

## **TOWN PLANNING BOARD**

### **Minutes of 617<sup>th</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 21.12.2018**

#### **Present**

Director of Planning  
Mr Raymond K.W. Lee

Chairman

Dr F.C. Chan

Mr Peter K.T. Yuen

Mr K.K. Cheung

Dr C.H. Hau

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Mr L.T. Kwok

Mr K.W. Leung

Chief Traffic Engineer/New Territories East,  
Transport Department  
Mr Ken K.K. Yip

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

Assistant Director (Environmental Assessment),  
Environmental Protection Department  
Mr Terence S.W. Tsang

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

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

Secretary

**Absent with Apologies**

Mr H.W. Cheung

Vice-chairman

Mr Ivan C.S. Fu

Mr David Y.T. Lui

Mr Philip S.L. Kan

Miss Winnie W.M. Ng

Dr Jeanne C.Y. Ng

Mr Ricky W.Y. Yu

**In Attendance**

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

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

Town Planner/Town Planning Board  
Ms Charlotte P.S. Ng

**Agenda Item 1**

**Confirmation of the Draft Minutes of the 616<sup>th</sup> RNTPC Meeting held on 7.12.2018**

[Open Meeting]

1. The draft minutes of the 616<sup>th</sup> RNTPC meeting held on 7.12.2018 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**

**Agenda Item 3**

**Section 12A Application**

[Open Meeting]

Y/TKO/5                      Application for Amendment to the Approved Tseung Kwan O Outline Zoning Plan No. S/TKO/26, to Rezone the Application Site from “Residential (Group C)1”, “Green Belt” and an area shown as ‘Road’ to “Residential (Group C)2” and “Green Belt”, Lot 310 in D.D. 224 and Adjoining Government Land, Hang Hau Road, Sai Kung  
(RNTPC Paper No. Y/TKO/5)

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3. The Committee noted that a replacement page (page 2 of the Paper) for rectifying an editorial error in paragraph 3.2 of the Paper was tabled for Member’s reference.
4. The Committee noted that the applicant’s representative requested on 7.12.2018 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.

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

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

#### **Agenda Item 4**

##### **Section 12A Application**

[Open Meeting (Presentation and Question Sessions only)]

Y/TSW/1                      Application for Amendment to the Approved Tin Shui Wai Outline Zoning Plan No. S/TSW/14, to Rezone the Application Site from "Open Space" and an area shown as 'Road' to "Comprehensive Development Area", Government Land in Tin Shui Wai Planning Area 108A (27 Tin Kwai Road)  
(RNTPC Paper No. Y/TSW/1)

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

**Sai Kung and Islands District**

**Agenda Item 5**

**Section 16 Application**

[Open Meeting]

A/SK-CWBN/49      Proposed House and the associated Excavation of Land in “Green Belt” Zone and an area shown as ‘Road’, Lots 330, 331 RP (Part), 332 S.B and 333 S.B in D.D. 225, Pak To Avenue, Clear Water Bay, Sai Kung (RNTPC Paper No. A/SK-CWBN/49A)

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7.            The Secretary reported that the application site was located in Clear Water Bay. Mr David Y.T. Lui had declared interest on the item for co-owning with spouse two houses in Clear Water Bay.

8.            The Committee noted that the applicant had requested deferment of consideration of the application and Mr David Y.T. Lui had tendered an apology for being unable to join the meeting.

9.            The Committee noted that the applicants’ representative requested on 6.12.2018 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 to address departmental comments.

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

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

[Ms Kathy C.L. Chan and Mr Tim T.Y. Fung, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), and Mr Clement C.M. Miu, Town Planner/Shan Tin, Tai Po and North (TP/STN), were invited to the meeting at this point.]

#### **Agenda Item 6**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/657            Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 671 S.B in D.D. 15 and Adjoining  
Government Land, Shan Liu, Tai Po  
(RNTPC Paper No. A/NE-TK/657)

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11.            The Secretary reported that the application site (the Site) was located in Tai Po and Mr H.W. Cheung had declared interest on the item for owning a flat in Tai Po Market. The Committee noted that Mr H.W. Cheung had tendered an apology for being unable to join the meeting.

