

TOWN PLANNING BOARD

Minutes of 597th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 9.2.2018

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Professor K.C. Chau

Dr F.C. Chan

Mr Peter K.T. Yuen

Dr C.H. Hau

Dr Lawrence K.C. Li

Miss Winnie W.M. Ng

Chief Traffic Engineer/New Territories East,
Transport Department
Mr Ricky W.K. 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
Ms Jacinta K.C. Woo

Secretary

Absent with Apologies

Mr Ivan C.S. Fu

Ms Janice W.M. Lai

Ms Christina M. Lee

Mr H.F. Leung

Mr David Y.T. Lui

Mr Philip S.L. Kan

Mr Alex T.H. Lai

Mr Stephen L.H. Liu

In Attendance

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

Chief Town Planner/Town Planning Board
Ms April K.Y. Kun

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

Agenda Item 1

Confirmation of the Draft Minutes of the 596th RNTPC Meeting held on 26.1.2018

[Open Meeting]

1. The draft minutes of the 596th RNTPC meeting held on 26.1.2018 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Tuen Mun and Yuen Long West District

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/YL/12 Application for Amendment to the Approved Yuen Long Outline Zoning Plan No. S/YL/23, To Rezone the Application Site from “Government, Institution or Community (1)” to “Residential (Group B) 2”, Lots 1715 S.C RP (Part), 1715 S.C ss.2, 1716 S.A, 1717 S.D (Part) and 1722 in D.D. 120, Tai Tong Road, Yuen Long, New Territories
(RNTPC Paper No. Y/YL/12A)

3. The Secretary reported that MVA Hong Kong Limited (MVA) and Landes Limited (Landes) 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 MVA and Landes;
and

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

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

Presentation and Question Sessions

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

- Mr David C.M. Lam - District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW), PlanD
- Mr Alan Y.L. Au - Senior Town Planner/Tuen Mun and Yuen Long West (STP/TMYLW), PlanD
- Mr Gilbert Tang
- Mr Kim Chan
- Ms Sharon Chan
- Ms Rebecca Chan
- Mr Sam Wong
- Mr Willie Wong
- } Applicant's representatives

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

- (a) the background of the application;
- (b) the proposed rezoning of a site from "Government, Institution or Community(1)" ("G/IC(1)") zone to "Residential (Group B)2" ("R(B)2") with a proposed maximum gross floor area (GFA) of 21,508m², a maximum non-domestic GFA of 100m² for proposed social welfare facility, a maximum site coverage of 50% and a maximum building height (BH) of 22 storeys (excluding basement car park);

[Mr Peter K.T. Yuen and Mr Martin W.C. Kwan arrived to join the meeting at this point.]

- (c) departmental comments – departmental comments were set out in Paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD considered that the site together with the “Village Type Development” (“V”) zones in its immediate surroundings functioned as an area for visual relief in this part of Yuen Long. Should the site be rezoned to cater for high-rise development, the low-rise area contributing to provision of visual relief might be further diminished which was undesirable from urban design perspective. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the statutory publication periods, 54 public comments from Yuen Long District Council members, the Village Representative (VR) of Tai Kei Leng Village, the Chairman of Sereno Verde Owners’ Committee and individuals were received. Amongst them, 22 objected to, 9 expressed views or concerns, and 23 supported the application. The District Officer (Yuen Long) also conveyed three comments from the VR and villagers of Tai Kei Leng Village objecting to the application. Major views were set out in paragraph 10 of the Paper; and
- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. Although there was currently no designated Government, Institution and Community (GIC) use for the site, it was considered that the site should be reserved for such use to cater for the unforeseen needs in the future, in particular there would be new developments in the southern part of Yuen Long New Town (YLNT) and Yuen Long South (YLS). The site formed an integral part of the low-rise “G/IC(1)” zone. Should the site be rezoned, the remaining “G/IC(1)” zone would be segregated into parts, thus limiting the development flexibility of the southern portion and rendering the northern portion unsuitable for GIC development. Although the applicant claimed that the site context was similar to a site in Ma Tin Pok which had recently been zoned to “G/IC(5)” for youth hostel development, the Ma Tin Pok site

was considered on individual circumstances and merits. For the subject site, the applicant had failed to demonstrate that the proposal would not affect the provision of visual relief and nor bring about adverse visual impact. Furthermore, there were seven “G/IC” sites without designated use within the Outline Zoning Plan (OZP) area. Approval of the application would set an undesirable precedent and the cumulative effect of approving such similar application would affect the land available for GIC use to cater for future needs. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

7. The Chairman then invited the applicant’s representatives to elaborate on the application. With the aid of a PowerPoint presentation, Mr Kim Chan, the applicant’s representative, made the following main points:

- (a) comparing the first statutory plan of YLNT (OZP No. S/YL/1) with the OZP currently in force (No. S/YL/23), the planning scheme area largely remained the same but the planned population had decreased over the years from 222,000 persons in the first OZP to 185,700 in the extant OZP. The provision of GIC facilities and open space in the YLNT, as provided in Appendix VII of the Paper, was largely in surplus. Even with the proposed rezoning, the provision of GIC facilities in Yuen Long was sufficient;
- (b) regarding PlanD’s argument that the site should be reserved for providing GIC facilities to cater for the unforeseen needs, including new developments in the southern part of YLNT and YLS, it should be noted that the YLS Potential Development Area (PDA) was largely located within the Tong Yan San Tsuen OZP and the GIC provision within YLS PDA would be comprehensively planned to cater for the future population;
- (c) the proposed rezoning would not render parts of the subject “G/IC(1)” zone unsuitable for GIC development or reducing the development flexibility. The Town Planning Board (the Board) had recently rezoned part of the

“G/IC(1)” zone at Ma Tin Pok on the same OZP to “G/IC(5)” for a proposed youth hostel development. The area of the residual portion of the “G/IC(1)” at Ma Tin Pok was similar to the northern portion of the subject “G/IC(1)” zone. As the land requirement varied between GIC uses, the northern portion of the subject “G/IC(1)” zone could be used to accommodate GIC facilities that required smaller site area; and

- (d) the proposed development would not adversely affect the visual relief of this part of the YLNT. With reference to the Ma Tin Pok site, the distance between the respective site and to the nearby residential zones were similar and the site area, GFA, PR and BH of the proposed youth hostel at Ma Tin Pok were larger/higher than that of the proposed development. The layout of the proposed development had been formulated taking into account air ventilation and building separation. The applicant was willing to accept the requirement for submission of a revised master layout plan to relevant government departments for approval as part of the lease conditions.

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

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

The Site and its Surrounding Areas

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

- (a) the spatial context between the YLNT and the application site;
- (b) the conditions of the “G/IC(1)” site opposite to the application site; and
- (c) the current uses at the application site as well as areas to its north and south.

10. In response to Members’ enquiries, Mr David C.M. Lam, DPO/TMYLW, made

the following responses;

- (a) the application site was located at the southern part of YLNT. The West Rail Yuen Long Station and Long Ping Station were located about 800m to 1000m to the north-east and north-west respectively. The application site was surrounded by “V” zones which were low-rise and low-density developments. To the south across Shap Pat Heung Road were some medium- and high-rise residential developments namely Sereno Verde and La Grove. The Ma Tin Pok site, which was rezoned from “G/IC(1)” to “G/IC(5)” for proposed youth hostel, was located to the further south-west of the application site. The YLS PDA was located south of Yuen Long Highway;
- (b) the “G/IC(1)” site located opposite to the application site was mainly to reflect the existing GIC facilities at the site, which included a church and a Grade III historic building known as Siu Lo (筱廬); and
- (c) with reference to Plan Z-2 of the Paper, the site was currently used as a metalware warehouse with ancillary retail and workshop. The northern portion of the subject “G/IC(1)” zone was currently used as an open storage of metal where a planning application (No. A/YL/219) for office and shop and services cum public open space use was rejected by the Committee in 2016. The southern portion included uses such as car parks, car service and shop.

G/IC Standards and Provision

11. Noting that the applicant’s presentation had mentioned about the ratio of YLNT population and land area zoned for “G/IC”, the Chairman enquired whether there were any standards on the land area required for provision of GIC facilities based on the population of an area. In response, Mr David C.M. Lam explained that there was no set standard on the area of land zoned “G/IC” required per person. However, GIC facilities were provided in accordance with the Hong Kong Planning Standards and Guidelines, either based on population, such as school and public clinic, or on the advice of relevant government

bureaux/departments, such as market and community hall. There were also some GIC facilities that were provided based on policy initiatives.

12. As the applicants' representatives had no further points to raise and there were no further questions from Members, the Chairman informed the applicants' representatives that the hearing procedure for the application had been completed and the Committee would deliberate on the application in their absence and inform them of the Committee's decision in due course. The Chairman thanked PlanD's and the applicant's representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

Provision of GIC Use

13. Having considered that there were surplus GIC provision in YLNT, the subject "G/IC" site had no designated use, and in view that there was a precedent case in Ma Tin Pok, a Member considered that the applicant's rezoning proposal was not unreasonable.

14. A Member enquired whether there were any guidelines requiring provision of GIC facilities within proposed residential developments in "G/IC" zone. In response, the Chairman said that there was no set standard on the provision of GIC facilities in residential developments located in "G/IC" zone. In recent land use reviews which involved rezoning "G/IC" sites for residential use to meet the acute housing land supply, GIC facilities were included in some proposals, especially those related to public housing developments.

15. The Secretary supplemented that Town Planning Board Guidelines No. 16 provided reference for applications for development within "G/IC" zone made under Section 16 of the Town Planning Ordinance. However, as the current application was a section 12A application, the said Town Planning Board Guidelines was not applicable.

