

## **TOWN PLANNING BOARD**

### **Minutes of 607<sup>th</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 20.7.2018**

#### **Present**

Director of Planning  
Ms Jacinta K.C. Woo

Chairperson

Mr H.W. Cheung

Vice-chairperson

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Mr L.T. Kwok

Mr K.W. Leung

Mr Ricky W.Y. Yu

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

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

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

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

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

Secretary

**Absent with Apologies**

Mr Ivan C.S. Fu

Dr F.C. Chan

Dr C.H. Hau

Dr Jeanne C.Y. Ng

**In Attendance**

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

Town Planner/Town Planning Board  
Ms Karmin Tong

**Agenda Item 1**

Confirmation of the Draft Minutes of the 606<sup>th</sup> RNTPC Meeting held on 6.7.2018

[Open Meeting]

1. The draft minutes of the 606<sup>th</sup> RNTPC meeting held on 6.7.2018 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

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

**Sai Kung and Islands District**

[Mr Richard Y.L. Siu 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 3**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/I-NEL/7                      Proposed 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/7B)

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3.                      The Secretary reported that Ramboll Hong Kong Ltd. (Ramboll) was one of the consultants of the applicant and Mr Ivan C.S. Fu had declared an interest on the item as he was having current business dealings with Ramboll.    The Committee noted that Mr Ivan C.S. Fu had tendered apology for being unable to attend the meeting.

**Presentation and Question Sessions**

4.                      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)    proposed temporary concrete batching plant (CBP) for a period of three years;
  
- (c)    departmental comments – departmental comments were set out in paragraph 9 of the Paper.    The District Officer/Tsuen Wan, Home Affairs Department had reservation on the proposal unless traffic, environmental and related issues were properly resolved.    The Director of Agriculture, Fisheries and Conservation (DAFC) had no strong view on the application

from marine conservation point of view and advised that impact from the vessels on the Chinese White Dolphins was not anticipated given the vessels would stay clear from the two Marine Parks in North Lantau waters. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication periods, a total of 11 public comments were received from individuals objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed CBP fell within an area zoned “Undetermined” (“U”) which could be considered for compatible tourism and recreational uses subject to further study. The Head of Sustainable Lantau Office, Civil Engineering and Development Department (H/SLO, CEDD) had no objection to the application and advised that no interface issue with the proposed reclamation works at Sunny Bay was expected in relation to the proposed temporary use. The proposed CBP would not jeopardize the long-term planning and development of Sunny Bay and was compatible with the existing industrial-related uses in the surroundings. Adverse impacts arising from the proposed development was not anticipated as confirmed by concerned government departments. The site was the subject of a previous approval (No. A/I-NEL/6) for the same use, but was subsequently revoked due to non-compliance with approval conditions. Notwithstanding that, the applicant had shown effort in complying with relevant conditions by submitting relevant assessments/proposals and all the submissions had been accepted by relevant departments. Moreover, there had been no change in planning circumstances since the last planning approval. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

[Mr H.W. Cheung arrived to join the meeting at this point.]

Land Use Zoning

5. In response to a Member's questions, Mr Richard Y.L. Siu, STP/SKIs, said that the site was zoned "U" since 2000. The "U" zone covering mainly the Sunny Bay reclamation area could be considered for compatible tourism and recreational uses subject to further study. Whilst CEDD had plans to carry out detailed study on the area, the exact programme was not yet available.

Proposed CBP Use

6. The Chairperson and some Members raised the following questions:

- (a) the duration of the planning approval sought and whether the CBP was currently in operation;
- (b) the nature of the structures within the proposed CBP; and
- (c) whether there were any CBPs in the vicinity and any other sites in the area that had been identified suitable for CBP use in the longer term.

7. Mr Richard Y.L. Siu, STP/SKIs, made the following responses:

- (a) the subject application was for proposed temporary CBP for a period of three years. Relevant departments had been consulted on the application. H/SLO, CEDD advised that no interface issue with the proposed reclamation works at Sunny Bay was expected. The lease for the shipyard at the site would expire in 2023. The proposed CBP was not in operation at present;
- (b) with reference to Drawing A-2 of the Paper, many of the structures within the proposed CBP were temporary in nature such as wastewater storage tanks, etc. The aggregates would be stored under temporary sheds. The

applicant had proposed structures that were mobile in nature and could be easily removed upon cessation of the CBP; and

- (c) there were no purpose-built, stand-alone CBPs on northern Lantau Island. The Hong Kong International Airport (HKIA) had its own CBP facility to cater for the construction works related to the airport expansion. There were no specific sites on the subject Outline Zoning Plan that were designated specifically for CBP use.

Technical Aspects

8. The Chairperson and some Members raised the following questions:

- (a) the implications of the co-existence of the shipyard and the proposed CBP;
- (b) the loading/unloading arrangements of the proposed CBP and existing shipyard and steps taken by the applicant to address the Transport Department (TD)'s concerns on the queuing of concrete/cement trucks along the access road outside the CBP;
- (c) details on the wastewater treatment and measures to be undertaken to address potential air pollution/emissions;
- (d) whether the operator was required to undertake land contamination remedial works upon cessation of the proposed use; and
- (e) whether the public comments expressing concerns on the traffic and environmental aspects were supported by any data.

9. Mr Richard Y.L. Siu, STP/SKIs, made the following responses:

- (a) the proposed CBP, if approved, would occupy the open area of the existing shipyard. Relevant department had asked the applicant to elaborate on the barging operation and mooring arrangement, and how the site could cater

for the ship repairing works and the proposed CBP operations simultaneously. In this regard, the applicant had submitted a proposed Barging Operation Plan to illustrate the concurrent use of the existing shipyard and the proposed CBP, and the Director of Marine (D of Marine) had no objection to the application from marine traffic and safety viewpoints;

- (b) with reference to Drawing A-2, the aggregates would be delivered to the proposed CBP by sea using barges which would be berthed along the northern seafront and transferred to the aggregate overhead bins via enclosed conveyor belts. As the existing ship repairing activities were mainly located on the adjacent floating dock at the western end of the site, conflict between the existing and proposed uses was not anticipated. The applicant had submitted further information to clarify the traffic generation/attraction of the site and TD had no objection to the application;
- (c) the applicant would have to obtain licences from the Environmental Protection Department (EPD) and would need to satisfy the requirements on air pollution control and effluent discharge aspects for operation of the CBP under the licences;
- (d) relevant approval conditions requiring the submission of a Land Contamination Review Report and implementation of the proposed mitigation measures were recommended to be imposed should the application be approved; and
- (e) no data were submitted in support of the traffic and environmental concerns raised in the public comments. DAFC advised that impact on Chinese White Dolphins was not anticipated and the Director of Marine had no adverse comment on the application from marine traffic and safety point of view. The submissions on the traffic and environmental aspects were accepted by the relevant departments.

10. Regarding the environmental licencing aspect of the proposed CBP, Mr Raymond



W.M. Wong, Principal Environmental Protection Officer (Strategic Assessment), EPD, supplemented that CBP was a Specified Process (SP) subject to control of the Air Pollution Control Ordinance (APCO). A SP licence for the controlling the air pollutant emissions arising from the operation of the CBP had been issued to the operator under the APCO on 13 January 2017 for four years until 12 January 2021. The operation of the CBP should strictly follow the SP licence requirements to prevent air pollution. On the effluent discharge aspect, an approval condition was recommended to be imposed requiring the implementation of a sewerage system should the application be approved. Moreover, all wastewater discharge from the site, if any, should comply with the requirements of the Water Pollution Control Ordinance (WPCO) and a WPCO licence should be obtained from EPD for discharge of any polluted matter.

11. In response to another Member's question on the estimated processing time for the relevant licences from EPD, Mr Raymond W.M. Wong replied that in general, the processing of applications for a WPCO licence would normally take about two months upon receipt of all necessary information and documents.

#### Deliberation Session

12. The Chairperson recapitulated that the application was for a temporary CBP for a period of three years within an existing shipyard and an application for short term waiver to the Lands Department for such use would be required from land administration perspective. The site was currently zoned "U" and the long-term development of the area was subject to further study by the relevant departments, though there was no concrete timetable on the commencement of the study at present. The Committee noted that the site was subject to a previous application (No. A/I-NEL/6) which was approved with conditions on review by the Town Planning Board mainly on the considerations that the site was not incompatible with the works area and storage uses in its vicinity, and the technical concerns of relevant departments on the application had been adequately resolved. The Chairperson remarked that each case should be considered based on its individual merits and the prevailing planning circumstances.