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

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH)- Small House);

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as there were active agricultural activities in the vicinity and agricultural infrastructure such as farm access and water source was available, and the Site possessed potential for agricultural rehabilitation. The Commissioner for Transport (C for T) had reservation on the application but considered that the application which only involved development of a Small House could be tolerated unless it was rejected on other grounds. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. DAFC did not support the application, while C of T had reservation on the application. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the footprint of the proposed Small House fell within the village ‘environs’ (‘VE’) of Shan Liu and the proposed development within water gathering grounds would be able to be connected to the public sewerage system. Whilst land available within the “Village Type Development”(“V”) zone was insufficient to fully meet the future demand of 278 Small Houses, it was capable to meet the 28 outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone. Nevertheless, a number of approved planning applications and approved Small House grant applications were located to its immediate east and to its north, which had formed a new cluster of Small Houses within the ‘VE’ limit. Similar applications within the same “Agriculture” (“AGR”) zone were approved with conditions by the Committee. The application might warrant sympathetic consideration as the Site was the subject of a previously approved application

(application No. A/NE-TK/483) for Small House development. There was no public comment received on the application during the statutory public inspection period.

[Dr C.H. Hau arrived to join the meeting at this point.]

13. A Member raised the following questions:

- (a) whether the previous application and the current application were submitted by different applicants;
- (b) clarification on whether the previous application was approved due to consideration on shortage of land within “V” zone for Small House development; and
- (c) even though sufficient land was available currently for Small House development, what justifications were for giving sympathetic consideration to the subject application.

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

- (a) the previous approved application and current application were submitted by different applicants;
- (b) the previous application (No. A/NE-TK/483) was approved in 2014 prior to the adoption of a more cautious approach and there was insufficient land within the concerned “V” zone to fully meet the Small House demand at that time; and
- (c) sympathetic consideration was given as a major part of the Site was the subject of a previously approved application, and a number of approved planning applications and approved Small House grant applications were located to its immediate east and to its north within the same “AGR” zone forming a new cluster of Small Houses within the ‘VE’.



15. The Member further questioned the ground for giving sympathetic consideration to the current application noting the applicant was not the same. Ms Kathy C.L. Chan supplemented that approval was recommended mainly on consideration that a number of approved planning applications and approved Small House grant applications were located in close vicinity of the application site forming a new cluster of Small Houses in the area.

[Mr Edwin Chan arrived to join the meeting at this point.]

#### Deliberation Session

16. A Member raised concern on the consistency of planning assessment for giving sympathetic consideration with reference to a s.17 review application No. A/NE-KLH/543. That application was rejected at the 1190<sup>th</sup> TPB meeting for not in line with the planning intention of the “AGR” zone despite DAFC had no objection to the application and the application site was subject to a previously approved application (No. A/NE-KLH/275). The Member noted that DAFC did not support the current application and questioned the criteria for defining the Small House cluster and whether it was a strong justification to approve the current application.

[Mr L.T. Kwok arrived to join the meeting at this point.]

17. By making reference to Plan A-2a of the Paper, the Chairman drew Members’ attention to the considerable number of previously approved planning applications taken forward and proceeded with approved Small House grant applications which was not the case as observed under application No. A/NE-KLH/543. The Secretary further supplemented that the approval of application No. A/NE-KLH/275 was prior to the revised set of Interim Criteria for Consideration Application for NTEH/Small House in New Territories which required the proposed development, if located within water gathering ground, should be able to be connected to the existing or planned sewerage system. She further explained that application No. A/NE-KLH/543 was located at the fringe of a Small House Cluster whereas the subject application was located at the centre of a newly formed Small House cluster in the “AGR” zone as shown in Plan 2b of the Paper. A Member considered PlanD’s assessment for the subject application was in line with other similar applications and agreed that the subject application could be approved.

18. 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 21.12.2022, 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 drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (b) the connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Water Supplies or of the TPB;
- (c) the submission of a water pollution risk and impact assessment to the satisfaction of the Director of Water Supplies or of the TPB; and
- (d) the provision of protective and mitigation measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or of the TPB.”