16. The Secretary also supplemented that the nature of the development at Ma Tin Pok was different from that of the subject application. The Ma Tin Pok site was rezoned from "G/IC(1)" to "G/IC(5)" with 'Residential Institution (Hostel and Dormitory only)' included as a Column 1 use in the "G/IC(5)" zone to allow for the proposed youth hostel.

17. A Member enquired whether there would be control on the PR of the development should the subject rezoning application be agreed to. In response, the Chairman said that the applicant had proposed a PR of 4.2 for the proposed residential development. Should the Committee agreed to the rezoning application, the development restrictions could be stipulated in the Notes of the OZP.

Need for Land Use Review

18. Noting that the application site was located between Yuen Long Town Centre (YLTC) and YLS PDA, a Member opined that a comprehensive review of the land uses and development parameters of this part of YLNT was warranted. The same Member considered that in the absence of such a land use review, it was premature to lend support to the application.

19. The Vice-chairman said that the YLTC comprised high-density development while the southern part of YLNT mainly comprised low-rise village type developments and GIC uses. He considered that a comprehensive land use review for this part of YLNT, including the required GIC provision, would be appropriate while piecemeal rezoning of the “G/IC” sites, including the application site, for high-density development for the time being should not be supported. A Member also shared that view.

20. The Chairman said that YLNT was first developed along the two sides of Castle Peak Road. For the area in between the YLTC and Yuen Long Highway, it comprised villages and other uses. The Government had provided infrastructure facilities, including provision of new roads, in the area over the years. Some residential developments through private initiatives had taken place in recent years. With the changing planning circumstances of YLNT and the future development in YLS, there was scope to review the land uses in this part of YLNT. However, there was currently no programme for carrying out such land use review.

The Proposed Youth Hostel at Ma Tin Pok as Precedent Case

21. Two Members did not support the application and considered that although the

development parameters of the proposed youth hostel at Ma Tin Pok was similar to that of the current application, its nature and use were different and considered that it was not appropriate to make a comparison of these two developments.

22. The Chairman summarised that Members generally did not support the application. Regarding the rejection reasons, a Member considered that rejection reason (b) in paragraph 12 of the Paper should be suitably revised in view of the approved youth hostel development at Ma Tin Pok. As Members generally considered that a comprehensive land use review of that part of the Yuen Long area should be carried out, piecemeal rezoning of the subject site would not be appropriate, and a rejection reason should be added to reflect Members' views. The Committee agreed.

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

- “(a) the site forms part of a larger “G/IC” zone and should be reserved to meet the unforeseen GIC needs of the local populations. There is no strong justification for proposed partial rezoning of the “G/IC” zone for residential use;
- (b) the applicant fails to demonstrate that the proposed rezoning would not result in adverse visual impacts on the immediate surrounding areas;
- (c) the site is located in between Yuen Long New Town and Yuen Long South Potential Development Area. Piecemeal rezoning of the site for residential development is not appropriate before a comprehensive land use review for the area is carried out; and
- (d) approval of the application would set an undesirable precedent for other similar applications and the cumulative effect of which would result in adverse implications on the Government, Institution and Community provision in the Yuen Long New Town.”

Sai Kung and Islands District

Agenda Item 4

Section 16 Application

[Open Meeting]

A/I-NEL/7 Temporary Concrete Batching Plant for a Period of 3 Years in
 “Undetermined” Zone, Lot 30 (Part) in D.D. 362, Tsing Chau Wan,
 Lantau Island

 (RNTPC Paper No. A/I-NEL/7)

Presentation and Question Sessions

24. The Secretary reported that RHL Surveyors Limited (RHL) and Ramboll Environ Hong Kong Limited (Environ) were two of the consultants of the applicant. The following Members had declared interests on this item:

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|--------------------|---|--|
| Mr Ivan C.S. Fu | } | having current business dealings with Environ; and |
| Ms Janice W.M. Lai | | |
| Mr H.F. Leung | - | 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. |

25. The Committee noted that Mr Ivan C.S. Fu, Ms Janice W.M. Lai and Mr H.F. Leung had tendered apologies for being unable to attend the meeting.

26. The Committee noted that the applicant’s representative requested on 31.1.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time the applicant requested deferment of the application.

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

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

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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, New Territories (RNTPC Paper No. A/I-PC/12B)
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28. 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.

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

Presentation and Question Sessions

30. With the aid of a PowerPoint presentation, Mr Richard Y.L. Siu, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed comprehensive residential development and a commercial complex with a boutique hotel;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, 570 public comments from Peng Chau Land Reclamation Concern Group, an Islands District Council member, the Incorporated Owners of Sea Crest Villa, Peng Chau and local residents and individuals were received. Amongst them, 529 objected to, 21 supported and 20 provided views on the application. Major views on the application were set out in paragraph 9 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. The general planning intention of the Peng Chau Outline Zoning Plan (OZP) was primarily to protect the natural landscape, the rural character and car-free environment. Development of tourism was not the planning intention of the OZP. The proposed commercial complex included in the “Other Specified Uses” annotated “Comprehensive Residential Development including a Commercial Complex” (“OU(Comprehensive Residential Development including a Commercial Complex)”) zone was mainly for provision of commercial facilities to serve the local residents at the existing/planned residential development in Peng Chau North. The proposed ‘Hotel’ use which would take up most of the allowable non-domestic gross floor area (GFA) was not in line with the planning intention of the “OU(Comprehensive Residential Development including a Commercial Complex)” zone and there was no strong justification in the submission for a departure from the planning intention. Most of the existing shops and restaurants in Peng Chau were located in the Peng Chau Central area some 300m to 580m to the south-east of the site. The previously approved commercial complex in application No. A/I-PC/8 upon its completion would be the only sizeable commercial facility to serve the Peng Chau North area. Besides, the proposed ‘Hotel’ use would likely induce extra demand for ‘Shop and Services’/‘Eating Place’ provision. Regarding the public comments, the planning assessments above were relevant.

31. Some Members raised the following questions:

- (a) the original use of the proposed non-domestic block in the previous approved application and whether there were any ‘Shop and Services’ proposed under the current application;
- (b) why the proposed ‘Hotel’ use was likely to induce an extra demand for ‘Shop and Services’ / ‘Eating Place’ provisions; and

- (c) whether the proposed boutique hotel would be converted to cater for long-staying customers.

32. In response, Mr Richard Y.L. Siu, STP/SKIs, made the following responses:

- (a) in the previous approved application (No. A/I-PC/8), the whole non-domestic block was proposed for 'Shop and Services' and 'Eating Place' uses. In the current application, the applicant proposed to reduce the GFA to not more than 290m² for 'Shop and Services' and/or 'Eating Place' uses;
- (b) the proposed boutique hotel was not in line with the planning intention of the "OU(Comprehensive Residential Development including a Commercial Complex)" zone. With reference to Plan A-7 of the Paper, majority of the existing commercial uses were located in the Peng Chau Central area. In view that the existing/planned developments in Peng Chau North were purely residential developments, the 2,000m² non-domestic GFA stipulated in Notes of the "OU(Comprehensive Residential Development including a Commercial Complex)" zone was intended to provide commercial facilities to serve the existing/planned population in Peng Chau North; and
- (c) the operation of the proposed boutique hotel would be subject to the relevant licensing requirements.

33. In response to a Member's enquiry, the Chairman said that compared with the previous application (No. A/I-PC/8) approved by the Committee in 2015, the current application mainly involved changes of a major portion of the stand-alone commercial complex to 'Hotel' use and there were no changes to the residential portion of the development.

Deliberation Session

Need for Shop and Services Use

34. A Member opined that the provision of 2,000m² of non-domestic GFA in this part of Peng Chau could be excessive and it was uncertain whether the residential developments in the vicinity could sustain such a large floorspace of ‘Shop and Services’/ ‘Eating Place’ use. The Chairman supplemented that the application site was disposed of by tender in 2012. Under the Conditions of Sale, provision of 2,000m² non-domestic GFA was required but ‘Hotel’ was not a permitted use under the lease.

35. Members noted that the zoning for the application site was specific and there were no similar applications approved by the Committee. There was no ‘Shop and Services’ use in Peng Lai Court but a convenience shop was provided in Kam Peng Estate. There was no provision for ‘Market’ use in the “OU(Comprehensive Residential Development including a Commercial Complex)” zone, but such use was an always permitted use in the “Residential (Group A)” zone.

Planning Intention

36. The Vice-chairman said that the planning intention of the “OU(Comprehensive Residential Development including a Commercial Complex)” zone and the requirements were stipulated in the Conditions of Sale in view of the need to provide commercial facilities to support the existing and future residential developments in Peng Chau North. The commercial viability of the commercial complex should not be assessed solely on the present situation. The future needs of the area should also be taken into account.

37. Having considered the planning intention of the “OU(Comprehensive Residential Development including a Commercial Complex)” zone, a Member did not support the application, but considered that there should be some flexibility for ‘Market’ use to cater for future demand.

38. Two Members also did not support the application in view that there were no commercial facilities in the nearby residential developments.

39. A Member considered that the applicant might have grounds for the proposed boutique hotel use in view of the large floorspace of non-domestic use required in the development, but the planning intention for this zone should be respected and thus did not

support the application.

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

“ The proposed development comprising residential development and a commercial complex with a boutique hotel therein will affect the provision of commercial/retail facilities and is not in line with the planning intention of the “Other Specified Uses” annotated “Comprehensive Residential Development including a Commercial Complex” zone, which is primarily for low-rise and low-density comprehensive residential cum commercial development. There are no strong justifications to warrant a departure from this planning intention.”