13. In anticipation of large-scale developments on Lantau Island in future and noting the on-going construction work on the expansion of the HKIA at Chek Lap Kok into a

Three-Runway System, a Member was of the view that there would be acute demand for CBP facilities in the area and cast doubt on the temporary nature of the subject application. The Member observed that the Government had not duly considered the potential demand for such facilities in the area and opined that suitable sites should be designated to cater for such uses. Noting that the subject site fell within an area zoned “U” which had potential for tourism and recreational uses in North-East Lantau to complement the Hong Kong Disneyland Resort, there was concern that the approval of the application might affect the long-term development of the area.

14. Regarding the Member’s view on designating specific sites for CBP purpose, the Chairperson supplemented that there was land in the territory, for example in Tuen Mun, that was specifically designated for CBP use. There was also provision for submitting planning application for CBP use within “Industrial” zone. Generally speaking, many large-scale construction sites would have their own CBP facilities which were regarded as ancillary use to the construction activities.

[Mr Stephen L.H. Liu arrived to join the meeting at this point.]

15. Some Members considered that the approval of the application on a temporary basis could be tolerated based on various considerations, including there was no planned or committed long-term development at the site and its adjacent areas at the moment, the environmental concerns pertaining to the proposed CBP operation had been resolved, the lead time for obtaining relevant licences from concerned department was reasonable for a temporary use and that there was a due process for the Committee to review whether the use warranted further renewal in case the applicant wished to continue the operations after the three-year approval period. Members generally agreed that the consideration of this application should focus on the land use planning perspective, including the nature of the applied use, compatibility with the surrounding uses and potential impacts arising from the proposed use.

16. After further deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.7.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the management and maintenance of the existing access road between Sunny Bay Road and the site as well as the traffic signal at the access road to the satisfaction of the Director of Highways or of the TPB during the planning approval period;
- (b) the transportation and delivery of all materials related to concrete production, except concrete, cement and ice, to the site by sea, as proposed by the applicant, during the planning approval period;
- (c) no vehicles other than the concrete mixer trucks are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (d) the submission of a revised Barging Operation Plan within 6 months from the date of planning approval to the satisfaction of the Director of Marine or of the TPB by 20.1.2019;
- (e) in relation to (d) above, the implementation of the measures proposed in the revised Barging Operation Plan within 9 months from the date of planning approval to the satisfaction of the Director of Marine or of the TPB by 20.4.2019;
- (f) in relation to (e) above, the maintenance of the implemented measures throughout the planning approval period to the satisfaction of the Director of Marine or of the TPB;
- (g) the submission of an Air Quality Mitigation Measures Implementation Plan within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 20.1.2019;
- (h) in relation to (g) above, the implementation of the measures proposed in the Air Quality Mitigation Measures Implementation Plan within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 20.4.2019;

- (i) the submission of a Land Contamination Review Report within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 20.1.2019;
- (j) in relation to (i) above, the implementation of the mitigation measures proposed in the Land Contamination Review Report prior to the commencement of the foundation works for the proposed development within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 20.4.2019;
- (k) the implementation of the sewerage system, as proposed by the applicant, within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 20.4.2019;
- (l) in relation to (k) above, the maintenance of the implemented sewerage system throughout the planning approval period to the satisfaction of the Director of Environmental Protection or of the TPB;
- (m) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of Director of Drainage Services or of the TPB by 20.1.2019;
- (n) in relation to (m) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of Director of Drainage Services or of the TPB by 20.4.2019;
- (o) the submission of a tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 20.1.2019;
- (p) in relation to (o) above, the implementation of the tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 20.4.2019;

- (q) the submission of fire service installations and water supplies for fire fighting proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.1.2019;
- (r) the provision of fire service installations and water supplies for fire fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.4.2019;
- (s) if any of the planning conditions (a), (b), (c), (f) or (l) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (t) if any of the planning conditions (d), (e), (g), (h), (i), (j), (k), (m), (n), (o), (p), (q) or (r) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

#### **Agenda Item 4**

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

[Open Meeting (Presentation and Question Sessions Only)]

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

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Presentation and Question Sessions

18. 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) temporary film studio for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, a total of 30 public comments were received from Sai Kung Rural Committee, Resident Representative of Man Wo Village, residents of the nearby villages and individuals. One comment raised a general enquiry on the application, while the remaining 29 comments were in objection to the application. Major views were set out in paragraph 9 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 10 of the Paper. The site fell largely within an area zoned “Recreation” (“REC”) with a minor portion encroaching onto the “Green Belt” (“GB”) zone. The operation of the film studio at the site was covered by seven temporary planning permissions previously granted by the Committee or the Town Planning Board. The applied use was not anticipated to generate adverse impacts on the surrounding areas and relevant government departments had no objection to or no adverse comment on the application. Although the last planning approval (No. A/SK-HC/248) was subsequently revoked due to non-compliance with approval conditions on the landscape aspect, the applicant had shown effort in fulfilling the relevant condition by submitting an updated landscape proposal. Shorter compliance periods were

therefore recommended for closely monitoring of the progress on compliance with approval conditions. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant and appropriate approval conditions had been suggested to address the concerns on traffic, noise nuisance and fire safety aspects.

19. Some Members raised the following questions:
- (a) whether the site was the subject of any previous environmental complaints given there were public comments expressing concerns on nuisance generated by the film studio;
  - (b) noting the applicant's claim that the proposed site layout might be subject to change due to the specific nature of the filming industry, whether this would have any implications on the consideration of the subject case; and
  - (c) justification for the provision of 15 car parking spaces at the site.
20. Mr William W.T. Wong, STP/SKIs, made the following responses:
- (a) the Director of Environmental Protection had been consulted on the application and advised that there was no environmental complaint concerning the site since the granting of the last planning approval in October 2016;
  - (b) with reference to Drawing A-1 of the Paper, the film studio under application comprised two main studio structures located at the north-western part of the site. The other structures within the site were mainly converted-containers and temporary sheds that were relatively small in scale and could be moved around to suit filming needs. The film studio would be restricted to the total gross floor area as specified under the application; and

- (c) according to the applicant's submission, 15 parking spaces, including 8 for private cars and 7 for light goods vehicles, were required for filming and outdoor shooting purposes.

### Deliberation Session

21. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.7.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no outdoor shooting and related activities from 11:00 p.m. to 7:00 a.m. are allowed within the development during the approval period;
- (b) no use of pyrotechnic materials is allowed within the development at any time during the approval period;
- (c) no medium or heavy goods vehicles are allowed to enter the film studio at any time during the approval period;
- (d) the submission of water supplies for fire fighting and fire service installations proposals within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.10.2018;
- (e) in relation to (d) above, the implementation of water supplies for fire fighting and fire service installations proposals within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.1.2019;
- (f) the submission of tree preservation proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 20.10.2018;
- (g) in relation to (f) above, the implementation of tree preservation proposal



within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 20.1.2019;

- (h) the submission of detailed proposals to ensure no pollution would occur to the water gathering grounds within 3 months from the date of planning approval to the satisfaction of the Director of Water Supplies or of the TPB by 20.10.2018;
- (i) in relation to (h) above, the implementation of detailed proposals to ensure no pollution would occur to the water gathering grounds within 6 months from the date of planning approval to the satisfaction of the Director of Water Supplies or of the TPB by 20.1.2019;
- (j) if the above planning conditions (a), (b) or (c) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (d), (e), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

### **Agenda Item 5**

#### **Section 16 Application**

[Open Meeting]

A/SK-HC/284                      Proposed Public Utility Installation (Sewerage Treatment Plant and Underground Sewers) in an area shown as ‘Road’, Government Land in D.D. 214 and D.D. 244, Ho Chung, Sai Kung  
(RNTPC Paper No. A/SK-HC/284A)

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

Dr C.H. Hau - conducting contract research projects with DSD; and

Mr K. K. Cheung - his firm having current business dealings with B&V.

24. The Committee noted that the applicant had requested deferment of consideration of the application and Dr C.H. Hau had tendered apology for being unable to attend the meeting. Since Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

25. The Committee noted that the applicant requested on 26.6.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information, including revised Traffic Impact Assessment and Visual and Landscape Impact Assessment.

26. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within 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 three months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

**Agenda Item 6**

**Section 16 Application**

[Open Meeting]

A/SK-HC/286                      Proposed Excavation of Land for Slope Stabilization (Soil Nail) Works to Enable the Redevelopment of a Permitted House (New Territories Exempted House) in “Conservation Area” and “Village Type Development” Zones, Government Land Adjoining Lot 714 in D.D. 247, Tai Lam Wu, Sai Kung  
(RNTPC Paper No. A/SK-HC/286A)

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27.            The Committee noted that the applicant’s representative requested on 3.7.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had not submitted any further information, but had indicated that they had already engaged an ecologist and had started conducting an ecological survey regarding the sensitive plant species within the application site.

