;
- (j) if any of the above planning conditions (a), (b), (c), (d), (f) or (g) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (e), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect

and shall on the same date be revoked without further notice; and

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

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

[Ms Janice W.M. Lai left the meeting at this point.]

Agenda Item 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TSW/70 Proposed Comprehensive Residential and Commercial Development with Eating Place, Shop and Services, School and Public Vehicle Park in “Comprehensive Development Area” Zone, Tin Shui Wai Planning Area 112 (Tin Shui Wai Town Lot 33)

(RNTPC Paper No. A/TSW/70B)

162. The Secretary reported that the application was submitted by Jet Group Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD), AECOM Asia Company Limited (AECOM), MVA Hong Kong Limited (MVA) and Ramboll Environ Hong Kong Limited (Environ) were four of the consultants of the applicant. The following Members had declared interests on the item:

- | | | |
|--------------------|---|--|
| Mr Ivan C.S. Fu | - | having current business dealings with SHK, AECOM, MVA and Environ; |
| Ms Janice W.M. Lai | - | having current business dealings with SHK, AECOM and Environ; |

- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus (1933) Company Limited (KMB) and SHK was one of the shareholders of KMB;
- Dr C.H. Hau - having current business dealings with AECOM;
- Mr Stephen L.H. Liu - having past business dealings with SHK and LD;
- Mr Alex T.H. Lai - his firm having current business dealings with SHK; and
- Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which had obtained sponsorship from SHK before.

163. The Committee noted Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting and Ms Janice W.M. Lai and Mr Alex T.H. Lai had already left the meeting. As the interest of Miss Winnie W.M. Ng was direct, the Committee agreed that she should leave the meeting temporarily for the item. The Committee also agreed that as the interest of Ms Christina M. Lee was indirect and Dr C.H. Hau and Mr Stephen L.H. Liu had no involvement in the application, they could stay in the meeting.

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed comprehensive residential and commercial development with eating place, shop and services, school and public vehicle park;
- (c) departmental comments – departmental comments were set out in paragraph 11 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication periods, 83 public comments were received. Among them, seven comments from the MTR Corporation Limited and individuals raising concerns on the application and 76 comments from Alliance for a Beautiful Hong Kong and individuals raising objection to the application. Major views and concerns were set out in paragraph 12 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 13 of the Paper. The subject application was a revised scheme of the latest approved scheme (No. A/TSW/65). Major changes included the mix of the domestic and non-domestic gross floor area (GFA) /plot ratio (PR), incorporation of the kindergarten and/or nursery use, relocation of the open-air public car park to basement, addition of houses, change in the block disposition, increase in the maximum building height (BH) by 3m and change in the car parking and loading/unloading provision. Major development parameters such as the major proposed uses, site area, total GFA and PR, maximum number of storeys, the provision of a 30m wide non-building area and number of public car parking spaces, etc. remained unchanged. The proposed development was generally in line with the planning intention and complied with the PR and BH restrictions on the Outline Zoning Plan and the design criteria in the approved Planning Brief. The proposed development was not incompatible with the surrounding areas with a similar approved development to the south and two residential developments to the west. Concerned government departments had no objection to or no adverse comment on the application from ecological, environmental, traffic, drainage, urban design, landscape and air ventilation aspects. The proposed changes to the approved scheme were not expected to have adverse planning implications. Relevant approval conditions were recommended to address technical concerns of concerned government departments. Though the application site was located in the Wetland Buffer Area, the proposed development was in line with the Town Planning Board Guidelines No. 12C in that ecological mitigation measures and

monitoring programme had been recommended in the Ecological Impact Assessment for mitigating potential off-site impacts on the surrounding ecologically sensitive areas, in particular the Hong Kong Wetland Park (HKWP). Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant. Besides, the applicant had proposed a 30m buffer area from HKWP, a 40m breezeway and 10m air paths, and a stepped height profile design to minimise the potential impacts on the surrounding areas.

165. Members had no question on the application.

Deliberation Session

166. 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 8.12.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the submission and implementation of a revised Master Layout Plan, taking into account the approval conditions (c), (e), (f), (g), (j), (m) to (p) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a development and phasing programme for the proposed development to the satisfaction of the Director of Planning or of the TPB;
- (c) the submission and implementation of a revised Landscape Master Plan including a tree preservation scheme to the satisfaction of the Director of Planning or of the TPB;
- (d) no construction works including site formation works and piling works shall commence before obtaining agreement on the methodology and programme of the construction works from the Director of Agriculture,

Fisheries and Conservation or of the TPB;