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

**Agenda Item 7**

**Section 16 Application**

[Open Meeting]

A/NE-SSH/120 Proposed Comprehensive Residential and Commercial Development with Government, Institution or Community Facilities with Minor Relaxation of Gross Floor Area and Building Height Restrictions in “Comprehensive Development Area”, “Country Park”, “Government, Institution or Community”, “Green Belt”, “Open Space”, “Village Type Development” Zones and an area shown as ‘Road’, Tai Po Town Lot 157 and Various Lots in D.D. 165, D.D. 207 and D.D. 218 and Adjoining Government Land, Sai Sha, Shap Sz Heung  
(RNTPC Paper No. A/NE-SSH/120A)

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20. The Secretary reported that the application was submitted by Light Time Investments Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK), with Llewelyn-Davies Hong Kong Limited (LD), AECOM Asia Company Limited (AECOM), LWK & Partners (HK) Limited (LWK), Ove Arup & Partners Hong Kong Limited (ARUP) and P & T Architect and Engineers Limited (P&T) as five of the consultants of the applicant. The following Member had declared interests on the item:

Mr Ivan C.S. Fu - being a shareholder and director of LWK and having current business dealings with SHK, AECOM and ARUP;

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

Mr K.K. Cheung - his firm having current business dealings with SHK and Arup;

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

- Mr Stephen L.H. Liu - having past business dealings with SHK, LD and LWK;
- Mr Ricky W.Y. Yu - his firm having current business dealings with LD; and
- Ms Jacinta K.C.Woo - her spouse being a Group Director of P&T.

21. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu, Miss Winnie W.M. Ng and Mr Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting. As Mr K.K. Cheung, Dr C.H. Hau and Mr Stephen L.H. Liu had no involvement in the application, and as the interest of Ms Jacinta K.C. Woo, as Secretary, was remote, the Committee agreed that they could stay in the meeting.

22. The Committee noted that the applicant requested on 14.12.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted clarifications on technical assessments as well as responses to departmental and public comments.

23. 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.

**Agenda Item 8**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/961 Proposed Place of Recreation, Sports or Culture in “Other Specified Uses” annotated “Race Course” Zone, Concourse Area at 2/F of Grandstand Carpark, Sha Tin Racecourse, Sha Tin  
(RNTPC Paper No. A/ST/961A)

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24. The Secretary reported that the application was submitted by The Hong Kong Jockey Club (HKJC) with Masterplan Limited (Masterplan) and MVA Hong Kong Limited (MVA) as two of the consultants of the applicant. The following Member had declared interests on the item:

- Dr. Lawrence K.C. Li - being a voting member of the HKJC;
  - Mr Peter K.T. Yuen - being a full member of HKJC and being a member of the Board of Governors of the Hong Kong Arts Centre where had received a donation from the HKJC;
  - Mr Ivan C.S Fu - being an ordinary member of the HKJC; and having current business dealings with Masterplan and MVA;
  - Mr David Y.T. Lui
  - Mr Philip S.L. Kan
  - Mr K.K. Cheung
  - Mr Stephen L.H. Liu
  - Miss Winnie W.M. Ng
- } being an ordinary member of the HKJC;

- Dr C.H. Hau - applying for funding from HKJC Charities Trust for his project; and
- Mr L.T. Kwok - HKJC Charities Trust sponsored some of his projects.

25. As the interest of Dr Lawrence K.C. Li was direct, the Committee agreed that he should leave the meeting temporarily for the item.

26. The Committee noted that Messrs Ivan C.S Fu, David Y.T. Lui, Philip S.L. Kan and Miss Winnie W.M. Ng had tendered apologies for being unable to join the meeting. The Committee also noted that according to the Procedure and Practice of the Town Planning Board, Member who was an ordinary/corporate member of a club, association, union or other bodies would not constitute a conflict of direct interest if the Member was not directly involved in the matter under consideration. Following the Procedure and Practice, Members who were just ordinary members of HKJC having no involvement in the application could be allowed to stay in the meeting. The Committee agreed that Messrs K.K. Cheung and Stephen L.H. Liu could stay in the meeting. The Committee also agreed that Mr Peter K.T. Yuen, Dr C.H. Hau and Mr L.T. Kwok could stay in the meeting as their interest were indirect.