[The Chairman thanked Mr Richard Y.L. Siu, STP/SKIs, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/I-TCV/6 Temporary Open Storage of Construction Materials for a Period of 3
Years in “Village Type Development” Zone, Lot 1185 in D.D. 1 TC,
Tung Chung Valley, Lantau Island
(RNTPC Paper No. A/I-TCV/6)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) temporary open storage of construction materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Head of Sustainable Lantau Office, Civil Engineering and Development Department and the District Lands Officer/Islands, Lands Department did not support the application as the applied use would affect the land resumption for the construction of the proposed road. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservations on the application as there was no information in the submission to demonstrate that the proposal would not cause adverse ecological, landscape and visual impacts on the surrounding areas and approval of the application would result in the overall gradual modification and degradation of the natural landscape character of the application site. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, 44 public comments were received from a Legislative Council member, Green Power, Designing Hong Kong Limited, a private company, Chairman of Tung Chung Rural Committee, local villagers and individuals. Amongst them, six objected to and 38 supported the application. Major supporting and objecting grounds were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The applied use was not in line with the general planning intention of Tung Chung Valley area, which was to conserve the ecological sensitive areas, to protect the rural and natural character and to maintain the unique landscape character and cultural heritage of the area. The proposed development would affect the land resumption for the construction of the proposed road. The proposed temporary open storage use was also not compatible with the surrounding areas which were predominantly rural in nature. The applicant failed to

demonstrate that the development would not cause adverse landscape and visual impacts on the surrounding areas. Including the subject application, there were already seven applications for temporary open storage / warehouse of construction materials in the area, with five previously rejected by the Committee, and one would be considered by the Committee in the same meeting. The approval of the application, even on a temporary basis, would set an undesirable precedent and encourage other applications for similar open storage / warehouse uses and the cumulative effect of approving such application would result in a general degradation of the rural environment and landscape character of the area. Regarding the public comments, the comments of government departments and the assessment above were relevant.

42. Members had no question on the application.

Deliberation Session

43. 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 “Village Type Development” zone. There is no strong planning justification in the submission to support a departure from the planning intention, even on a temporary basis;
- (b) the applicant fails to demonstrate that the proposed development will not have adverse landscape and visual impacts on the surrounding areas; and
- (c) the approval of the application, even on a temporary basis, will set an undesirable precedent and encourage other applications for similar developments in the surrounding area. The cumulative effect of approving such applications will result in a general degradation of the rural environment and landscape character of the area.”

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/I-TCV/7 Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years in “Residential (Group C) 2” Zone, Lot 1880 in D.D. 1 TC, Tung Chung Valley, Lantau Island
(RNTPC Paper No. A/I-TCV/7)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary open storage of construction materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Head of Sustainable Lantau Office, Civil Engineering and Development Department and the District Lands Officer/Islands, Lands Department did not support the application as the proposed development would affect the land resumption for construction of the proposed road. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservations on the application as there was no information in the submission to demonstrate that the proposal would not cause adverse ecological, landscape and visual impacts on the surrounding areas and approval of the application would result in the overall gradual modification and degradation of the natural landscape character of the application site. Other concerned government departments had no objection to or no adverse

comments on the application;

- (d) during the first three weeks of the statutory publication period 44 public comments were received from a Legislative Council member, Green Power, Designing Hong Kong Limited, Save Lantau Alliance, a private company, Chairman of Tung Chung Rural Committee, local villagers and individuals. Amongst them, six objected to and 38 supported the application. Major supporting and objecting grounds were set out in paragraph 10 of the Paper; and

- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed use was not in line with the general planning intention of Tung Chung Valley area, which was to conserve the ecologically sensitive areas, to protect the rural and natural character and maintain the unique landscape character and cultural heritage of the area. The proposed development would affect the land resumption for the construction of the proposed road. The proposed temporary open storage use was also not compatible with the surrounding areas which were predominantly rural in nature. The applicant failed to demonstrate that the development would not cause adverse landscape and visual impacts on the surrounding areas. Including the subject application, there were already seven applications for temporary open storage/ warehouse of construction materials in the area, with five previously rejected by the Committee, and one just considered by the Committee in the same meeting. The approval of the application, even on a temporary basis, would set an undesirable precedent and encourage other applications for similar open storage/ warehouse uses and the cumulative effect of approving such application would result in a general degradation of the rural environment and landscape character of the area. Regarding the public comments, the comments of government departments and the assessment above were relevant.

45. Members had no question on the application.

Deliberation Session

46. 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 “Residential (Group C)2” zone. There is no strong planning justification in the submission to support a departure from the planning intention, even on a temporary basis;
- (b) the applicant fails to demonstrate that the proposed development will not have adverse landscape and visual impacts on the surrounding areas; and
- (c) the approval of the application, even on a temporary basis, will set an undesirable precedent and encourage other applications for similar developments in the surrounding area. The cumulative effect of approving such applications will result in a general degradation of the rural environment and landscape character of the area.”

[The Chairman thanked Ms Amy M.Y. Wu, STP/SKIs, for her attendance to answer Members’ enquiries. She left the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-CWBN/44 Renewal of Planning Approval for Temporary Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Village Type Development” Zone, Lot 106 RP in D.D. 239, Mang Kung Uk, Hang Hau, Sai Kung, New Territories
(RNTPC Paper No. A/SK-CWBN/44)

47. The Secretary reported that the application site was located in the Clearwater Bay

area. Mr David Y.T. Lui had declared an interest on the item as he co-owned with spouse two properties in the Clearwater Bay area. The Committee noted that Mr David Y.T. Lui had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

48. 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) renewal of planning approval for temporary vehicle park (private cars and light goods vehicles) 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 comments on the application;
- (d) during the first three weeks of the statutory publication period, one supporting public comment from an individual was received; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the planning assessments set out in paragraph 12 of the Paper. Although the proposed temporary use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could serve the needs of the nearby villagers. Approval of the application on a temporary basis would not frustrate the long term planning intention of the “V” zone. 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 planning approval and all approval conditions under the previous planning approval had been complied with; and the three-year approval period sought was the same in the previous approval.

49. Members had no question on the application.

Deliberation Session

50. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 28.3.2018 until 27.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicle without valid license issued under the Road Traffic Ordinance is allowed to be parked/stored on the Site during the planning approval period;
- (b) only private car and light good vehicles as defined in the Road Traffic Ordinance is allowed to enter/be parked on the Site at all times during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that only private cars and light goods vehicles as defined in the Road Traffic Ordinance are allowed to enter/be parked on the Site at all times during the planning approval period;
- (d) the existing planters and landscape features within the Site should be maintained at all times during the planning approval period;
- (e) the submission of fire service installations and equipment for firefighting 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 28.9.2018;
- (f) in relation to (e), the implementation of fire service installations and equipment for firefighting 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 28.12.2018;

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

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

Agenda Item 9

Section 16 Application

[Open Meeting]

A/SK-CWBN/45 Proposed House (New Territories Exempted House - Small House) in “Green Belt” Zone, Lot 158 S.C RP in D.D. 238, Pan Long Wan, Sai Kung
(RNTPC Paper No. A/SK-CWBN/45)

52. The Secretary reported that the application site was located in the Clearwater Bay area. Mr David Y.T. Lui had declared interest on the item as he co-owned with spouse two properties in the Clearwater Bay area. The Committee noted that Mr David Y.T. Lui had tendered apologies for being unable to attend the meeting.

53. The Committee noted that the applicant’s representative requested on 29.1.2018 deferment of the consideration of the application for two months in order to allow time to resolve comments from relevant government departments. It was the first time the applicant requested deferment of consideration of the application.

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

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

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/271 Proposed Residential Development in "Residential (Group E)" Zone,
Various Lots in D.D. 210 and Adjoining Government Land, Ho Chung,
Sai Kung
(RNTPC Paper No. A/SK-HC/271B)

55. The Secretary reported that the application was submitted by Webster Investments Company Limited and Diamond Faith Company Limited, which were subsidiaries of Emperor International Holdings Limited (Emperor). T.K. Tsui & Associates Limited (TKT), Black & Veatch Hong Kong Limited (B&V), Ramboll Environ Hong Kong Limited (Environ) and Landes Limited (Landes) 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 Emperor, Environ and Landes; and

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

Mr Alex T.H. Lai - having current business dealings with TKT and B&V.

56. The Committee noted that Mr Ivan C.S. Fu, Ms Janice W.M. Lai and Mr Alex

T.H. Lai had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

57. 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 residential development for 13 houses;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication periods, 52 comments from the Sai Kung Rural Committee, Sai Kung Planning Concern Front, Luk Mei Tseun villagers, residents from Marina Cove and individuals objecting to the application were received. Major objection grounds were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The proposed development was in line with the planning intention of the “Residential (Group E)” (“R(E)”) zone and it was also compatible with the surrounding predominantly low-rise village developments. The site was the subject of a previous application (No. A/SK-HC/170) for the same residential use approved by the Committee in 2010. The current proposal was largely the same as the previous approved scheme with minor adjustments in site boundary. Concerned government departments had no objection to or no adverse comments on the application and relevant approval conditions had been imposed to address relevant government departments’ concerns. Regarding the public comments, the planning assessments above were relevant.

58. Members had no question on the application.

Deliberation Session

59. In response to a Member's enquiry, the Chairman said that the site was currently vacant and construction works had not yet been commenced. The current application was largely the same as the approved scheme under the previous approval (Application No. A/SK-HC/170). In addition, in view of the traffic condition of Hiram's Highway, an approval condition was imposed in the previous approval that no population intake should be allowed before the completion of the road project 'Dualling of Hiram's Highway between Clear Water Bay Road and Marina Cove and Improvement to Local Access to Ho Chung'. The same approval condition was also recommended in the current application.