28.            After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. 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 7**

**Section 16 Application**

[Open Meeting]

A/SK-HC/295 Proposed Public Utility Installation (Electricity Package Substation) in an area shown as 'Road', Government Land in D.D. 244, Ho Chung, Sai Kung  
(RNTPC Paper No. A/SK-HC/295)

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29. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP). The following Members had declared interests on the item:

- Dr Jeanne C.Y. Ng - being the Director of Group Sustainability of CLP;
- Mr K.K. Cheung - his firm having past business dealings with CLP; and
- Mr Stephen L.H. Liu - having past business dealings with CLP.

30. The Committee noted that the applicant had requested deferment of consideration of the application and Dr Jeanne C.Y. Ng had tendered apology for being unable to attend the meeting. Since the interests of Mr K.K. Cheung and Mr Stephen L.H. Liu were indirect, the Committee agreed that they could stay in the meeting.

31. The Committee noted that the applicant requested on 28.6.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

32. 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 8**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

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

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33.            The Secretary reported that the application was withdrawn by the applicant.

[The Chairperson thanked Mr Richard Y.L. Siu and Mr William W.T. Wong, STPs/SKIs, for their attendance to answer Members' enquiries. Mr Siu and Mr Wong left the meeting at this point.]

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

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

### **Agenda Item 9**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/958                      Proposed House (New Territories Exempted House - Small House) in  
   “Green Belt” and “Village Type Development” Zones, Lot 620 S.A in  
   D.D.176, Wo Liu Hang, Sha Tin  
   (RNTPC Paper No. A/ST/958)

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

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

- (a)    background to the application;
- (b)    proposed house (New Territories Exempted Houses (NTEH) - Small House);
- (c)    departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) had reservation on the application as there were agricultural activities in the site and agricultural infrastructure was available. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) also had reservation on the application as vegetation had been cleared within and around the site in 2016 and 2017. Approval of the application would set an undesirable precedent and encourage similar application to extend the village into the

adjacent “Green Belt” (“GB”) zone. The Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) advised that the site was overlooked by steep natural hillside and met the alert criteria for a natural terrain hazard study (NTHS). As the requirement of a NTHS could incur significant cost implication and render the development not economically viable, the applicant might consider looking for an alternative site if practicable. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, 34 public comments were received from a Legislative Council member, Indigenous Inhabitant Representative and villagers of Wo Liu Hang Village, green group and individuals. Among the public comments received, two supported, while the remaining 32 objected to the application. Major views were set out in paragraph 11 of the Paper; and
- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed Small House development was not in line with the planning intention of the “GB” zone and there was a general presumption against development within the zone. DAFC and CTP/UD&L, PlanD had reservations on the application. 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 in the surrounding areas. The proposed development also did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that the proposed development would cause adverse landscape impact on the surrounding areas. Land was available within the “Village Type Development” (“V”) zone to meet the outstanding Small House applications and it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

35. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within “GB” zone. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories in that the proposed development would cause adverse landscape and geotechnical impacts on the surrounding areas;
- (c) the proposed development does not comply with the Town Planning Board Guidelines No. 10 for Application for Development within “GB” zone under section 16 of the Town Planning Ordinance in that it has involved extensive clearance in vegetation and would affect the existing natural landscape in the surrounding areas;
- (d) land is still available within the “Village Type Development” (“V”) zone of Wo Liu Hang Village and Pat Tsz Wo Village 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; and



- (e) the approval of the application would set an undesirable precedent for similar applications within the “GB” zone. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.”

**Agenda Item 10**

**Section 16 Application**

[Open Meeting]

A/TP/647                      Proposed House (New Territories Exempted House - Small House) in “Green Belt” and “Village Type Development” Zones, Lot 461 S.A in D.D. 32, Ha Wong Yi Au, Tai Po  
(RNTPC Paper No. A/TP/647)

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37.            The Secretary reported that the application was withdrawn by the applicant.

**Agenda Item 11**

**Section 16 Application**

[Open Meeting]

A/NE-HH/2                      Proposed Temporary Excavation of Land (for Bioarchaeological Research) for a Period of 2 Years in “Conservation Area” Zone, Government Land Covering Hoi Ha Lime Kilns in D.D. 283, Sai Kung  
(RNTPC Paper No. A/NE-HH/2)

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38.            The Secretary reported that the application was submitted by the Swire Institute of Marine Science of the University of Hong Kong (HKU). The following Members had declared interests on the item :

Dr C.H. Hau - being an Honorary Associate Professor and Principal Lecturer of the School of Biological Sciences of HKU; and

Mr K. K. Cheung - his firm having current business dealings with HKU.

39. The Committee noted that the applicant had requested deferment of consideration of the application and Dr C.H. Hau had tendered apology for being unable to attend the meeting. The Committee agreed that Mr K.K. Cheung could stay in the meeting as he had no involvement in the application.

40. The Committee noted that the applicant's representative requested on 12.7.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments of the Antiquities and Monuments Office, Leisure and Cultural Services Department. It was the first time that the applicant requested deferment of the application.

41. 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 12**

**Section 16 Application**

[Open Meeting]

A/NE-LK/113                      Proposed Temporary Animal Boarding Establishment for a Period of 3  
Years in “Agriculture” and “Recreation” Zones, Lots 1313 RP (Part)  
and 1315 RP in D.D. 39, Wo Hang  
(RNTPC Paper No. A/NE-LK/113)

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42.                      The Committee noted that the applicant’s representative requested on 11.7.2018  
deferment of the consideration of the application for two months so as to allow time for  
preparation of further information to address departmental comments. It was the first time  
that the applicant requested deferment of the application.

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

**Agenda Item 13**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

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

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**Presentation and Question Sessions**

44.      Mr Tim T.Y. Fung, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a)      background to the application;
- (b)      temporary private vehicle park for private car and light goods vehicle (excluding container vehicle) and loading/unloading for a period of three years;
- (c)      departmental comments – departmental comments were set out in paragraph 9 of the Paper. According to the District Officer/North, Home Affairs Department, the North District Council (NDC) member of the subject constituency and the Indigenous Inhabitant Representative of Ma Liu Shui San Tsuen had no comment on the application, while the Chairman of Fanling District Rural Committee (FDRC) objected to the application on the grounds set out in paragraph 9.1.9 of the Paper. Other concerned departments had no objection to or no adverse comment on the application;
- (d)      during the first three weeks of the statutory publication periods, a total of seven public comments were received. The Chairman of FDRC and an

individual for the owner of the adjacent building (Tin Wah Building) raised objection to and provided adverse views on the application respectively, while the Chairman of Sheung Shui District Rural Committee and a NDC member indicated no comment on the application. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not in line with the planning intention of the “Residential (Group C)” (“R(C)”) zone, the site was located at the fringe of the “R(C)”) zone and had been used for the same/similar use since 1998. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(C)”) zone. The applied use was not incompatible with the surrounding land uses which comprised factories, warehouses, logistic centre, open storage, vacant land and domestic structure. The site was subject to six previous approvals and there was no major change in planning circumstances since the last approval in 2014. Regarding the adverse public comments, the planning assessments above were relevant, and an approval condition on maintenance of peripheral fencing of the site was recommended to address the concern on possible extension of the temporary use to the adjoining site.

45. Members had no question on the application.

#### Deliberation Session

46. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.7.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no container tractor/trailer is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) the peripheral fencing of the site should be maintained at all times during the planning approval period;
- (e) the existing drainage facilities shall be properly maintained at all times during the planning approval period and rectified if they are found inadequate/ineffective during operation;
- (f) the submission of a conditional 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 20.10.2018;
- (g) the submission of tree preservation and landscape (tree replacement) proposals within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 20.1.2019;
- (h) in relation to (g) above, the implementation of tree preservation and landscape (tree replacement) proposals within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 20.4.2019;
- (i) the submission of proposals for water supplies for firefighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.1.2019;
- (j) in relation to (i) above, the implementation of proposals for water supplies for firefighting and fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.4.2019;

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

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

#### **Agenda Item 14**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/645      Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years in “Agriculture” Zone, Lot 1495 S.B RP in D.D. 76, Ng Uk Tsuen, Sha Tau Kok Road, Fanling  
(RNTPC Paper No. A/NE-LYT/645B)

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

48. Mr Tim T.Y. Fung, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

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

paragraph 9 of the Paper. According to the District Officer/North, Home Affairs Department, the Chairman of Fanling District Rural Committee (FDRC) cum the Resident Representative (RR) of Ko Po, the incumbent North District Council (NDC) members of the subject constituency and the Indigenous Inhabitant Representative (IIR) and RR of Hung Leng had no comment on the application, while the IIR and RR of Kan Tau Tsuen objected to the application on the grounds set out in paragraph 9.1.10 of the Paper. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication periods, a total of seven public comments were received. Five comments were from two NDC members and the Chairman of FDRC who had no comment, while the other two were from individuals raised objection to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone, the site had been used for the applied use since 2007 and the Director of Agriculture, Fisheries and Conservation had no strong view on the application. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “AGR” zone. The applied use was not incompatible with the surrounding land uses predominated by car park/vehicle parking facilities, vacant/unused land and domestic structures. Significant adverse impacts on the surrounding area were not envisaged and relevant approval conditions were recommended to address technical requirements of concerned departments. Regarding the adverse public comments, the planning assessments above were relevant.