[Dr. Lawrence K.C. Li left the meeting temporarily at this point.]

#### Presentation and Question Sessions

27. Mr Clement C.M. Miu, TP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed place of recreation, sports or culture;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Director of Environmental Protection (DEP)

did not support the application as residential structures were found in the vicinity of the application 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, 61 public comments were received with two submitted by the Civic Party and an individual supporting the application while the remaining 59 comments from residents of Royal Ascot and Jubilee Garden and individuals raising objections to or concerns on the application. Major grounds were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The proposed use was generally in line with the planning intention of the “Other Specified Uses” annotated “(Race Course)” zone. The proposal was generally welcomed and supported by Development and Housing Committee of Sha Tin District Council. The proposed use could better utilize the space on non-race days for different types of sports activities, as a way to promote the importance of sports to the general public. The scale of the proposed facilities would not generate any impact on the capacity of any public transport facilities to/from Sha Tin Racecourse. The proposed use would rely on natural ventilation and central air-conditioning system would not be provided. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

28. Some Members raised questions related to operation aspects of the proposed use, i.e. availability of changing room and whether the proposed facilities would only be serving local community organizations, welfare bodies, registered schools and sport associations. Mr Clement C.M. Miu, TP/STN, responded that the HKJC would allow future users of the proposed sports facilities to use toilets and changing facilities that were within the existing Sha Tin Racecourse premises. The target users of the proposed use at the moment were those that had been listed in the development proposal and whether the proposed facilities

would be opened for the general public in future would be subject to the applicant's decision.

### Deliberation Session

29. With regard to a Member's observation on the advisory clause to remind the applicant to consult and liaise with local residents should the application be approved, Members noted that some public comments received during the statutory public inspection period had raised concerns on the lack of local consultation and the possible adverse traffic, air quality and noise impacts, and thus generally agreed that the applicant should be advised to consult and liaise with the local residents to explain the details of the proposal.

30. 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 21.12.2022, 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 the fire service installations and water supplies for firefighting before the operation of the proposed use to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) if the above planning condition (a) is not complied with before the operation of the proposed use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

[Dr. Lawrence K.C. Li returned to join the meeting at this point.]



**Agenda Item 9**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/965                      Shop and Services (Retail and Repair Shop of Electronic Appliances and Computer Products) in “Industrial” Zone, Workshop D2, G/F, Universal Industrial Centre, 19-25 Shan Mei Street, Fo Tan, Sha Tin  
(RNTPC Paper No. A/ST/965)

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**Presentation and Question Sessions**

32.            Mr Clement C.M. Miu, TP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) shop and services (retail and repair shop of electronic appliances and computer products);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of five years based on the assessments set out in paragraph 11 of the Paper. The proposed use under application was small in scale and not incompatible with the surrounding developments. Similar applications for a range of mixed ‘Shop and Services’ uses had been approved for other units on the ground floor of the subject industrial building. The applied use generally complied with the Town Planning Board (TPB) Guidelines No. 25D including fire safety and

traffic aspects. Relevant government departments had no objection to or no adverse comment on the application and relevant approval conditions had been recommended to address the concerns or technical requirements of government departments and to minimise any possible environmental nuisance. Previous application (No. A/ST/861) for the same use at the application site had been approved by the Committee and all approval conditions had been complied with. Approval of the application on a temporary basis would not jeopardize the long-term planning intention. No public comment was received during the statutory public inspection period.

33. Members had no question on the application.

#### Deliberation Session

34. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 21.12.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission and implementation of the fire safety measures within 6 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 21.6.2019; and
- (b) if the above planning condition 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.”