60. 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 9.2.2022, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) no population intake should be allowed before the completion of the road project 'Dualling of Hiram's Highway between Clear Water Bay Road and Marina Cove and Improvement to Local Access to Ho Chung';
- (b) the design and provision of access arrangement, car parking spaces, loading/unloading spaces and lay-bys for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the submission and implementation of the road improvement proposal of Luk Cheung Road adjacent to the application site and junction improvement between Luk Cheung Road and Hiram's Highway, at the applicants' own cost as proposed by the applicants, to the satisfaction of Commissioner of Transport or of the TPB;

- (d) the provision of traffic signs, as proposed by the applicants, to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the submission and implementation tree preservation and landscape proposals to the satisfaction of the Director of Planning or of the TPB;
- (f) the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (g) the submission of a revised Noise Impact Assessment and implementation of noise mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (h) the submission of a Quantitative Risk Assessment and implementation of mitigation measure identified therein to the satisfaction of Director of Electrical and Mechanical Services or of the TPB.”

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

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-PK/242 Proposed Social Welfare Facility (Residential Care Home for the Elderly) in “Village Type Development” Zone, Lots 1029, 1030 and 1031 in D.D. 220 and Adjoining Government Land, Nam Shan, Sai Kung, New Territories
(RNTPC Paper No. A/SK-PK/242B)

Presentation and Question Sessions

62. 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 social welfare facility (residential care home for the elderly) (RCHE);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Commissioner for Transport (C for T) had reservation on the application as the applicant had not provided any supporting information to demonstrate that the proposed development was acceptable from traffic view point. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, 466 public comments from a Sai Kung District Council member and individuals were received. Amongst them, 460 comments objected to and six comments supported the application. Major supporting and objecting grounds were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. Although the residential nature of the proposed development was not incompatible with the surrounding developments, the application was not in line with the planning intention of the “Village Type Development” (“V”) zone. About 68% of the site was government land, the District Lands Officer/Sai Kung, Lands Department advised that no permission was given to occupation of the government land portion of the site and that the government land could be disposed of for Small House development. Moreover, C for T had reservation on the application as the traffic at Po Lo Che Road with single lane two-way traffic was busy and complaints had been received on its traffic conditions. Besides, there was no provision of car parking spaces and loading/unloading facilities for the operational need

of the proposed development. As such, C for T had doubts on the applicants' conclusion that Po Lo Che Road could support the traffic of the proposed development. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

63. Some Members raised the following questions:

- (a) whether there were any other applications for RCHE use in "V" zone in the area; and
- (b) whether the proposed RCHE had any loading/unloading bays and whether there were any arrangements or proposals for picking-up/dropping-off of the elderly.

64. In response, Mr William W.T. Wong, STP/SKIs, made the following points:

- (a) there were no other applications for RCHE within the same "V" zone. However, a similar application (No. A/SK-PK/195) located further south along Po Lo Che Road was approved by the Committee in 2012 to convert the Ground Floor and Second Floor of two existing New Territories Exempted House (NTEH) for RCHE use; and
- (b) there were no loading/unloading bays provided for the proposed RCHE and the applicants had not provided any information on the arrangement of picking-up/dropping-off of the elderly.

65. In response to the Chairman's enquiry, Mr William W.T. Wong said that of the three NTEHs at the site, only one was currently occupied for residential use.

Deliberation Session

66. A Member asked what consideration should be given to approving existing RCHE development within "V" zone noting that the Committee had approved such

applications previously. The Secretary said for that the similar application (No. A/SK-PK/195) along Po Lo Che Road, the application involved conversion of the G/F and 2/F of two existing NTEHs for RCHE, while the 1/F of the two concerned NTEHs had already been used as RCHE at the time of application. The current application was for a new RCHE.

67. A Member considered that RCHE use was not in line with the planning intention of “V” zone and he did not support the application. He was also concerned that as there were no information on loading/unloading and arrangement in the application, rejection reason (b) in paragraph 11 of the Paper should be suitably amended. The Committee agreed.

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

- “(a) the proposed development is not in line with the planning intention of the “Village Type Development” zone which is primarily for development of Small Houses by indigenous villagers. No strong justification has been provided in the submission to merit a departure from the planning intention; and
- (b) the applicants have not provided any information on the loading/unloading arrangement and fail to demonstrate that the proposed development would have no adverse traffic impacts on the surrounding areas.”

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

Sha Tin, Tai Po and North District

Agenda Item 12

Section 16 Application

[Open Meeting]

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

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

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

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

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

70. Mr Alex T.H. Lai and Ms Christina M. Lee had tendered apologies for being unable to attend the meeting. The Committee noted that the applicant had requested deferral of consideration of the application and agreed that as the property co-owned by Professor K.C. Chau and his spouse did not have a direct view of the application site, he could stay in the meeting.

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

72. The Committee noted that the applicant’s representative requested on 25.1.2018

deferment of the consideration of the application for two months in order to allow time for preparation of supporting documents to address the outstanding comments of the Transport Department (TD) on the Traffic Impact Assessment (TIA). It was the second time the applicant requested deferment of consideration of the application. Since the last deferment, the applicant had submitted further information including a TIA to address the comments of TD.

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

Agenda Item 13

Section 16 Application

[Open Meeting]

A/NE-KLH/541 Proposed House (New Territories Exempted House - Small House) in "Village Type Development" and "Agriculture" Zones, Lot 433 S.A ss.6 in D.D. 9, Yuen Leng Village, Tai Po
(RNTPC Paper No. A/NE-KLH/541)

74. The Committee noted that the applicant's representative requested on 26.1.2018 deferment of the consideration of the application for two months in order to allow time to resolve the septic tank and sewerage matters. It was the first time the applicant requested deferment of consideration of the application.

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

Agenda Item 14

Section 16 Application

[Open Meeting]

A/NE-LT/630 Proposed House (New Territories Exempted House - Small House) in
"Agriculture" Zone, Lot 206 in D.D. 18, Lung A Pai, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/630)

76. The Committee noted that the applicant's representative requested on 26.1.2018 deferment of the consideration of the application for two months in order to allow time for clarification of the lot boundary of the application site with the Lands Department. It was the first time the applicant requested deferment of the application.

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

circumstances.

[Ms Kathy C.L. Chan, Senior Town Planner/Sha Tin, Tai Po and North (STP/STN), was invited to the meeting at this point.]

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/631 Proposed House (New Territories Exempted House - Small House) in
 “Agriculture” Zone, Lot 748 S.A in D.D. 19, Chung Uk Village, Lam
 Tsuen, Tai Po, New Territories

 (RNTPC Paper No. A/NE-LT/631)

Presentation and Question Sessions

78. 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 Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) and the Director of Environmental Protection (DEP) objected to the application as the site was located within Water Gathering Ground (WGG) and the applicant’s proposed use of septic tank and soakaway system to treat

wastewater was unacceptable. The Commissioner for Transport (C for T) had reservation on the application and considered that such type of development should be confined within the “Village Type Development” (“V”) zone as far as possible. However, the application only involved development of one Small House could be tolerated. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as approval of the application would set an undesirable precedent and the cumulative effect would result in degradation of the environment. Other concerned government departments had no objection to or no adverse comments on the application.

- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The application was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application. The site was within the upper indirect WGG and CE/C, WSD and DEP did not support the application as the proposed Small House was not able to be connected with the existing/planned public sewerage system. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (the Interim Criteria), although more than 50% of the proposed Small House footprint fell within the village ‘environs’ of Chung Uk Tsuen, the proposed development did not comply with the Interim Criteria in that the applicant failed to demonstrate that the proposed development located within WGG would not cause adverse impact on the water quality in the area. Although land available within the “V” zone was insufficient to fully meet the future Small House demand, it was capable to meet the outstanding Small House applications. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

79. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the proposed development does not comply with the Interim Criteria for consideration of application for New Territories Exempted House/Small House in New Territories in that the applicant fails to demonstrate that the proposed development located within water gathering grounds would be able to be connected to the existing or planned sewerage system and would not cause adverse impact on the water quality in the area; and
- (c) land is still available within the “Village Type Development” (“V”) zone of Chung Uk Tsuen, Fong Ma Po, Tong Min Tsuen and San Uk Tsai which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/624 Temporary Barbecue Site for a Period of 3 Years in “Agriculture” Zone in Lots 384 RP (Part), 385 RP (Part), 388 (Part), 392 (Part), 393 (Part), 396 S.A (Part), 400 S.A (Part), 400 RP (Part), 401 (Part), 402 (Part), 407 (Part), 408 (Part), 409, 410, 413 (Part), 415 (Part), 416 (Part), 417 (Part), 424 (Part), 433 (Part), 460 S.A (Part), 460 S.B (Part), 460 S.C (Part), 462 (Part), 463 (Part), 464 (Part), 465, 466, 467 (Part), 468 (Part), 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480 (Part), 481, 482 (Part), 484 (Part), 497 (Part), 502 (Part), 503 (Part), 504 (Part), 505 (Part), 506 (Part), 507 (Part), 508 (Part) and 509 (Part) in D.D. 17, Ting Kok, Tai Po, New Territories
(RNTPC Paper No. A/NE-TK/624A)

Presentation and Question Sessions

81. 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 barbecue site for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site had high potential for rehabilitation for agricultural use. Other concerned departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, two public comments from World Wide Fund for Nature and an individual were

received objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, the applied use was considered not incompatible with the surrounding areas. To address the concern of DAFC, an approval condition had been recommended requiring the applicant to implement and maintain effective precautionary/protective measures properly to prevent any off-site impacts from the barbecue site to the nearby “Coastal Protection Area” and “Site of Special Scientific Interest” zones throughout the operation of the barbecue site. Part of the site was the subject of five previously approved planning applications for the same use and there were eight similar applications in the vicinity of the site approved by the Committee. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

82. Members had no question on the application.

Deliberation Session

83. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years until 9.2.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no night-time operation between 11:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the application site during the planning approval period;

- (b) the maintenance of the existing drainage facilities on the application site at all times during the planning approval period;
- (c) the maintenance of the existing trees and vegetation on the application site at all times during the planning approval period;
- (d) the submission of parking, loading/unloading and pedestrian access proposals within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 9.8.2018;
- (e) in relation to planning condition (d) above, the implementation of parking, loading/unloading and pedestrian access proposals within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 9.11.2018;
- (f) the submission of fire service installations and water supplies for firefighting proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.8.2018;
- (g) in relation to condition (f) above, the implementation of fire service installations and water supplies for firefighting proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.11.2018;
- (h) the provision of precautionary/protective measures within 6 months from the date of planning approval to ensure no adverse impacts on the nearby “Coastal Protection Area” zone and Ting Kok Site of Special Scientific Interest to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB by 9.8.2018;
- (i) if the above planning conditions (a), (b) and (c) is not complied with during the planning approval period, the approval hereby given should cease to have effect and should be revoked immediately without further notice;

- (j) if any of the above planning conditions (d), (e), (f), (g) and (h) is not complied with within the specified time limit, the approval hereby given should cease to have effect and should be revoked immediately without further notice; and
- (k) 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.”