49. In response to a Member's question regarding the scale of the temporary public vehicle park, Mr Tim T.Y. Fung, STP/STN, said that compared with the previous approved application, the current application involved an increase in the number of parking spaces



from 30 to 34 as shown on Drawing A-1 of the Paper. The Transport Department had no adverse comment on the application after reviewing the application and further information submitted by the applicant. Members noted that the previous planning permission covering the site lapsed in January 2018 and the same applicant had submitted a fresh application for a temporary vehicle park with 34 parking spaces.

### Deliberation Session

50. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.7.2021, 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 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) the existing drainage facilities on the site shall be maintained properly at all times during the planning approval period;
- (d) the existing trees on the site shall be maintained in proper and healthy condition at all times during the planning approval period;
- (e) 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 20.10.2018;
- (f) the submission of a fire service installations (FSIs) and water supplies for firefighting proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.1.2019;

- (g) in relation to (f) above, the implementation of the FSIs and water supplies for firefighting proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.4.2019;
- (h) if any of the above planning conditions (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning conditions (e), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

### **Agenda Item 15**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/668 Proposed Temporary Animal Boarding Establishment and Dog Training Centre for a Period of 3 Years in “Agriculture” and “Residential (Group C)” Zones, Lot 1029 RP in D.D. 83, Lung Yeuk Tau, Fanling  
(RNTPC Paper No. A/NE-LYT/668)

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

52. Mr Tim T.Y. Fung, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) proposed temporary animal boarding establishment and dog training centre for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site had potential for agricultural rehabilitation. The Director of Environmental Protection (DEP) could not lend support to the application as there were sensitive receivers in the vicinity of the site and the applicant had not provided sufficient information to address the potential environmental impacts, including potential noise nuisance from dog barking and odour and sewage generated from the proposed use. The Commissioner for Transport (C for T) did not support the application as the applicant failed to satisfactorily address the concerns on the provision of car parking spaces, traffic arrangement, pedestrian safety management as well as vehicle manoeuvring into/within the site. According to the District Officer/North, Home Affairs Department, the incumbent North District Council (NDC) member of the subject constituency cum Indigenous Inhabitant Representative (IIR) of Lung Yeuk Tau and the remaining two IIRs of Lung Yeuk Tau had no comment on the application, while the Chairman of Fanling District Rural Committee (FDRC) objected to the application on the grounds set out in paragraph 9.1.12 of the Paper. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, seven public comments were received, including two comments from a NDC member and an individual supporting the application, a comment from the Chairman of Sheung Shui District Rural Committee indicating no comment, and four objecting comments from the Hong Kong Bird Watching Society, the Chairman of FDRC and two individuals. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the

application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” zone and DAFC did not support the application. No strong planning justification was provided in the submission for a departure from the planning intention, even on a temporary basis. Besides, DEP and C for T had adverse comments on the application. The applicant failed to demonstrate that the proposed development would not generate adverse environmental and traffic impacts on the surrounding areas. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

53. Members had no question on the application.

#### Deliberation Session

54. 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 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 justification in the submission for a departure from such planning intention, even on a temporary basis; and
- (a) the applicant fails to demonstrate that the proposed development would not cause adverse environmental and traffic impacts on the surrounding areas.”

**Agenda Item 16**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/669      Temporary Shop and Services, Eating Place and Place of Recreation, Sports or Culture (Barbecue Site) with Ancillary Parking of Private Cars for a Period of 3 Years in “Agriculture” and “Residential (Group C)” Zones, Lots 926 (Part) and 943 (Part) in D.D. 83, Lung Ma Road, Fanling  
(RNTPC Paper No. A/NE-LYT/669)

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55.            The Secretary reported that the application was withdrawn by the applicant.

**Agenda Item 17**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/670      Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1533 S.A in D.D. 76, Kan Tau Tsuen, Fanling  
(RNTPC Paper No. A/NE-LYT/670)

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**Presentation and Question Sessions**

56.            Mr Tim T.Y. Fung, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) 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 had potential for agricultural rehabilitation. According to the District Officer/North, Home Affairs Department, the Chairman of Fanling District Rural Committee (FDRC) had no comment on the application, while the Indigenous Inhabitant Representative and Resident Representative of Kan Tau Tsuen supported the application. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, four public comments were received, including two comments from the Chairmen of Sheung Shui District Rural Committee and FDRC indicating no comment on the application and two objecting comments from the Hong Kong Bird Watching Society and an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the application was not in line with the planning intention of the “Agriculture” zone and DAFC did not support the application, the proposed development was not incompatible with the surrounding rural landscape character. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the proposed Small House footprint fell within the village ‘environ’ of Kan Tau Tsuen. Although land was still available within the “Village Type Development” (“V”) zone to meet the outstanding Small House applications, the proposed Small House was in close proximity to the “V” zone of Kan Tau Tsuen and there were existing and approved Small Houses forming new village clusters in the locality. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

57. Members had no question on the application.

Deliberation Session

58. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 20.7.2022, 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) the provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB;
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (c) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

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

**Agenda Item 18**

Section 16 Application

[Open Meeting]

A/NE-TKL/577 Temporary Warehouse (Storage of Spare Parts and Used Electrical Goods) with Ancillary Workshop for a Period of 3 Years in “Open Storage” Zone and an area shown as ‘Road’, Lots 885 and 1552 S.A ss.3 (Part) in D.D. 77 and Adjoining Government Land, Ping Che  
(RNTPC Paper No. A/NE-TKL/577B)

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60. The Committee noted that the applicant’s representative requested on 16.7.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information on the revised layout and parking space arrangement to

address further comments from relevant government departments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted a response-to-comments table enclosing revised traffic data.

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

### **Agenda Item 19**

#### **Section 16 Application**

[Open Meeting]

A/NE-TKL/597      Temporary Warehouse for Storage of Spare Parts for a Period of 3 Years in "Agriculture" and "Open Storage" Zones, Lots 2102 and 2103 (Part) in D.D. 76, Ping Che  
(RNTPC Paper No. A/NE-TKL/597)

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62. The Committee noted that the applicant's representative requested on 5.7.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address comments of the Transport Department. It was the first time that the applicant requested deferment of the application.

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



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

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

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

#### **Agenda Item 20**

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

[Open Meeting]

A/KTN/46                      Proposed Temporary Shop and Services for a Period of 3 Years in  
"Village Type Development" Zone, Lot 1391 RP (Part) in D.D. 95, Ho  
Sheung Heung, Sheung Shui  
(RNTPC Paper No. A/KTN/46)

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

65.            The Committee noted that the applicant requested on 12.7.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address public comments. It was the first time that the applicant requested deferment of the application.

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

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

## **Agenda Item 21**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/47	Proposed Temporary Shop and Services (Real Estate Agency) with Ancillary Staff Canteen for a Period of 3 Years in "Other Specified Uses" annotated "Amenity Area" Zone and an area shown as 'Road', Lot 666 RP in D.D. 96, Kwu Tung, Sheung Shui <hr/> (RNTPC Paper No. A/KTN/47)
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67. The Secretary reported that the application site was in the Kwu Tung North. Dr C.H. Hau had declared an interest on the item as he owned a property in the Kwu Tung North area. The Committee noted that Dr C.H. Hau had tendered apology for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary shop and services (real estate agency) with ancillary staff canteen 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) had reservation on the application as the site was currently an active farmland. According to the District Officer/North, Home Affairs Department, the North District Council (NDC) member of the subject constituency and the Chairman of Sheung Shui District Rural Committee had no comment on the application, while the Resident Representatives of Kwu Tung (North) and Kwu Tung (South) objected to the application on the grounds set out in paragraph 9.1.14 of the Paper. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, four public comments were received, including two from a NDC member and an individual objecting to the application, and two from individuals without providing any comment on the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not in line with the planning intention of “Other Specified Uses” annotated “Amenity Area” zone, the Project Manager/North, Civil Engineering and Development Department had no objection to the

application in relation to the implementation of Kwu Tung North New Development Area (KTN NDA). Approval of the application on a temporary basis would not jeopardize the long-term development of the site. The proposed real estate agency, which was intended to serve the local land owners/buyers, was not incompatible with the surrounding land uses. Although DAFC had reservation on the application, the site would form part of the KTN NDA development for amenity or road use. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

69. Some Members raised the following questions:
- (a) whether there was any information in the submission that the staff canteen would only be used by staff of the proposed real estate agency and not provide catering service to the general public; and
  - (b) information on the number of staff involved in the proposed real estate agency, and the size and type of structure of the ancillary staff canteen.
70. Ms S.H. Lam, STP/FSYLE, made the following responses:
- (a) the applicant claimed that the proposed staff canteen was solely for staff use. One staff would be hired to prepare food and provide services at the proposed canteen. The proposed staff canteen was an ancillary use to the proposed real estate agency under application. If a restaurant or other eating places were to be operated at the site, it would not be covered by the current application; and
  - (b) according to the applicant's submission, there would be 6 staff on site. The proposed staff canteen (with kitchen and toilet) would be a converted container structure with a floor area of about 36m<sup>2</sup>.