- (e) the design and provision of a 30m wide non-building area and 5m setback area along site boundary with the Hong Kong Wetland Park to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;
- (f) the submission of detailed planting (including transplanting) plan at the proposed 30m wide non-building area and 5m setback area along site boundary with the Hong Kong Wetland Park at least three months before the commencement of any planting works at the site, and the implementation of the planting proposal to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;
- (g) the submission of a revised ecological assessment and implementation of the ecological mitigation measures and noise monitoring requirements identified in the revised ecological assessment to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;
- (h) the submission of an ecological monitoring and audit plan at least three months before the commencement of any construction works at the site, including site formation works and piling works, and the implementation of the proposed ecological monitoring and audit plan to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;
- (i) the submission of proposal on colour and materials of the building surface of the proposed development before the commencement of any construction works at the site, and implementation of the aforesaid proposal to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;
- (j) the submission of a revised Environmental Assessment before commencement of the construction works, including site formation works and piling works, and the implementation of the mitigation measures

identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;

- (k) the submission of an environmental monitoring and audit (EM&A) plan before commencement of the construction works, including site formation works and piling works, and the implementation of the EM&A requirements identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (l) the submission of a revised Sewerage Impact Assessment and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (m) the submission of a revised traffic impact assessment and the implementation of the traffic mitigation measures identified therein to the satisfaction of the Commissioner for Transport or of the TPB;
- (n) the design and provision of vehicular ingress and egress points to the site to the satisfaction of the Commissioner for Transport or of the TPB;
- (o) the design and provision of parking facilities, loading/unloading spaces and lay-bys for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (p) the submission of a revised drainage impact assessment and the implementation of the drainage mitigation measures identified therein to the satisfaction of the Director of Drainage Services or of the TPB; and
- (q) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

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

Agenda Item 42

Section 16 Application

[Open Meeting]

A/YL-HTF/1084 Temporary Open Storage of Crawler Cranes, Crawler Crane Parts and Electric Generators with Ancillary Office for a Period of 1 Year in “Agriculture” and “Residential (Group D)” Zones, Lots 130 (Part), 131, 132 (Part), 260 (Part), 261, 262, 263, 264 and 268 in D.D. 128 and Adjoining Government Land in Sha Kong Tsuen, Deep Bay Road, Ha Tsuen, Yuen Long

(RNTPC Paper No. A/YL-HTF/1084)

168. The Secretary reported that the application site was located in Ha Tsuen and Ms Janice W.M. Lai had declared interest on the item as her spouse was a shareholder of a company owning two pieces of land in Ha Tsuen. The Committee noted that the applicant had requested deferment of consideration of the application and Ms Janice W.M. Lai had already left the meeting.

169. The Committee noted that the applicant’s representative requested on 20.11.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/302 Temporary Place of Recreation, Sports and Culture (Hobby Farm and Fishing Ground) for a Period of 3 Years in “Green Belt” Zone, Lots 1554 RP, 1556, 1557 RP (Part), 1563 and 1564 RP in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/302)

Presentation and Question Sessions

171. 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 place of recreation, sports and culture (hobby farm and fishing ground) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) advised that development did not seem to comply with the “no-net-loss in wetland” principle as stipulated in the Town Planning Board Guidelines No. 12C as the north-eastern fringe of the pond had been filled (mainly part of Lots 1554 RP and 1556 in D.D. 129) and was proposed to form part of the vehicle access and parking area. In addition, two fishing platforms were proposed to be constructed (and already built) in the middle of the pond. The Chief Town Planner/Urban

Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservations on the application as vegetation along the eastern site boundary were missing and the area was hard paved, and a portion of active farm on the south-western corner of the application site was cleared and substantially hard paved. There was no information on the levels, extent of hard paved areas and the size of the farming area and no landscape proposal had been submitted. The overall landscape impact could not be fully ascertained. Approval of the application might set an undesirable precedent and the cumulative impact would lead to the general degradation of the rural landscape character and affect the integrity of the “Green Belt” (“GB”) 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 period, seven objecting public comments were received from the World Wide Fund for Nature Hong Kong, Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited, the Hong Kong Bird Watching Society and individuals. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The development, involving hard-paved area (about 20% of the application site) was not in line with the planning intention of the “GB” zone and there was no strong planning justification in the application for a departure of such planning intention, even on a temporary basis. The development was not in line with the Town Planning Board Guidelines No. 10 and 12C in that it would affect the natural landscape and it did not seem to comply with the “no-net-loss in wetland” principle respectively. DAFC and CTP/UD&L, PlanD had adverse comments on the application. Two previous applications for pond filling or temporary warehouse use at the application site and two similar applications within the “GB” zone were rejected by the Committee. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

172. In response to a Member's question on whether planning permission had been granted to the open storage use within "GB" zone to the immediate south-east of the application site, Mr Vincent T.K. Lai, STP/TMYLW, said that no planning permission had been granted to the concerned open storage use.