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

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/629 Temporary Car Park for a Period of 3 Years in “Agriculture” Zone, Lots 725 RP (Part), 762 (Part), 722 S.A (Part), 722 RP (Part), 727 (Part) and 763 RP in D.D. 29 and Adjoining Government Land, Ting Kok Village, Tai Po, New Territories
(RNTPC Paper No. A/NE-TK/629)

Presentation and Question Sessions

85. 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 car park (private cars only) for a period of three years;
- (c) departmental comments – departmental comments were set out in

paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservations on the application as vegetation had been cleared within and outside the site prior to submission of the application. Approval of the application would set an undesirable precedent and the cumulative effect would result in degradation of landscape character and cause adverse landscape impact on the area. The Director of Agriculture, Fisheries and Conservation (DAFC) had reservation on the application as the site possessed potential for agricultural rehabilitation. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, four public comments from World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited, Hong Kong Bird Watching Society and an individual were received objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone, which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. The applicant had not provided any strong planning justifications in the submission to merit a departure from the planning intention of the “AGR” zone, even on a temporary basis. Whilst the applied use was considered not incompatible with the surrounding areas which were predominantly rural in character, DAFC had reservation on the application as the site possessed potential for agricultural rehabilitation and CTP/UD&L had reservation on the application as approval of the application would set an undesirable precedent. Regarding the public comments, the comments of concerned government departments and the planning assessments above were relevant.

86. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention of “AGR” zone, even on a temporary basis;
- (b) the applicant fails to demonstrate in the submission that the development would not result in adverse landscape impact to the area; and
- (c) the approval of the application, even on a temporary basis, would set an undesirable precedent for other similar applications in the “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the landscape character of the area.”

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/630 Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years in “Village Type Development” Zone, Lots 214 S.A ss.1 (Part), 214 S.B ss.1 (Part) and 214 S.A RP (Part) in D.D. 28, Lung Mei, Tai Po, New Territories

(RNTPC Paper No. A/NE-TK/630)

Presentation and Question Sessions

88. 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 renewal of planning approval for temporary eating place (outside seating accommodation (OSA) of a restaurant) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary OSA could be tolerated for a further 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 “Village Type Development” (“V”) zone, there was no Small House application at the site. Approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “V” zone, nor adversely affect the land availability for village type development within the “V” zone. The applied use was not incompatible with its surrounding uses. The temporary OSA was in line with Town Planning Board (TPB) Guidelines No. 15A in that it would not have significant adverse traffic and drainage impacts on the surrounding areas. The application was also in line with TPB Guidelines No. 34B in that there had been no material change in the planning circumstances in the area since the last planning approval and all approval conditions had been complied with; and the three-year planning approval period sought was the same as the previous approval.

89. Members had no question on the application.

Deliberation Session

90. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 28.2.2018 to 27.2.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 10:30 p.m. and 10:30 a.m., as proposed by the applicants, is allowed on the application site during the planning approval period;
- (b) the maintenance of the existing drainage facilities on the application site at all times during the planning approval period;
- (c) the provision of fire service installations and water supplies for fire-fighting 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 28.8.2018;
- (d) if the above planning conditions (a) or (b) is not complied with during the planning approval period, the approval hereby given should cease to have effect and should be revoked immediately without further notice;
- (e) if the above planning condition (c) is not complied with by the specified date, the approval hereby given should cease to have effect and should be revoked on the same date without further notice; and
- (f) 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.”

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

[The Chairman thanked Ms Kathy C.L. Chan, STP/STN, for her attendance to answer Members' enquiries. She left the meeting at this point.]

Agenda Item 19

Section 16 Application

[Open Meeting]

A/NE-TK/631 Temporary Shop and Services (Real Estate Agency and Property Management) for a Period of 3 Years in "Village Type Development" Zone, Lot 1092 S.B RP (Part) in D.D. 23, San Tau Kok, Tai Po
(RNTPC Paper No. A/NE-TK/631)

92. The Committee noted that the applicant's representative requested on 25.1.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from government departments and the public. It was the first time the applicant requested deferment of consideration of the application.

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

Agenda Item 20

Section 16 Application

[Open Meeting]

A/NE-TK/632 Proposed Temporary First Aid Post for a Period of 3 Years in an area shown as 'Road', Government Land in D.D. 28, Sam Wo Road, Ting Kok, Tai Po

(RNTPC Paper No. A/NE-TK/632)

94. The Committee noted that the applicant's representative requested on 1.2.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from government departments. It was the first time the applicant requested deferment of consideration of the application.

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

Fanling, Sheung Shui and Yuen Long East District

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

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/584 Proposed Temporary Public Car Park (Excluding Container Vehicle)
for a Period of 5 Years in “Village Type Development” Zone, Lot 1243
S.B RP (Part) in D.D. 109, Kong Tai Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/584)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary public car park (excluding container vehicle) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservations on the application as the proposed use was considered not entirely compatible with the existing landscape setting. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, five public comments were received from Tai Kong Po Village Committee, Land Justice League, a local villager and individuals objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) PlanD’s views – PlanD considered that the applied use could be tolerated for a period of five years based on the assessments set out in paragraph 11

of the Paper. Although the proposed public car park was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could satisfy some of the local parking demand. The District Lands Officer/Yuen Long advised that there was no Small House application approved or under processing within the site. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “V” zone. To address CTP/UD&L, PlanD’s concern, relevant approval conditions on submission and implementation of a landscape proposal had been recommended. Regarding the public comments, the comments of government departments and the assessments above were relevant.

97. A Member asked why a temporary approval of five years, instead of three years was recommended for the application. In response, Ms Ivy C.W. Wong said that according to the Notes of the Outline Zoning Plan, ‘public vehicle park (excluding container vehicle)’ was a Column 2 use under the “V” zone. The applicant could choose to apply to the Town Planning Board to use the site either temporarily or permanently for the proposed use. In the subject application, the applicant had proposed to use the site for temporary public car park (excluding container vehicle) for a period of five years.

Deliberation Session

98. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 9.2.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailer, 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 vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site at any time during the planning approval period;
- (d) a notice should be posted at a prominent location of the site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the Site at all times during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 9.8.2018;
- (g) in relation to (f) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 9.11.2018;
- (h) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.8.2018;
- (i) in relation to (h) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.11.2018;
- (j) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.8.2018;

- (k) in relation to (j) 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 9.11.2018;
- (l) 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 should cease to have effect and should be revoked immediately without further notice;
- (m) if any of the above planning conditions (f), (g), (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice; and
- (n) 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.”

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

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

Agenda Item 22

Section 16 Application

[Open Meeting]

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

100. The Committee noted that the applicants requested on 5.2.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from the Transport Department. It was the second time the applicants requested deferment of the application. Since the last deferment, the applicants had submitted further information to address departmental comments.

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

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/359 Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles Only) for a Period of 3 Years in “Residential (Group D)” Zone, Lots 2448 (Part), 2455 (Part) and 2459 (Part) in D.D. 104, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/359)

Presentation and Question Sessions

102. 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 (for private cars and light goods vehicles only) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, four public comments from individuals were received objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied 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 “Residential (Group D)” (“R(D)”) zone, it could provide vehicle parking spaces to meet local demand and serve the adjacent residential developments. 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 land uses. The previous application (No. A/YL-NTM/340) submitted by the same applicant for the same use was revoked due to non-compliance with approval conditions on submission and implementation of drainage proposal and the implementation of landscape proposal. Shorter compliance periods were recommended for close monitoring of the progress on compliance with approval conditions. Regarding the public comments, the planning assessments above were relevant.

103. Members had no question on the application.

Deliberation Session

104. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.2.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (b) only private cars and light goods vehicles not exceeding 5.5 tones as defined in the Road Traffic Ordinance are allowed to park on the Site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the Site to indicate that only private cars and light goods vehicles as defined in the Road Traffic Ordinance are allowed to be parked on the Site at any time during the planning approval period;
- (d) no car washing, vehicles repair, dismantling, paint spraying or other workshop activities is allowed on the Site at anytime during the planning approval

period;

- (e) the submission of drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.5.2018;
- (f) in relation to (e) above, the implementation of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.8.2018;
- (g) the submission of fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.5.2018;
- (h) in relation to (g) above, the implementation of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.8.2018;
- (i) the implementation of the accepted landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 9.8.2018;
- (j) if any of the above planning condition (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given should cease to have effect and should be revoked immediately without further notice;
- (k) if any of the above planning conditions (e), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice; and
- (l) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

set out at Appendix III of the Paper.