71. The Chairperson drew Members' attention to the comments of the Director of Food and Environmental Hygiene that a staff canteen that was exclusively used by the staff members of a working place would not require a food business licence from the Food and Environmental Hygiene Department (FEHD). However, if the canteen involved providing food to outsiders as in the operation of a general restaurant, a food business licence would be required. The Chairperson supplemented that the current application was not for general restaurant use which would be subject to the licensing requirements and in processing food business licence applications, FEHD would consult relevant departments.

### Deliberation Session

72. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.7.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or the TPB by 20.1.2019;
- (c) in relation to (b) 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 the TPB by 20.4.2019;
- (d) the submission of proposal for fire service installations and water supplies for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.1.2019;
- (e) in relation to (d) above, the implementation of proposal for fire service installations and water supplies for fire-fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.4.2019;

- (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 20.1.2019;
- (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 20.4.2019;
- (h) if the above planning condition (a) is not complied with during the planning approval period, the approved hereby given shall cease to have effect and shall be revoked without further notice; and
- (i) if any of the above planning conditions (b), (c), (d), (e), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

## **Agenda Item 22**

### **Section 16 Application**

[Open Meeting]

A/NE-KTS/457            Social Welfare Facility (Drug Rehabilitation and Recreation Centre) in  
“Green Belt” Zone, 48 Ki Lun Village, Kwu Tung South, Sheung Shui  
(RNTPC Paper No. A/NE-KTS/457)

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74. The Committee noted that the applicant requested on 6.7.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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 23**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/458      Temporary Social Welfare Facility (Private Residential Care Home for Persons with Disabilities) for a Period of 3 Years in "Agriculture" and "Village Type Development" Zones, Lots 382 S.A, 382 S.B, 382 S.C, 382 S.D and 382 RP in D.D. 94, Hang Tau, Sheung Shui  
(RNTPC Paper No. A/NE-KTS/458)

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

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

- (a) background to the application;
- (b) temporary social welfare facility (private residential care home for persons with disabilities (RCHD)) for a period of three years;
- (c) departmental comments – departmental comments were set out in

paragraph 9 of the Paper. The Social Welfare Department (SWD) supported the application. SWD had issued a Certificate of Exemption to the RCHD with conditions of improvements of fire and building safety for full compliance with the licensing requirements. According to the District Officer (North), Home Affairs Department, the Chairman of Sheung Shui District Rural Committee, the North District Council member of the subject constituency and the Resident Representative of Hang Tau had no comment on the application, while the Indigenous Inhabitant Representative of Hang Tau objected to the application on the grounds set out in paragraph 9.1.11 of the Paper. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, two public comments were received from individuals, including one supportive comment and one raising objection to the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with the planning intention of the “Agriculture” (“AGR”) and “Village Type Development” (“V”) zones, the existing New Territories Exempted Houses (NTEHs) on the site had been developed for some time and the Director of Agriculture, Fisheries and Conservation had no strong view on the application. The residential nature of the RCHD within the existing NTEHs was not incompatible with the surrounding developments and would not have significant adverse impacts on the surrounding areas. The site was the subject of two previously approved applications No. A/NE-KTS/344 and 406 submitted by the same applicant for the same use. However, the last application was subsequently revoked on 4.5.2018 due to non-compliance with approval condition on fire safety aspect. Shorter compliance periods were therefore recommended for closely monitoring of the progress on compliance with approval conditions. Regarding the adverse public comments, comments of concerned departments and the



planning assessments above were relevant. As regards the concerns on nuisance, the applicant had clarified that the main gate was closed at all times and the resting time of the residents of the RCHD was 9:00 p.m..

77. Noting that the site straddled the “V” and “AGR” zones, a Member enquired whether the applied use would jeopardize the long-term development of the “V” zone. Ms S.H. Lam, STP/FSYLE, with reference to Plan A-2b explained that there were three existing NTEHs on the site, two falling wholly or largely within the “V” zone which did not require planning permission and one had obtained planning permission in 2001. As the current application only involved a change of use to allow RCHD use within the existing NTEHs, it would neither affect the supply and demand nor the overall provision of Small Houses in the “V” zone. The Chairperson supplemented that although social welfare facility was neither a Column 1 nor 2 use under the “AGR” zone, there was provision for application for temporary uses not exceeding a period of three years under the Covering Notes of the Outline Zoning Plan.

#### Deliberation Session

78. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.7.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the existing drainage facilities shall be maintained at all times and rectified if found inadequate/ineffective during the planning approval period;
- (b) 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 20.10.2018;
- (c) the submission of tree preservation and landscape proposals within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 20.10.2018;
- (d) in relation to (c) above, the implementation of tree preservation and

landscape proposals within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 20.1.2019;

- (e) the submission of proposal of fire service installations and water supplies for fire fighting within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.10.2018;
- (f) in relation to (e) above, the implementation of proposal of fire service installations and water supplies for fire fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.1.2019;
- (g) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning conditions (b), (c), (d), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 24**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/788      Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Agriculture” Zone, Lots 221 S.F-G RP (Part) and 221 S.H (Part) in D.D. 106, Pat Heung Road, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/788)

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**Presentation and Question Sessions**

80.      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) temporary shop and services (real estate agency) 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 agricultural rehabilitation. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from individuals. One of the comments objected to, while the other provided general comment on the application. Major views 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 and DAFC did not support the application, approval of the application

on a temporary basis would not jeopardize the long-term planning intention of the “AGR” zone. The applied use was small in scale and not incompatible with the surrounding land uses predominated by residential structure/dwellings, vacant/unused land, etc. Relevant approval conditions were recommended to minimize possible environmental nuisance. The last two approved applications (No. A/YL-KTS/621 and 714) submitted by the current applicant for the same use were revoked on 13.3.2014 and 12.11.2016 respectively. Under the current application, the applicant had submitted landscape, drainage, fire service installations and run-in proposals. Shorter compliance periods were recommended to closely monitor the progress of compliance with approval conditions. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

81. Noting that the previous planning permissions were revoked due to non-compliance with approval conditions, a Member enquired whether the repeated submissions of planning applications were a delaying tactic or there were genuine technical issues in complying with the approval conditions. Ms Ivy C.W. Wong, STP/FSYLE, explained that the applicant claimed that he had difficulty in reaching relevant departments for assistance in preparing the proposals to comply with the approval conditions. For the subject application, the applicant had submitted relevant proposals to demonstrate effort in complying with the approval conditions. In general, each application would be assessed on its own merits having regard to, inter alia, the site history, record on compliance with approval conditions, etc. Sympathetic consideration might not be given to applications with repeated previous revocations. In response to the Chairperson’s enquiry, Ms Ivy C.W. Wong said that the site was the subject of three previous applications of which the last two were submitted by the current applicant.

#### Deliberation Session

82. The Chairperson said that, in general, for application involving two consecutive revocations, sympathetic consideration might be given if the applicant could demonstrate that reasonable actions had been taken to comply with relevant approval conditions. Applications with three or more consecutive revocations would normally not be supported in

accordance with the Board's established practice. Members noted that shorter compliance periods had been recommended under the current application to closely monitor the progress of compliance with approval conditions. Should the approval be revoked again due to non-compliance of approval conditions, sympathetic consideration would not be given to any further application.

83. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.7.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 11:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) existing trees and landscape planting on the site shall be maintained in satisfactory condition at all times during the approval period;
- (e) the submission of a revised drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.10.2018;
- (f) in relation to (e) above, the implementation of the revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.1.2019;

- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a run-in proposal to/from Pat Heung Road within 3 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 20.10.2018;
- (i) in relation to (h) above, the provision of run-in at Pat Heung Road within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 20.1.2019;
- (j) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.1.2019;
- (k) if any of the above planning condition (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning conditions (e), (f), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (m) upon the expiry of the planning permission, the reinstatement of the 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 V of the Paper.

**Agenda Item 25**

**Section 16 Application**

[Open Meeting]

A/YL-KTS/789      Proposed Temporary Animal Boarding Establishment for a Period of 3 Years in “Agriculture” Zone, Lots 1697 (Part), 1698 S.B (Part) and 1699 (Part) in D.D. 106, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-KTS/789)

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85.            The Committee noted that the applicant requested on 11.7.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental and public comments. It was the first time that the applicant requested deferment of the application.