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

**Agenda Items 10 to 12**

**Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/679 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 1846 S.A ss.8 and 1850 S.J in D.D.76, Kan Tau Tsuen, Fanling  
(RNTPC Paper No. A/NE-LYT/679 to 681)

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A/NE-LYT/680 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 1846 S.A ss.9 and 1852 S.B ss.5 in D.D. 76, Kan Tau Tsuen, Fanling  
(RNTPC Paper No. A/NE-LYT/679 to 681)

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A/NE-LYT/681 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1846 S.A ss.10 in D.D. 76, Kan Tau Tsuen, Fanling  
(RNTPC Paper No. A/NE-LYT/679 to 681)

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**Presentation and Question Sessions**

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

- (a) background to the applications;
- (b) proposed house (New Territories Exempted House - Small House) at each of the application sites (the Sites);
- (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 applications as there were active agricultural activities in the vicinity and agricultural infrastructure such as farm access and water source were available, and the Sites possessed potential for agricultural rehabilitation. The Commissioner for Transport

(C for T) had reservation on the applications and advised that Small House developments should be confined within the “Village Type Development” (“V”) zone as far as possible but considered that the application only involved development of three Small Houses could be tolerated unless they were rejected on other grounds. District Officer (North) (DO(N)) advised that the Indigenous Inhabitant Representative supported the applications as the applicants had imminent needs. The Chairman of Fanling District Rural Committee and the Resident Representative (RR) of Kan Tau Tsuen had no comment on the applications and the RR advised that applicants should provide proper drainage to avoid adverse drainage impact on the adjacent area. Other concerned government departments had no objection to or no adverse comment on the applications;

- (d) during the first three weeks of the statutory public inspection period, two public comments for applications No. A/NE-LYT/679 and 681 and one for application No. A/NE-LYT/680 were received with one individual opposing all the applications while the remaining two expressing no comment towards applications No. A/NE-LYT/679 and 681. The Chairmen of Sheung Shui District Rural Committee indicated no comment on applications No. A/NE-LYT/679 and 681. Major grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Paper. Although the proposed developments were not in line with the planning intention of the “Agriculture” zone and DAFC did not support the applications, the proposed developments were not incompatible with the surrounding rural setting. Significant adverse landscape impact arising from the proposed developments was not anticipated. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the footprints of the proposed Small Houses fell within the village ‘environs’ of Kan Tau Tsuen and land available within the “V” zone was insufficient to meet both the outstanding Small House applications and the future Small House demand. Although

it was noted that the Town Planning Board (TPB) had adopted a more cautious approach in approving Small House applications in recent years, given that the Sites were the subject of a previous planning application (No. A/NE-LYT/410) for eight Small Houses approved by the Committee in August 2010 and the applicants under the current applications were the same as the previous application. According to District Lands Officer/North, Lands Department, the Small House grant applications at the Sites were approved in principle in January 2017 but yet to be executed. In this regard, sympathetic consideration might be given to the applications. Regarding the local views and adverse public comments, comments of concerned departments and the planning assessments above were relevant.

37. Members had no question on the application.

#### Deliberation Session

38. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 21.12.2022, 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. Each of the permissions was subject to the following conditions :

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

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

**Agenda Item 13**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/605      Renewal of Planning Approval for Temporary Open Storage of Metal Products and Materials and Storage of Metal and Hardware Products with Ancillary Workshop for a Period of 3 Years in “Open Storage” Zone and an area shown as ‘Road’, Lot 2195 RP (Part) in D.D. 76 and Adjoining Government Land, Kwan Tei North Village, Fanling  
(RNTPC Paper No. A/NE-TKL/605)

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**Presentation and Question Sessions**

40.      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)      renewal of planning approval for temporary open storage of metal products and materials and storage of metal and hardware products with ancillary workshop;
- (c)      departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application.      The Chairman of the Fanling District Rural Committee (FDRC) and the incumbent North District Council (NDC) members had no comment on the application;
- (d)      during the first three weeks of the statutory public inspection period, two public comments from individuals were received indicating no comment on the application; 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 application was generally in line with the Town Planning Board (TPB) Guidelines No. 13E in that majority of the Site fell within Category 1 area where favourable consideration would normally be given to an application. The Site fell partly within an area shown as 'Road' and the Civil Engineering and Development Department advised that there was no development programme for Road 1. Approval of the application on a temporary basis for a period of three years would not frustrate the implementation programme of Road 1 and the future development in the area. The development was considered not incompatible with the surrounding land uses. The application was also in line with TPB Guidelines No. 34B in that there had been no major change in the planning circumstances since the last approval and all approval conditions of the last application had been complied with. Approval of the application was in line with the Committee's previous decisions. No public comment was received during the statutory public inspection period.