[The Chairman thanked Ms Emily P.W. Tong, STP/FSYLE, for her attendance to answer Members' enquiries. She left the meeting at this point.]

Tuen Mun and Yuen Long West District

Agenda Item 24

Section 16 Application

[Open Meeting]

A/TM/516 Temporary Eating Place, Shop and Services for a Period of 3 Years in
"Government, Institution or Community" Zone, Lots 1657 S.A (Part),
1657 S.B (Part) and 1657 S.C (Part) in D.D. 132, Tuen Mun, New
Territories
(RNTPC Paper No. A/TM/516)

106. The Committee noted that the applicant's representative requested on 23.1.2018 deferment of the consideration of the application for two months in order to allow time for preparation of supplementary information to support the application. It was the first time the applicant requested deferment of consideration of the application.

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

Agenda Item 25

Section 16 Application

[Open Meeting]

A/TM/517 Proposed Columbarium in “Government, Institution or Community”
Zone, G/F, Lot 1197 (Part) in D.D. 131, Tsing Shan Tsuen, Yeung Tsing
Road, Tuen Mun, New Territories

(RNTPC Paper No. A/TM/517)

108. The Committee noted that the applicant’s representative requested on 24.1.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from government departments and the public. It was the first time the applicant requested deferment of consideration of the application.

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

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/551 Temporary Public Vehicle Park for Private Cars for a Period of 3 Years
in “Village Type Development” Zone, Lots 44 (Part), 72 (Part) and 73
(Part) in D.D. 122 and Adjoining Government Land, Ha Mei San
Tsuen, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/551)

Presentation and Question Sessions

110. 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 temporary public vehicle park for private cars for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, two public comments from a villager of Ha Mei San Tsuen and an individual were received objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the development was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the District Lands Officer/Yuen Long, Lands

Department advised that there was no Small House application approved or under processing at the site. The application could provide vehicle parking spaces to meet any such parking demand in the area. The approval of the application on a temporary basis would not frustrate the planning intention of the “V” zone. The applied use was not incompatible with the surrounding land uses mainly surrounded by vehicle parks and residential dwellings. Concerned government departments had no objection to or no adverse comments on the application and relevant approval conditions had been recommended to minimise any potential environmental nuisances. Previous applications for the same/similar uses and similar applications within the same “V” zone had been approved by the Committee. Approval of the current application was in line with the previous decisions of the Committee. Regarding the public comments, the planning assessments above were relevant.

111. Members had no question on the application.

Deliberation Session

112. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.2.2021, 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. is allowed on the Site, as proposed by the applicant, during the planning approval period;
- (b) only private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the Site at all times during the planning approval period;
- (c) a notice should be posted at a prominent location of the Site at all times to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the Site during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is

allowed to be parked/stored on the Site at any time during the planning approval period;

- (e) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop use is allowed on the Site, as proposed by the applicant, at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing trees and landscape planting on the Site should be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the Site should be maintained at all times during the planning approval period;
- (i) the existing fencing of the Site should be maintained at all times during the approval period;
- (j) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.5.2018;
- (k) 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 9.8.2018;
- (l) in relation to (k) 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 9.11.2018;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the approval period, the approval hereby given should cease to have effect and should be revoked immediately without

further notice;

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

113. 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-PS/552 Renewal of Planning Approval for Temporary Vehicle Park for Coaches for a Period of 3 Years in “Village Type Development” Zone, Lots 448 (Part), 449 RP (Part), 450 (Part) and 452 RP (Part) in D.D. 122, Hang Mei Tsuen, Ping Shan, Yuen Long, New Territories
(RNTPC Paper No. A/YL-PS/552)

Presentation and Question Sessions

114. 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 vehicle park for coaches 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 comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received objecting to the application. Major grounds of objection were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied use could be tolerated for further a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Village Type Development” (“V”) zone, according to the District Lands Officer/Yuen Long, Lands Department, there was no Small House application at the site. The application could provide vehicle parking spaces to meet any such parking demand in the area. The approval of the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. The applied use was considered not incompatible with the surrounding land uses mainly surrounded by vehicle parks. The application was generally in line with Town Planning Board Guidelines No. 34B in that there was no material change in planning circumstances since the previous temporary approval; all conditions under the previous approval had been complied with; and the approval period sought was the same as that as the previous approval. Regarding the public comment, the planning assessments above were relevant.

115. Members had no question on the application.

Deliberation Session

116. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 25.2.2018 until 24.2.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) only coaches, as proposed by the applicant, are allowed to enter/be parked on the Site at all times during the planning approval period;
- (c) a notice should be posted at a prominent location of the Site to indicate that only coaches are allowed to enter/be parked on the site at all times during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the Site at any time during the planning approval period;
- (e) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the Site 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 existing drainage facilities on the Site should be maintained at all times during the planning approval period;
- (h) the existing trees on the Site should be maintained at all times during the planning approval period;
- (i) the existing boundary fencing on the Site should be maintained at all times during the planning approval period;
- (j) the submission of 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

25.5.2018;

- (k) the submission of fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 25.8.2018;
- (l) in relation to (k) above, the implementation of fire service installations proposal with 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 25.11.2018;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the planning approval period, the approval hereby given should cease to have effect and should be revoked immediately without further notice;
- (n) if any of the above planning conditions (j), (k) or (l) is not complied with by the specified date, the approval hereby given should cease to have effect and should be revoked immediately without further notice; and
- (o) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

[The Chairman thanked Ms Stella Y. Ng, STP/TMYLW, for her attendance to answer Members' enquiries. She left the meeting at this point.]

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/43 Temporary Logistics Centre with Ancillary Office and Parking of Vehicle for a Period of 3 Years in “Government, Institution or Community” and “Open Space” Zones and an area shown as ‘Road’ Lots 51 (Part), 57 (Part), 58 (Part), 60, 61, 62, 63 (Part), 64, 65, 66 (Part), 67 (Part), 144 (Part), 145 (Part), 146 (Part) and 147 (Part) in D.D. 125, Lots 3220 (Part), 3221 S.A (Part), 3221 S.B (Part), 3222 (Part), 3223 (Part), 3224 (Part), 3225 S.A (Part), 3225 S.B (Part), 3226, 3227, 3228, 3229, 3230, 3231, 3232, 3234 (Part) and 3235 (Part) in D.D. 129 and Adjoining Government Land, Ha Tsuen, Yuen Long, New Territories

(RNTPC Paper No. A/HSK/43)

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary logistics centre with ancillary office and parking of vehicle 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 users in the

vicinity and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD considered the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the development was not in line with the planning intentions of “Government, Institution or Community” (“G/IC”) and “Open Space” (“O”) 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 and the Director of Leisure and Cultural Services had no objection to or no comment on the temporary use on the site. In this regard, approval of the application on a temporary basis of three years would not jeopardise the long-term development of the site. The applied use was not incompatible with the surrounding land uses. The applied use was generally in line with Town Planning Board Guidelines No. 13E in that the site fell within Category 1 and 2 areas which were considered suitable for open storage and port back-up uses and relevant proposals had been submitted to demonstrate that the applied use would not generate adverse impacts. Although DEP did not support the application, there was no environmental complaint pertaining to the site in the past three years. The concerns on the possible environmental nuisances or the technical requirements of the other concerned government departments could be addressed by imposing relevant approval conditions. Despite the last application (No. A/YL-HT/971) was revoked due to non-compliance with approval conditions on the implementation of fire service installations, it was noted that the current application was submitted by a different applicant for different applied use. Previous applications for similar warehouse and parking vehicle uses at the site and similar logistics uses within the same

“G/IC” and “O” zones had been approved by the Committee.

120. Members had no question on the application.

Deliberation Session

121. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.2.2021, 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. to 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no recycling, repairing, cleaning, dismantling and workshop activity, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (d) no vehicle queuing back to or reverse onto/from the public road is allowed 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 9.5.2018;
- (f) the existing drainage facilities on the Site should be maintained at all times during the planning approval period;
- (g) the submission of the tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 9.8.2018;

- (h) in relation to (g) above, the implementation of the accepted 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 9.11.2018;
- (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 9.8.2018;
- (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 9.11.2018;
- (k) the provision of fencing of the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 9.8.2018;
- (l) if any of the above planning conditions (a), (b), (c), (d) or (f) is not complied with during the approval period, the approval hereby given should cease to have effect and should be revoked immediately without further notice;
- (m) if any of the above planning conditions (e), (g), (h), (i), (j) or (k) is not complied with by the above specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice; and
- (n) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/45 Temporary Open Storage of Construction Machinery and Construction Material and Ancillary Site Office for a Period of 3 Years in “Open Space” and “Other Specified Uses” annotated “Logistics Facility” Zones, Lots 1103 RP (Part), 1104 RP, 1105, 1106 (Part), 1107 (Part), 1131 (Part), 1132 (Part), 1138 (Part), 1139 S.A RP, 1139 RP (Part), 1140 (Part), 1141 RP, 1142, 1143 RP (Part), 1145 (Part), 1146 (Part), 1153 (Part), 1154 RP (Part), 1155 (Part), 1156 (Part) and 1169 RP (Part) in D.D. 125, Ha Tsuen, Yuen Long

(RNTPC Paper No A/HSK/45)

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage of construction machinery and construction material and ancillary site office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse

comments on the application;

- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the development was not in line with the planning intention of the “Open Space” (“O”) 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 and the Director of Leisure and Cultural Services had no objection or no comment to the temporary use on the site. In this regard, approval of the application on a temporary basis of three years would not jeopardise the long-term development of the site. The applied use was not incompatible with the surrounding areas. The development was generally in line with Town Planning Board Guidelines No. 13E in that the site fell within Category 1 and 2 areas which were suitable for open storage and port back-up uses and relevant proposals had been submitted to demonstrate the applied use would not generate adverse impacts. Although DEP did not support the application as there were sensitive uses in the vicinity, there had been no substantiated environment complaint concerning the site in the past three years. Relevant approval conditions had been recommended to address the concerns on the possible environmental nuisance. Nine previous applications for open storage uses and four similar applications in the same “Other Specified Uses” annotated “Logistics Facility” and “O” zones had been approved by the Committee. Approval of the application was in line with the Committee’s previous decisions.