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

**Agenda Item 26**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/780      Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Residential (Group D)” Zone, Lot 98 in D.D. 108, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/780A)

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Presentation and Question Sessions

87. 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) proposed temporary place of recreation, sports or culture (hobby farm) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from individuals, including a supportive comment and an objecting comment. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Residential (Group D)” zone, there was no known proposal for permanent development at the site. Approval on a temporary basis would not jeopardize the long-term planning intention of the zone. The proposed use was not incompatible with the surrounding areas which were predominantly rural in character. Relevant approval conditions were recommended to minimise possible environmental nuisance and to address technical requirements of concerned departments. Regarding the adverse public comment, the planning assessments above were relevant.

88. In response to a Member’s enquiry, Ms Ivy C.W. Wong, STP/FSYLE, said that the site was the subject of three previously rejected applications, with the first two



applications for open storage use rejected in 2005 and 2007 and the last application for public vehicle park use rejected in 2016. The site was currently vacant. In response to another Member's question, Ms Ivy C.W. Wong said that an advisory clause had been recommended to remind the applicant to note the comments of the Director of Agriculture, Fisheries and Conservation regarding the adoption of precautionary measures to avoid disturbance and pollution to the natural stream nearby the site.

### Deliberation Session

89. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.7.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 10:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing boundary fence on the site shall be maintained at all times during the planning approval period;
- (e) 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 20.1.2019;
- (f) in relation to (e) 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 20.4.2019;

- (g) 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 20.1.2019;
- (h) in relation to (g) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.4.2019;
- (i) in relation to (h) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) the submission of 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 20.1.2019;
- (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 20.4.2019;
- (l) if any of the above planning conditions (a), (b), (c), (d) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (e), (f), (g), (h), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

90. 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]

A/YL-NSW/265      Proposed Temporary Place of Recreation, Sports or Culture (Civic Centre) for a Period of 3 Years in “Undetermined” Zone, Former Small Traders New Village Public School, Small Traders New Village, Nam Sang Wai, Yuen Long  
(RNTPC Paper No. A/YL-NSW/265)

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91.            The Committee noted that the applicant requested on 10.7.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

92.            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 28**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/526            Temporary Public Vehicle Park (Including Container Vehicles and Heavy Goods Vehicles) for a Period of 3 Years in “Residential (Group D)” Zone, Lots 158, 162 RP (Part) and 198 S.B in D.D. 105 and Adjoining Government Land in San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/526)

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**Presentation and Question Sessions**

93.            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) temporary public vehicle park (including container vehicles and heavy goods vehicles) 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 residential dwellings within 100m from the site boundary. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no immediate development proposal

for the site and approval of the application on a temporary basis would not frustrate the planning intention. Besides, the development was not incompatible with the surrounding land uses comprising mainly vehicle parks, storage yards and port back-up facilities. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 2 areas where previous planning approvals for similar use had been granted and there were no adverse departmental and public comments on the application, except DEP. Despite DEP's objection, there was no environmental complaint against the site in the past three years and relevant approval conditions were recommended to address DEP's concerns and technical requirements of other concerned departments. The Committee had approved 14 similar applications within the same "R(D)" zone. Approval of the current application was in line with the previous decisions of the Committee.

94. Members had no question on the application.

#### Deliberation Session

95. Noting that many land in the New Territories were being used for temporary uses, a Member expressed a general view about how the Government should take on a more proactive role in improving the development prospect of land resources in the New Territories, in particular those zoned for residential purpose, to respond to the acute demand for housing land. The Chairperson remarked that applications for temporary uses in the New Territories, in particular the northern part, were not uncommon. The development and the full realization of the planning intentions of various land use zonings in the area were subject to various constraints, including lack of infrastructure support, land ownership, land status, incentive for development, etc. Notwithstanding the above, a preliminary feasibility study on developing the New Territories North (NTN) had been undertaken to explore ways to unleash the development potential of the area. Along with the key findings and recommendations of "Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030" (Hong Kong 2030+), the long-term development of NTN would be subject to further studies.

96. Members agreed to urge the Government to take more proactive action to pursue the developments under various zonings in the New Territories with a view to enhancing the housing land supply.

97. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.7.2021, 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) 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, repairing and workshop activity, including container repairing and vehicle repairing, are allowed on the site at any time during the planning approval period;
- (d) the existing trees within the site shall be maintained at all times during the planning approval period;
- (e) the paving and boundary fencing on the site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the buffer area fronting Castle Peak Road - San Tin shall be maintained at all times during the planning approval period;
- (h) no vehicle is allowed to queue back to the public road or reverse/onto from the site at any time during the planning approval period;
- (i) the submission of photographic records 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 20.10.2018;

- (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 20.1.2019;
- (k) in relation to (j) above, the implementation 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 20.4.2019;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) upon the expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

**Agenda Item 29**

**Section 16 Application**

[Open Meeting]

A/YL-NTM/363 Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles Only) for a Period of 3 Years in “Village Type Development” and “Open Storage” Zones, Lots 830 and 831 in D.D. 102, Lots 397 (Part) and 401 (Part) in D.D. 105 and Adjoining Government Land, Ngau Tam Mei, Yuen Long  
(RNTPC Paper No. A/YL-NTM/363A)

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99. The Committee noted that the applicant’s representative requested on 28.6.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments of the Transport Department and Drainage Services Department (DSD). It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address the comments of DSD.

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

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



**Tuen Mun and Yuen Long West District**

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

**Agenda Item 30**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/525                      Proposed Hotel (New Hotel Marquee and Related New Emergency Vehicular Access) in “Residential (Group B) 12” Zone, Tuen Mun Town Lot No. 238 S.A3 (Part), So Kwun Wat, Tuen Mun  
(RNTPC Paper No. A/TM/525)

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101.            The Secretary reported that the application was submitted by Golden Organise Limited, which was a subsidiary of Sino Land Company Limited (Sino), with Urbis Limited (Urbis) as one of the consultants of the applicant. Mr Ivan C.S. Fu had declared an interest on the item as he was having current business dealings with Sino and Urbis. The Committee noted that Mr Ivan C.S. Fu had tendered apology for being unable to attend the meeting.

**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) proposed hotel (new hotel marquee and related new emergency vehicular access);
- (c) departmental comments – departmental comments were set out in

paragraph 8 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had no objection in principle to the application, but considered that some of the trees to be affected by the proposal might be transplanted instead of being felled as proposed. Other concerned departments had no objection to or adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, 10 public comments from a Tuen Mun District Council member, an organization and individuals were received. Six comments supported, while the other four objected to the application. Major views were set out in paragraph 9 of the Paper; and
- (e) PlanD's views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The proposed marquee was small in scale involving a single-storey structure with gross floor area (GFA) of 400m<sup>2</sup>. It would result in a total GFA of 202,110.142m<sup>2</sup> for the Hong Kong Gold Coast Development which would not exceed the maximum total GFA (i.e. 230,522m<sup>2</sup>) permitted under the “Residential (Group B)12” zone on the Outline Zoning Plan. Adverse impact on the surrounding areas was not anticipated and the relevant government departments had no adverse comment on the application. An approval condition on the submission and implementation of landscape proposal was recommended to address CTP/UD&L, PlanD's comments. Regarding the adverse 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 the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 20.7.2022, 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) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (b) the provision of fire services installations and water supplies for fire-fighting to the satisfaction of the Director of Fire Services or of the TPB; and
- (c) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

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

### **Agenda Item 31**

#### **Section 16 Application**

[Open Meeting]

A/TM-LTY Y/354 Proposed Temporary Shop and Services (Model Toy Shop) for a Period of 3 Years in “Residential (Group C)” and “Village Type Development” Zones, Lot 1167 RP in D.D. 130 near Wong Kong Wai Road, Castle Peak Road, Lam Tei, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/354)

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106. The Committee noted that the applicant requested on 12.7.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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 32**

#### **Section 16 Application**

[Open Meeting]

A/TM-LTY Y/355      Temporary Public Vehicle Park (Private Cars Only) for a Period of 3 Years in "Village Type Development" Zone, Lot 590 S.B ss.3 S.B (Part) in D.D. 130 and Adjoining Government Land, To Lai Road, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/355)

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108.            The Committee noted that the applicant requested on 4.7.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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.

**Agenda Item 33**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PN/54            Temporary Place of Recreation, Sports or Culture (Fishing Ground) for a Period of 3 Years in “Agriculture” Zone, Lots 80 (Part) and 81 (Part) in D.D. 135 and Adjoining Government Land, Ha Pak Nai, Yuen Long (RNTPC Paper No. A/YL-PN/54)

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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) temporary place of recreation, sports or culture (fishing ground) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or adverse comment on the application;
- (d) no public comment was received during the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use, which involved using an existing fish pond for recreational fishing ground, would not cause significant change to the character of the existing fish pond. It was not incompatible with the surrounding land uses predominated by fish

ponds, orchards and tree groups. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “Agriculture” zone. Relevant approval conditions were recommended to minimize possible environmental nuisance and to address technical requirements of concerned departments. The site was the subject of five previous planning approvals for the same use granted since 2004. Approval of the current application was in line with the previous decisions of the Committee.