41. Members had no question on the application.

#### Deliberation Session

42. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 12.1.2019 to 11.1.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no night time operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, should be allowed on the site during the planning approval period;
- (b) no operation on Sundays and statutory holidays, as proposed by the applicant, should be allowed on the site during the planning approval period;

- (c) no medium and heavy goods vehicles exceeding 5.5 tonnes as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed for the operation of the site at any time during the planning approval period;
- (d) the peripheral fencing and paving of the site should be maintained during the planning approval period;
- (e) the existing trees and landscape planting on site shall be maintained at all times during the planning approval period;
- (f) the submission of drainage proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.7.2019;
- (g) in relation to (f) above, the implementation of drainage proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.10.2019;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the provision of fire extinguisher(s) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.2.2019;
- (j) the submission of proposal for water supplies for fire-fighting and fire service installations within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.7.2019;
- (k) in relation to (j) above, the implementation of proposal for water supplies for fire-fighting and fire service installations within 9 months from the date of commencement of the renewed planning approval to the satisfaction of



the Director of Fire Services or of the TPB by 12.10.2019;

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

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

#### **Agenda Item 14**

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

[Open Meeting]

A/NE-TKLN/14 Proposed Filling of Ponds for Permitted Agricultural Use in “Agriculture” Zone, Lots 777 (Part) and 969 (Part) in D.D. 78, Ta Kwu Ling North  
(RNTPC Paper No. A/NE-TKLN/14)

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44. The Committee noted that the applicant’s representative requested on 4.12.2018 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.

45. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the

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

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

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

#### **Agenda Item 15**

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

[Open Meeting]

A/FSS/270	Proposed House and Social Welfare Facility (Residential Care Home for the Elderly) and Minor Relaxation of Building Height Restriction in "Village Type Development" Zone, Various Lots in D.D. 51, Fanling (RNTPC Paper No. A/FSS/270B)
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46. The Committee noted that the applicant's representative requested on 10.12.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments on traffic, environmental and sewerage impact aspects.

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

### **Agenda Item 16**

#### **Section 16 Application**

[Open Meeting]

A/KTN/51                      Temporary Warehouse and Vehicle Repair Workshop with Ancillary Office and Staff Rest Room for a Period of 3 Years in "Open Space" and "Other Specified Uses" annotated "Business and Technology Park" Zones and an area shown as 'Road', Lots 736 RP (Part), 738 RP (Part) and 739 RP in D.D.95 and Adjoining Government Land, Kwu Tung North  
  
(RNTPC Paper No. A/KTN/51A)

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48.            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 Kwu Tung North. The Committee noted that the applicant had requested deferral of consideration of the application and agreed that Dr. C.H. Hau could stay in the meeting as the said property did not have a direct view of the application site.

38.            The Committee noted that the applicant requested on 22.11.2018 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 to address departmental comments.

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

### **Agenda Item 17**

#### **Section 16 Application**

[Open Meeting]

A/KTN/56                      Temporary Container Vehicle Park (including Light and Heavy Goods Vehicles) for a Period of 3 Years in "Residential (Group B)" Zone and an area shown as 'Road', Lots 91 (Part) and 94 S.A RP (Part) in D.D. 95, Ho Sheung Heung, Sheung Shui  
(RNTPC Paper No. A/KTN/56)

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50. 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 Kwu Tung North. The Committee noted that the applicant had requested deferral of consideration of the application and agreed that Dr. C.H. Hau could stay in the meeting as the said property did not have a direct view of the application site.