125. Members had no question on the application.

Deliberation Session

126. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.2.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- (i) “(a) no operation from 8:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the stacking height of materials stored within 5m of the periphery of the site should not exceed the height of the boundary fence, as proposed by the applicant, at all times during the planning approval period;
- (d) no repairing, dismantling, assembling and workshop activities, as proposed by the applicant, 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 the public road at any time during the planning approval period;
- (f) the existing boundary fencing on the site should be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the site should be maintained at all times during the planning approval period;
- (h) the submission of a condition record of existing drainage facilities within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 9.5.2018;
- (i) the existing trees and landscape planting on the site should be maintained

at all times during the planning approval period;

- (j) the provision of the fire extinguisher(s) and the submission of a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.3.2018;
- (k) 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 9.8.2018;
- (l) in relation to (k) 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 9.11.2018;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (i) is not complied with during the approval period, the approval hereby given should cease to have effect and should be revoked immediately without further notice;
- (n) if any of the above planning conditions (h), (j), (k) or (l) is not complied with by the above specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice; and
- (o) upon expiry of the planning permission, the reinstatement of the site to an amenity area, to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/47 Temporary Open Storage of Scrap Metal and Logistics Centre for a Period of 3 Years in “Residential (Group A) 3” Zone and an area shown as ‘Road’, Lots 798 S.A RP (Part), 799 (Part), 800 (Part), 801 (Part), 802 (Part) and 804 RP (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/HSK/47)

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

Presentation and Question Sessions

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

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

was received; and

- (e) the Planning Department (PlanD)'s views – PlanD considered the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the development was not in line with the planning intention of the “Residential (Group A)3” (“R(A)3”) 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 at the site. In this regard, approval of the application on a temporary basis of three years would not jeopardise the long-term development of the site. The applied use was not incompatible with the surrounding land uses. The application was generally in line with Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up uses where favourable consideration would normally be given. Relevant proposals had been submitted to demonstrate the applied use would not generate adverse impacts. Although DEP did not support the application as there were sensitive uses in the vicinity, there had been no substantiated environmental complaint concerning the site received in the past three years. Relevant approval conditions had been recommended to address the concerns on the possible environmental nuisance. Eight previous applications for open storage uses and 10 similar applications in the same “R(A)3” zone had previously been approved by the Committee. Approval of the current application was in line with the Committee's previous decisions.

130. Members had no question on the application.

Deliberation Session

131. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.2.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 8:00 p.m. to 8:00 a.m. on Mondays to Saturdays, 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 cutting, dismantling, cleansing, repairing, and workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) the existing boundary fencing on the Site should be maintained at all times during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (f) the existing drainage facilities on the site should be maintained at all times during the planning approval period;
- (g) the landscape planting on the site should be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities on site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.5.2018;
- (i) the provision of the fire extinguisher(s) and the submission of a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.3.2018;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire

Services or of the TPB by 9.8.2018;

- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.11.2018;
- (l) 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 should cease to have effect and should be revoked immediately without further notice;
- (m) if any of the above planning conditions (h), (i), (j) or (k) is not complied with by the above specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice; and
- (n) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 31

Section 16 Application

[Open Meeting]

A/YL-LFS/306 Proposed Temporary Open Storage of Construction Machinery for a Period of 3 Years in “Recreation” Zone, Lot 2025 S.B in D.D. 129, Lau Fau Shan, Yuen Long, New Territories
(RNTPC Paper No. A/YL-LFS/306)

133. The Committee noted that the applicant requested on 23.1.2018 deferment of the consideration of the application for two months in order to allow time for preparation of

further information to address the comments from government departments. It was the first time the applicant requested deferment of consideration of the application.

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

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/307 Temporary Shop and Service (Retail of Family Goods) with Ancillary Office for a Period of 3 Years in "Recreation" Zone, Lot 2093 (Part) in D.D. 129, Lau Fau Shan, Yuen Long, New Territories
(RNTPC Paper No. A/YL-LFS/307)

Presentation and Question Sessions

135. 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 shop and services (retail of family goods) with ancillary office for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application.
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the applied 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 “Recreation” (“REC”) zone, the development could provide shop and service facilities to meet any such demand in the area. The approval of the application on a temporary basis would not frustrate the planning intention of the “REC” zone. The applied use was not incompatible with the land uses in the surrounding area which was predominantly occupied by open storage uses, vehicle parks and workshops. Concerned government departments had no objection to or no adverse comments on the application and relevant approval conditions had been recommended to minimise any possible nuisances.

136. Members had no question on the application.

Deliberation Session

137. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.2.2021, 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 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) 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 9.8.2018;

- (c) in relation to (b) 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 9.11.2018;
- (d) in relation to (c) above, the implemented drainage facilities on the site should be maintained at all times during the planning approval period;
- (e) the submission of a landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 9.8.2018;
- (f) in relation to (e) 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 9.11.2018;
- (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 9.8.2018;
- (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 9.11.2018;
- (i) if any of the above planning conditions (a) or (d) is not complied with during the approval period, the approval hereby given should cease to have effect and should be revoked immediately without further notice;
- (j) if any of the above planning conditions (b), (c), (e), (f), (g) or (h) is not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice; and
- (k) 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.”

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

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/308 Temporary Open Storage of Marble and Construction Materials with Ancillary Workshop, Vehicle/Cargo Compartments Assembly Workshop with Ancillary Vehicle Parking Spaces and 10 Loading and Unloading Spaces for Goods Vehicle for a Period of 3 Years in “Recreation” Zone, Lots 2093 (Part), 2094 (Part), 2095 (Part), 2096 RP (Part), 2097, 2102 S.A (Part), 2215 S.A RP (Part), 2216 (Part), 2217, 2218 RP (Part), 2219 RP (Part), 2231 RP (Part), 2233 (Part), 2234, 2235, 2236 (Part) and 2237 (Part) in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long, New Territories
(RNTPC Paper No. A/YL-LFS/308)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage of marble and construction materials with ancillary workshop, vehicle/cargo compartments assembly workshop with ancillary vehicle parking spaces and 10 loading and unloading spaces for goods vehicle 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 uses in the vicinity and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comments on the application.

- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received objecting to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Recreation” (“REC”) zone, there was yet to have any known programme to implement the zoned use on the Outline Zoning Plan. Approval of the application on a temporary basis would not frustrate the planning intention of the “REC” zone. The applied use was not incompatible with the surrounding areas which were predominantly occupied by open storage yards and vehicle parks. Although the site fell within Category 4 areas under the Town Planning Board Guidelines No. 13E (TPB PG-No. 13E), where applications would normally be rejected except under exceptional circumstances, there were 21 previous planning approvals for open storage use at the site and the applicant had complied with the approval conditions of the last application (No. A/YL-LFS/257). Whilst DEP did not support the application as there were sensitive receivers within the vicinity of the site, there was no substantiated environmental complaint against the site over the past three years. Relevant approval conditions had been recommended to minimise any possible nuisances. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

140. In response to a Member's enquiry, Mr Vincent T.K. Lai, STP/TMYLW, explained that the subject site fell within Category 3 areas previously and had been

re-classified to Category 4 areas since the promulgation of TPB PG-No. 13D in 2005 which was to reflect the intention to phase out non-conforming uses in the less disturbed areas near the coast to the northwest of Deep Bay Road.

Deliberation Session

141. In response to a Member's enquiry, the Secretary explained that there were four categories of areas under TPB-PG No. 13E. Category 4 areas covered those mainly located close to environmentally or ecologically sensitive areas and the intention was to encourage phasing out of open storage and port back-up uses. For sites falling within Category 3 areas, the intention was to contain open storage and port back-up uses and further proliferation of such uses was not encouraged. Nevertheless, sympathetic consideration might be given for sites with previous planning approvals within Category 3 areas.

142. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.2.2021, 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 pm and 8:00 am, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle exceeding 5.5 tonnes, including container trailer/tractor, as defined in the Roads (Traffic) Ordinance and proposed by the applicant, is allowed to enter/exit or to be parked/stored on the site at any time during the planning approval period;
- (d) no vehicle over 10m long is allowed to enter/ exit or to be parked/stored on the Site at any time during the planning approval period;
- (e) no vehicle queuing back to or reverse onto/from the public road is allowed at any time during the planning approval period;

- (f) the existing fencing on the site should be maintained at all times during the planning approval period;
- (g) the existing drainage facilities should be maintained 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 planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.5.2018.
- (i) 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 9.8.2018;
- (j) in relation to (i) above, the implementation of a 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 9.11.2018;
- (k) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.3.2018;
- (l) 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 9.8.2018;
- (m) in relation to (l) 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 9.11.2018;
- (n) 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 should cease to have effect and should be revoked immediately without

further notice;

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

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

[The Chairman thanked Mr Vincent T.K. Lai, STP/TMYLW, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Agenda Item 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/421 Proposed Temporary Shop and Services (Building Surveying Consultancy) for a Period of 3 Years in “Village Type Development” Zone, Lots 4891 RP (Part), 4892 RP (Part), 4893 (Part) and 4894 in D.D. 116 and Adjoining Government Land, Tai Tong Road, Yuen Long
(RNTPC Paper No. A/YL-TT/421)

Presentation and Question Sessions

144. Mr Alan Y.L. Au, STP/TMYLW, drew Members' attention that two replacement pages (Page 1 of Appendix II and Plan A-1) were tabled at the meeting for Members' information. He then 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 (building surveying consultancy) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application in view of the previous non-compliances with approval conditions on landscaping aspects, and the submitted landscape proposal was inadequate to provide reasonable screening for the site and the sustainable growth of the proposed plants. The Commissioner for Transport considered that the proposed run-in/run-out and parking layout were unacceptable. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, three public comments from individuals objecting to the application were received. Major objecting grounds were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The site was the subject of five previous planning applications (No. A/YL-TT/289, 302, 327, 344 and 357) for similar shop and services by the same applicant. The first two applications were approved with conditions by the Committee, but were subsequently revoked due to non-compliance with approval conditions. The latter three applications were rejected by the Committee for the reason of, amongst others, the repeated revocation history. Although application No. A/YL-TT/327 was allowed by the Town Planning Appeal Board (TPAB), the application was also revoked due to non-compliance with approval conditions. In dismissing the appeal of application No. A/YL-TT/357, the TPAB was not convinced that the

applicant would be able to comply with the approval conditions and considered that allowing the appeal would be no different from extending the compliance period indefinitely. CTP/UD&L, PlanD had reservations on the application from the landscape perspective and C for T also considered the submitted parking layout and run-in/run-out proposals not acceptable. Having considered the departmental concerns and the applicant's repeated failures to comply with the approval conditions of the previous applications, approval of the application with repeated non-compliances would set an undesirable precedent for other similar planning permissions for temporary uses which were also subject to the requirement to comply with the approval conditions, thus nullifying statutory planning control. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

145. Members had no question on the application.

Deliberation Session

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

- “(a) the applicant fails to demonstrate that the development would not cause adverse traffic and landscape impacts on the surrounding area; and
- (b) previous planning permissions granted to the applicant by the Town Planning Board / Town Planning Appeal Board under Applications No. A/YL-TT/289, 302 and 327 were revoked due to non-compliance of the approval conditions. Approval of the application with repeated non-compliances with approval conditions would set an undesirable precedent for other similar applications, thus nullifying the statutory planning control mechanism.”

Agenda Item 35

Section 16 Application

[Open Meeting]

A/YL-TT/422

Proposed Temporary Public Vehicle Park (excluding container vehicle) for a Period of 3 Years in “Residential (Group D)” Zone, Lot 4208 (Part) in D.D. 116, Tai Kei Leng, Yuen Long
(RNTPC Paper No. A/YL-TT/422)

147. The Committee noted that the applicant’s representative requested on 30.1.2018 deferment of the consideration of the application for two months in order to allow time to respond to the comments of the Transport Department. It was the first time the applicant requested deferment of the application.

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

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

149. 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 place of recreation, sports or culture (hobby farm), picnic area, barbecue spot and tent camping ground 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 reservations on the application from the landscape planning perspective as no information on existing trees and its preservation proposal was submitted. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual objecting to the application was received. Major objecting 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 applied use was not in line with the planning intention of the “Green Belt” (“GB”) zone. There was general presumption against development in “GB” zone and there were no strong planning justifications in the submission for a departure from the planning intention, even on a temporary basis. The development was also not in line with the Town Planning Board Guidelines No. 10 in that the applied use would affect the natural landscape. CTP/UD&L, PlanD had reservation on the application as vegetation clearance and hard-paving of the site had taken place over the years, resulting in adverse landscape impacts. Similar applications for temporary barbecue site cum green recreational playground, temporary war game field and temporary organic farm cum barbecue and leisure activity area in the same “GB” zone were rejected by the Committee. Although the Town Planning Board / the Committee had approved three applications for war game playground use covering a minor portion of the site, there was insufficient information in the current application to demonstrate the planning merits of the applied use and that the landscape concern could be addressed through approval condition. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

150. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of “ GB” zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets and there is a general presumption

against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis; and

- (b) the proposed development did not comply with the Town Planning Board Guidelines No. 10 in that the proposed development would affect the existing natural landscape.”

Agenda Item 37

Section 16 Application

[Open Meeting]

A/YL-TYST/873 Proposed Temporary Shop (Grocery Store) for a Period of 3 Years in “Residential (Group C)” Zone, Lots 1279 S.A (Part), 1298 (Part) and 1301 (Part) in D.D. 119, Pak Sha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/873)

152. The Committee noted that the applicant’s representative requested on 31.1.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from government departments. It was the first time the applicant requested deferment of the application.

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

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/874 Proposed Animal Boarding Establishment in “Green Belt” Zone, Lot 943 RP in D.D. 119, Kung Um Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/874)

Presentation and Question Sessions

154. 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 animal boarding establishment;
- (c) departmental comments – departmental comments were set out in Paragraph 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed high potential of agricultural rehabilitation. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) did not support the application as extensive vegetation clearance had already taken place and approval of the application might set an undesirable precedent, likely encouraging other similar unauthorised development in this area. The Director of Environmental Protection (DEP) did not support the application as no information was provided to ascertain the environmental acceptability. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from Kadoorie Farm and Botanical Garden Corporation, Designing Hong Kong and an individual objecting to the

application. Major objecting grounds were set out in paragraph 11 of the Paper; and

- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “Green Belt” (“GB”) zone and there was a general presumption against development within this zone. There was no strong planning justifications in the submission for a departure from the planning intention. DAFC did not support the application from the agricultural point of view and CTP/UD&L, PlanD objected to the application from the landscape planning perspective as significant adverse impact on existing landscape resources had already taken place. DEP also did not support the application as the applicant failed to demonstrate that the proposed development would not cause adverse environmental impact on the surrounding areas. The proposed development did not comply with Town Planning Board Guidelines No. 10 in that the development was not compatible with the surrounding areas and the development would affect the existing natural landscape and the integrity of the “GB” zone. Approval of the application would set an undesirable precedent for other similar uses to proliferate into the “GB” zone, the cumulative effect of approving such application would result in a general degradation of the landscape quality of the green belt and undermine the intactness of the “GB” zone. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

155. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of “Green Belt” (“GB”) zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets and there is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the proposed development do not comply with the Town Planning Board Guidelines No. 10 in that the proposed development would affect the existing natural landscape;
- (c) the applicant has failed to demonstrate that the proposed development would not cause adverse environmental impact on the surrounding areas; and
- (d) the approval of the application would set an undesirable precedent for similar applications within the “GB” zone. The cumulative effect of approving such similar applications would result in a general degradation of the landscape quality of the area.”

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/875 Proposed Temporary Warehouse for Storage of Construction Materials and Electrical Appliances for a Period of 3 Years in “Undetermined” Zone, Lots 2720 RP (Part), 2722 RP (Part), 2723 (Part), 2724 (Part), 2725, 2726, 2727 (Part) and 2736 RP (Part) in D.D. 120, Yuen Long, New Territories
(RNTPC Paper No. A/YL-TYST/875)

Presentation and Question Sessions

157. 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 construction materials and electrical appliances 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 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, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was not in conflict with the planning intention of the “Undetermined” zone which was generally intended to cater for the continuing demand for open storage which could not be accommodated in conventional godown premises. Whilst the site fell within an area zoned “Special Residential-Public Rental Housing (with Commercial)” and an area shown as ‘Road’ on the Recommended Outline Development Plan of the Yuen Long South Development, approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. Although DEP did not support the application, there was no environmental complaint concerning the site received in the past three years. The possible environmental nuisance could be addressed by relevant approval conditions. The Committee had approved seven open storage uses

covering the site and 34 similar applications for warehouse uses in the vicinity of the site, approval of the application was considered in line with the Committee's previous decisions.

158. Members had no question on the application.

Deliberation Session

159. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.2.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00p.m. and 7:00a.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, cleansing or workshop activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) all existing trees and plantings within the site should be maintained at all times during the planning approval period;
- (f) the existing drainage facilities on the site should be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.5.2018;

- (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 9.8.2018;
- (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 9.11.2018;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given should cease to have effect and should be revoked immediately without further notice;
- (k) if any of the above planning conditions (g), (h) or (i) is not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice; and
- (l) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

160. 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 Alan Y.L. Au, STP/TMYLW, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Agenda Item 40

Any Other Business

Section 16A Application

[Open Meeting]

A/NE-LYT/627-1 Application for Extension of Time for Compliance with Planning Conditions, Lots 821 S.A, 822 S.B, 823 S.B and 824 RP in D.D. 83 and Adjoining Government land, 188 Sha Tau Kok Road – Lung Yeuk Tau, Lung Yeuk Tau, Fanling, New Territories

161. The Secretary reported that the application was approved with conditions by the Committee on 11.8.2017. The deadline for compliance with approval conditions (a), (c), (e) and (g) was 11.2.2018 and that for approval conditions (b), (d), (f) and (h) was 11.5.2018. An application for extension of time for compliance with approval conditions (a), (c), (e) and (g) for three months up till 11.5.2018 and approval conditions (b), (d), (f) and (h) up till 11.8.2018 was received by the Town Planning Board on 31.1.2018, which was only eight working days before the expiry of the specified time limit of approval conditions (a), (c), (e) and (g). It was recommended not to consider the application as there was insufficient time to obtain departmental comments before the expiry of the specified time limit for compliance with conditions (a), (c), (e) and (g) which were essential for consideration of the application.

162. After deliberation, the Committee agreed not to consider the section 16A application as there was insufficient time to obtain departmental comments before the expiry of the specified time limits for compliance with the conditions mentioned above which were essential for the consideration of the application.

163. There being no other business, the meeting closed at 5:25 p.m..