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 20.7.2021, 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. and 7:00 a.m. from Mondays to Sundays is allowed on the site, as proposed by the applicant, during the planning approval period;
- (b) the existing landscape screen planting including trees and shrubs on the site shall be maintained at all times during the planning approval period;
- (c) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) 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 20.10.2018;
- (e) 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 20.1.2019;

- (f) in relation to (e) 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 20.4.2019;
- (g) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (h) if any of the above planning conditions (d), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (i) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

### **Agenda Item 34**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/562            Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Village Type Development” Zone, Lots 390 (Part), 391, 392, 394 (Part), 395 (Part) and 403 RP (Part) in D.D. 122 and Adjoining Government Land, Sheung Cheung Wai, Ping Shan, Yuen Long  

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(RNTPC Paper No. A/YL-PS/562)

114. The Secretary reported that the application site was located in the Ping Shan area. Mr Ricky W.Y. Yu had declared interest on the item as his firm was currently conducting a social realty project study nearby the application site. Since the project study conducted by

Mr Yu's firm had no association with the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

115. 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) temporary public vehicle park for private car and light goods vehicle for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the temporary use was not entirely in line with the planning intention of the "Village Type Development" ("V") zone, it could provide parking spaces to meet any such parking demand in the area and no Small House application was being processed at the site. Also, the temporary use was not incompatible with and would unlikely create significant adverse impact on the surrounding areas. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the "V" zone. Relevant approval conditions were recommended to minimize possible environmental nuisances and to address the technical requirements of concerned departments. The Committee had approved six previous



applications for the same use at the site and 22 similar applications within the same “V” zone. Approval of the current application was in line with the previous decisions of the Committee. Regarding the adverse public comments, the planning assessments above were relevant.

116. Members had no question on the application.

#### Deliberation Session

117. A Member was concerned that valuable land resource in the “V” zone was used for temporary vehicle park use while there was insufficient land for housing development. The Chairperson pointed out that the “V” zone was primarily intended for development of Small House by indigenous villagers. Unlike other land use zonings such as “Residential (Group D)” zone, the development of private lots within the “V” zone to meet the Small House demand was mainly at the discretion of individual land owners. The Committee noted that since there was currently no Small House application approved or under processing at the site, approval of the application on a temporary basis would not frustrate the planning intention of the “V” zone. Any future planning applications at the site would be considered having regard to the prevailing situation of the site.

118. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.7.2021, 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 private cars and light goods vehicles as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site, as proposed by the applicant, at all times during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site at all times 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 during

the planning approval period;

- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity, as proposed by the applicant, 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 shall be maintained at all times during the planning approval period;
- (h) the existing landscape screen planting including trees and shrubs on the site shall be maintained at all times during the planning approval period;
- (i) the existing fencing of the site shall be maintained at all times during the planning 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 20.10.2018;
- (k) the submission of a fire service installations 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 20.1.2019;
- (l) in relation to (k) above, the implementation of the fire service installations 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 20.4.2019;

- (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 shall cease to have effect and shall 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 shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

### **Agenda Item 35**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/431            Proposed Houses in “Residential (Group D)” Zone, Lots 4208 and  
4209 in D.D. 116, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/431)

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

120. Ms Bonnie K.C. Lee, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed houses;

- (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 from the landscape planning perspective as removal of existing vegetation was observed and landscape impact had taken place. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received expressing no comment on the application; and
- (e) PlanD’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed development with a domestic plot ratio of 0.4, site coverage of 45% and building height of one storey (not exceeding 4m) was in line with the planning intention of and conformed to the development restrictions for the “Residential (Group D)” (“R(D)”) zone. The proposed development comprising six houses was of a relatively small scale and was not incompatible with the surrounding areas. CTP/UD&L, PlanD had reservation on the application from landscape planning perspective. However, the site was zoned “R(D)” intended for development purpose. Relevant approval conditions were recommended to address the technical concerns of concerned departments. There was one similar application (No. A/YL-TT/361) for proposed two New Territories Exempted Houses within the subject “R(D)” zone and approval of the current application was in line with the previous decision of the Committee.

121. Members had no question on the application.

#### Deliberation Session

122. 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 20.7.2022, 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) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (b) the submission and implementation of water supplies for firefighting and fire service installations proposal to the satisfaction of the Director of Fire Services or of the TPB.”

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

### **Agenda Item 36**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/902 Temporary Warehouse for Storage of Exhibition Materials for a Period of 3 Years in “Undetermined” Zone, Lot 1495 (Part) and Adjoining Government Land in D.D. 119, Kung Um Road, Yuen Long  
(RNTPC Paper No. A/YL-TYST/902)

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

124. Ms Bonnie K.C. Lee, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary warehouse for storage of exhibition materials for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity of the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from two organizations, including an objecting comment and a comment providing views on the application. Major views 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. The proposed development was not in conflict with the planning intention of “Undetermined” zone which was generally intended for open storage use. Whilst the site fell within an area zoned as “Residential – Zone 1 (Subsidized Sale Flats with Commercial)”, “District Open Space” and an area shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South, approval of the application on a temporary basis would not jeopardize the long-term development of the area. Although DEP did not support the application, there was no environmental complaint concerning the site in the past three years. Relevant approval conditions were recommended to minimize possible environmental nuisances and to address the technical requirements of relevant government departments. The applied use was not incompatible with the surrounding uses. Previous applications at the site and a number of similar applications for warehouse use in the vicinity of the site had been approved. Approval of the application was in line with the previous decisions of the Committee.

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 20.7.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no repairing, cleaning, dismantling or other workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no heavy goods vehicle exceeding 24 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing trees and landscape planting on the site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by

20.10.2018;

- (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 20.1.2019;
- (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 20.4.2019;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning conditions (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (m) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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



**Agenda Item 37**

Section 16 Application

[Open Meeting]

A/YL-TYST/903      Proposed Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years in “Village Type Development” Zone, Lots 2681 S.A&S.B (Part), 2682 (Part) and 2683 (Part) in D.D. 120, Lam Hau Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/903)

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128.            The Committee noted that the applicant’s representative requested on 6.7.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address comments of the Transport Department. It was the first time that the applicant requested deferment of the application.

129.            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]

A/YL-HTF/1089      Proposed Temporary Plastic Bottle Recycling Centre with Workshop and Ancillary Office for a Period of 3 Years in “Agriculture” and “Residential (Group D)” Zones, Lots 130 (Part), 131, 132 (Part), 260 (Part), 261, 262, 263, 264 and 268 in D.D.128 and Adjoining Government Land, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-HTF/1089)

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130.            The Committee noted that the applicant requested on 6.7.2018 deferment of the consideration of the application for two months so as to allow time for preparation of a feasibility study report to address comments raised by concerned departments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had provided justifications and responses to departmental comments.

131.            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 39**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/78                      Proposed Excavation of Land and Filling of Land for Permitted Agricultural Use (Fish Farming) in “Green Belt” Zone, Lot 6 S.B (Part) in D.D. 125, Lots 117 and 118 (Part) in D.D. 128, and Adjoining Government Land, Kai Pak Ling Road, Fung Kong Tsuen, Yuen Long (RNTPC Paper No. A/HSK/78)

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132.            The Committee noted that three replacement pages (pages 5 and 10 of the Main Paper and page 1 of Appendix VI) rectifying editorial errors and reflecting revisions to the approval conditions had been tabled for Members’ reference.

**Presentation and Question Sessions**

133.            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) proposed excavation of land and filling of land for permitted agricultural use (fish farming);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as there were inadequate information to ascertain the extent of landscape impact and the loss of vegetation. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, four public comments were received. Two comments from an individual and the Hong Kong Bird Watching Society objected to the application, while the

other two comments submitted by Kadoorie Farm & Botanical Garden Corporation and an individual raised concerns on the application. Major views were set out in paragraph 11 of the Paper; and

- (e) PlanD's views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed excavation and filling of land to effect an agricultural use (fish farming), which was always permitted within the “Green Belt” (“GB”) zone, was not incompatible with the planning intention. It was also generally in line with the Town Planning Board Guidelines No. 10 in that it was to facilitate the fish farming use which was compatible with the surrounding areas and would not overstrain the capacity of existing and planned infrastructure. Concerned departments had no objection to or no adverse comment on the application, except CTP/UD&L, PlanD. The concerns of CTP/UD&L, PlanD could be addressed by imposing an approval condition on the submission and implementation of landscape proposal. Other relevant approval conditions were also recommended to minimize possible environmental impacts and to address the technical requirements of other government departments. Regarding the adverse public comments, the planning assessments above were relevant.