Deliberation Session

173. 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 “Green Belt” zone, which is to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl, as well as to provide passive recreational outlets. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis; and
- (b) the development is not in line with the Town Planning Board Guidelines No. 10 for Application for Development within Green Belt zone under Section 16 of the Town Planning Ordinance in that the applied development would affect the natural landscape.”

Agenda Item 44

Section 16 Application

[Open Meeting]

A/YL-LFS/304 Proposed Place of Recreation, Sports or Culture and Shop and Services (including Barbecue Spot, Refreshment Kiosk, Hobby Farming and Children Playground and Ancillary Public Car Park) in “Green Belt” and “Open Space (1)” Zones, Lots 1601 (Part), 1604, 1605, 1606, 1607, 1608, 1609, 1610 S.A, 1610 S.B, 1610 S.C, 1611, 1612, 1613 (Part), 1615 and 1616 (Part) in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/304)

174. The Committee noted that the applicant’s representative requested on 29.11.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 45

Any Other Business

(i) Section 16A Application

[Open Meeting]

A/YL-NTM/340-3 Application for Extension of Time (EOT) for Compliance with Planning Conditions, Lots 2448 (Part), 2455 (Part) and 2459 (Part) in D.D. 104, Ngau Tam Mei, Yuen Long

176. The Secretary reported that the application was approved with conditions by the Committee on 25.11.2016. The deadline for compliance with approval conditions (e), (f) and (h) was 25.11.2017. An application for extension of time for compliance with approval conditions (e), (f) and (h) for three months up till 25.2.2018 was received by the Town Planning Board on 21.11.2017, which was less than 10 working days before the expiry of the specified time limit for the approval conditions (e), (f) and (h). It was recommended not to consider the application as the deadline for compliance with approval conditions (e), (f) and (h) had already expired on 26.11.2017, and the planning approval for the subject application had ceased to have effect and had on the same date been revoked.

177. After deliberation, the Committee agreed not to consider the section 16A application as the planning permission was no longer valid at the time of consideration.

(ii) Section 16A Application

[Open Meeting]

A/YL-ST/488-4 Application for Extension of Time (EOT) for Compliance with Planning Conditions, Lots 3048 S.B, 3048 RP, 3049 RP (Part) and 3050 RP (Part) in D.D. 102 and Adjoining Government Land, San Tin, Yuen Long

178. The Secretary reported that the application was approved with conditions by the Committee on 26.8.2016. The deadline for compliance with approval conditions (c), (d), (e), (f), (h) and (i) was 26.11.2017. An application for extension of time for compliance with

approval conditions (c), (d), (e), (f), (h) and (i) for three months up till 26.2.2018 was received by the Town Planning Board on 21.11.2017, which was less than 10 working days before the expiry of the specified time limit for the approval conditions (c), (d), (e), (f), (h) and (i). It was recommended not to consider the application as the deadline for compliance with approval conditions (c), (d), (e), (f), (h) and (i) had already expired on 27.11.2017, and the planning approval for the subject application had ceased to have effect and had on the same date been revoked.

179. After deliberation, the Committee agreed not to consider the section 16A application as the planning permission was no longer valid at the time of consideration.

(iii) Section 16A Application

[Open Meeting]

A/I-NEL/6-11 Application for Extension of Time (EOT) for Compliance with Planning Conditions, Lot 30 (Part) in D.D. 362, Tsing Chau Wan, Lantau

180. The Secretary reported that the RHL Surveyors Limited (RHL) was the consultant of the applicant. Mr H.F. Leung had declared interest on the item as RHL had made donation to the Department of Real Estate and Construction in the Faculty of Architecture of the University of Hong Kong, where he was working. As the interest of Mr H.F. Leung was indirect, the Committee agreed that he could stay in the meeting.

181. The Secretary reported that the application was approved with conditions by the Committee on 28.8.2015. The deadline for compliance with approval conditions (e), (g), (i), (k) and (m) was 28.11.2017. An application for extension of time for compliance with approval conditions (e), (g), (i), (k) and (m) for two months up till 28.1.2018 was received by the Town Planning Board on 22.11.2017, which was less than 10 working days before the expiry of the specified time limit for the approval conditions (e), (g), (i), (k) and (m). It was recommended not to consider the application as the deadline for compliance with approval conditions (e), (g), (i), (k) and (m) had already expired on 29.11.2017, and the planning approval for the subject application had ceased to have effect and had on the same date been revoked.

182. After deliberation, the Committee agreed not to consider the section 16A application as the planning permission was no longer valid at the time of consideration.

183. There being no other business, the meeting closed at 4:55 p.m..