134. Members raised the following questions:

- (a) whether the application was a ‘destroy first, build later’ case as alleged by the public; and
- (b) any similar applications for fish farming within the same “GB” zone or other zonings.

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

- (a) according to the latest information from the Central Enforcement and Prosecution Section (CEPS), PlanD, enforcement action against the site was in progress for unauthorized development involving excavation of land

and filling of land. An Enforcement Notice was issued in April 2018 requiring discontinuation of the unauthorized development; and

- (b) the proposed fish farming was regarded as an agricultural use which was always permitted within the “GB” zone. The subject application was for proposed excavation and filling of land to effect the permitted use. As excavation or filling of land might cause adverse impacts on drainage and the natural environment, permission from the Town Planning Board was required for such activities. For the subject “GB” zone, there were no similar applications for excavation/filling of land for fish farming use. With reference to Plan A-2, there was an approved planning permission for temporary fish farming (accredited fish farm) and orchard (No. A/HSK/27) at the adjacent site straddling the “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses” and “Government, Institution or Community” zones on the same Outline Zoning Plan. There was another application for proposed filling of pond for permitted agricultural use (fish farming) within the Ha Tsuen Fringe area which was rejected by the Committee mainly on adverse ecological and landscape grounds.

[Mr David Y.T. Lui left the meeting at this point.]

#### Deliberation Session

136. 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 20.7.2022, 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 part of the site should be excavated with a depth exceeding 0.9m and no part of the application site should be filled to a height exceeding 0.9m, as proposed by the applicant;
- (b) no contaminated soil and waste as defined under the Waste Disposal

Ordinance Cap. 354, including construction and demolition materials, should be used for filling of land within the site;

- (c) the submission of a revised drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (d) in relation to (c) above, the implementation of the drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (e) in relation to (d) above, the implemented drainage facilities shall be maintained at all times;
- (f) the submission of a landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (g) in relation to (f) above, the implementation of the landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

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

#### **Agenda Item 40**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/80                      Temporary Public Vehicle Park (Private Car) for a Period of 3 Years in “Village Type Development” Zone, Lots 656 RP (Part), 656 S.A, 656 S.B, 656 S.C, 656 S.D, 656 S.E, 656 S.F, 656 S.G, 656 S.H, 656 S.I, 656 S.J, 656 S.K, 656 S.L and 656 S.M in D.D. 125, San Wai, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/80)

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Presentation and Question Sessions

138. 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) temporary public vehicle park (private car) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment raising objection to the application were received from an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not in line with the planning intention of the “Village Type Development” (“V”) zone and there was one Small House application under processing at the site, the District Lands Officer/Yuen Long, Lands Department advised that the application was still at the preliminary stage. The applied use was not incompatible with the surrounding land uses and it could provide parking facilities to meet any such demand in the area. Approval of the application on a temporary basis would not jeopardize the long-term planning intention. The applied use would unlikely cause significant adverse impacts on the surrounding area and relevant approval conditions were recommended to minimize possible environmental nuisances and to address the technical requirements of concerned departments. Three similar applications for public vehicle park use within the same “V” had been approved. Approval of the application was in line

with the previous decisions of the Committee. Regarding the adverse public comment, the planning assessments above were relevant.

139. Members had no question on the application.

Deliberation Session

140. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.7.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicles without valid licenses issued under the Road Traffic Ordinance is allowed to be parked/stored on the site during the planning approval period;
- (b) no light, medium and heavy goods vehicles, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public roads at any time during the planning approval period;
- (d) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.1.2019;
- (e) in relation to (d) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.4.2019;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;



- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.1.2019;
- (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 20.4.2019;
- (i) the submission of a run-in proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 20.1.2019;
- (j) in relation to (i) above, the implementation of the run-in proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 20.4.2019;
- (k) the provision of fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 20.1.2019;
- (l) if any of the above planning conditions (a), (b), (c) or (f) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (d), (e), (g), (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;  
and
- (n) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

**Agenda Item 41**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/81                      Temporary Vehicle Repair Workshop with Ancillary Vehicle Parking for a Period of 3 Years in “Open Space” and “Residential (Group A) 3” Zones and an area shown as ‘Road’, Lots 770 S.A (Part), 770 S.B, 771 S.B ss.3 (Part), 817 S.A RP (Part) and 817 S.B RP in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/81)

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**Presentation and Question Sessions**

142.            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) temporary vehicle repair workshop with ancillary vehicle parking for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessment set out in paragraph 11 of the Paper. Whilst the applied use

was not in line with the planning intentions of “Open Space” and “Residential (Group A)3” zones with a part of the site straddling an area shown as ‘Road’, the implementation programme for this part of the New Development Area was still being formulated and the applied use was not incompatible with the surrounding areas. Approval of the application on a temporary basis would not jeopardize the long-term development of the site. Concerned departments had no objection to or no adverse comment on the application, except DEP. Despite DEP’s objection, there was no substantiated environmental complaint against the site in the past three years and relevant approval conditions were recommended to address DEP’s concerns and technical requirements of concerned departments.

143. Members had no question on the application.

#### Deliberation Session

144. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.7.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from the public road at any times during the planning approval period;
- (d) the existing trees and landscape planting on the site shall be maintained at all times during the planning approval period;
- (e) the existing fencing on the site shall be maintained at all times during the planning approval period;

- (f) the existing drainage facilities on-site shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.10.2018;
- (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 20.1.2019;
- (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 20.4.2019;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

**Agenda Item 42**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/323 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years in “Residential (Group C)” and “Residential (Group D)” Zones, Lots 9, 12 S.A, 12 RP, 13, 14 S.A ss.1 S.A, 14 S.A ss.1 RP, 14 S.A ss.2, 14 S.A RP, 14 S.B ss.1 S.A, 14 S.B ss.1 RP, 14 S.B RP, 14 RP, 15 S.A ss.1, 15 S.A RP, 15 S.B, 15 RP, 16 S.A, 16 S.B, 16 RP, 17 S.A ss.1, 17 S.A RP, 17 S.B, 17 S.C and 17 RP in D.D.128 and Adjoining Government Land, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/323)

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**Presentation and Question Sessions**

146. 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) proposed temporary place of recreation, sports or culture for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from individuals raising objection to the application. 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 on a temporary basis for a period of five years based on the assessments set out in paragraph 10 of the Paper. The proposed development was not in conflict with the planning intention of the “Residential (Group C)” and “Residential (Group D)” zones and was not incompatible with the general character of the area which was predominantly rural in setting. No permanent structures, as proposed by the applicant, would be built on-site, hence it would not jeopardize the long-term development of the site. The proposed development was not expected to generate adverse impacts on the surrounding areas and concerned departments had no objection to or no adverse comment on the application. Relevant approval conditions were recommended to minimize possible environmental nuisance and to address the technical requirements of concerned departments. Regarding the adverse public comments, the planning assessments above were relevant.

147. Members had no question on the application.

#### Deliberation Session

148. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 20.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 11:00 a.m on Mondays to Fridays, as proposed by the applicant, is allowed on the site during the approval period;
- (b) no operation between 7:00 p.m. and 10:00 a.m. on Saturdays, Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no use of public announcement system, no BBQ activity and food selling, as proposed by the applicant, are allowed on the site during the planning approval period;

- (d) the provision of fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB;
- (e) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.1.2019;
- (f) in relation to (e) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.4.2019;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.1.2019;
- (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 20.4.2019;
- (j) the submission of a landscape proposal including a tree preservation scheme within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 20.1.2019;
- (k) in relation to (j) above, the implementation of the landscape proposal including a tree preservation scheme within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 20.4.2019;

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

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

[The Chairperson thanked Ms Jessica Y.C. Ho, Ms Stella Y. Ng, Ms Bonnie K.C. Lee and Mr Vincent T.K. Lai, STPs/TMYLW, for their attendance to answer Members' enquiries. Ms Ho, Ms Ng, Ms Lee and Mr Lai left the meeting at this point.]



**Agenda Item 43**

**Any Other Business**

150. Noting the number of applications for change of use of the existing New Territories Exempted House (NTEH)/Small House for non-residential purposes, e.g. shop and services or other uses, a Member enquired whether there would be any implication on the overall supply of Small Houses/residential units. The Chairperson said that in general, planning permission was not required for shop and services use on the ground floor of a NTEH within the “Village Type Development” (“V”) zone. In the New Territories, planning applications for change of use of existing NTEHs/Small Houses for residential care home for persons with disabilities or for the elderly were not uncommon. Those applications were residential in nature and would be considered on a case by case basis under the s.16 planning application system.

151. There being no other business, the meeting closed at 5:00 p.m..