51. The Committee noted that the applicant requested on 6.12.2018 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.

52. 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 18**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/459      Temporary Private Swimming Pool and Private Garden for a Permitted House (New Territories Exempted House – Small House) for a Period of 3 Years in “Agriculture” Zone, Lot 839 RP in D.D. 100, Hang Tau, Kwu Tung South, Sheung Shui  
(RNTPC Paper No. A/NE-KTS/459)

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

53. 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 private swimming pool and private garden for a permitted house (New Territories Exempted House – Small House);

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application. The North District Council (NDC) members of the subject constituency, the Indigenous Inhabitant Representatives (IIRs) and the Resident Representative (RR) of Hang Tau had no comment on the application. The Chairman of Sheung Shui District Rural Committee (SSDRC) objected to the application mainly on the grounds that SSDRC did not know the details of the applied development and wished the applicant to consult SSDRC;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual indicating no comment to the application was received; and
- (e) the Planning Department (PlanD)'s views –PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied uses were not in line with the planning intention of the “Agriculture” zone, temporary planning permissions for swimming pool for 3 years within the application site (the Site) had been granted twice since 2011. The Director of Agriculture, Fisheries and Conservation had no strong view on the application as the Site had been occupied for the same applied uses and the potential for agricultural rehabilitation was low. The applied development was considered not incompatible with the surrounding land uses. The concerned government departments had no adverse comment on or objection to the application. All conditions of the last approved application (No. A/NE-KTS/363) had been complied with. Approval of the current application was in line with the previous decisions of the Committee. There was one local objection as conveyed by District Officer (North) mainly on the ground that the applicant should consult SSDRC. In this regard, the statutory and administrative public consultation procedures had been conducted for the application. One public comment was received and indicated no comment.

54. A Member sought clarification regarding the boundary of the subject swimming pool. Ms S.H. Lam, STP/FSYLE, responded that the swimming pool to the east was ancillary to another permitted house and subject of another application to be considered by the Committee. Another Member questioned if the approval for the applied uses would contradict the Government's policy in utilization of land resource for housing. The Chairman responded that the subject application was for a private swimming pool ancillary to a permitted house on private land, and each application should be considered on individual circumstances.

### Deliberation Session

55. In response to a Member enquiry, the Secretary explained that the subject site involved private land in "AGR" zone where the applied use was not a Column 2 use and could only be permitted on a temporary basis for 3 years by the Committee.

56. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.12.2021, 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 properly managed and maintained at all time and rectified if found inadequate/ineffective during the planning approval period;
- (b) the landscape planting within the application site should be maintained in healthy condition at all times during the planning approval period;
- (c) 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 21.3.2019;
- (d) the submission 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 21.6.2019;

- (e) in relation to (d) above, the implementation of proposal 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 21.9.2019;
- (f) if any of the above planning conditions (a) and (b) 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;
- (g) if any of the above planning conditions (c), (d) or (e) 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
- (h) 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.”

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

### **Agenda Item 19**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/460 Proposed Houses in “Residential (Group D)” Zone, Lots 344B S.2 RP and 344B S.3 RP (Part) in D.D. 94 and Adjoining Government Land, No. 106 Hang Tau Road, Kwu Tung South  
(RNTPC Paper No. A/NE-KTS/460)

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58. The Secretary reported that the application was submitted by Art Dragon Enterprises Limited, with Llewelyn-Davies Hong Kong Limited (LD) as one of the consultants of the applicant. The following Member had declared interests on the item:

Mr Ricky W.Y. Yu - his firm having current business dealings with LD; and



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

59. The Committee noted that Mr Ricky W.Y. Yu had tendered an apology for being unable to attend the meeting. The Committee also agreed that as Mr Stephen L.H. Liu had no involvement in the application, he could stay in the meeting.

60. The Committee noted that a replacement page (page 1 of the paper) for rectifying an editorial error in the Paper was tabled for Member's reference.

#### Presentation and Question Sessions

61. 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 houses;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments from individuals were received with one comment supporting and the remaining two raising concern and objection to the application. Major grounds were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The proposed development was in line with the planning intention of the "Residential (Group D)" ("R(D)") zone. The proposed 2-storey houses were compatible with the surrounding environment. The concerned government departments had no objection to/ adverse comment on the application. Relevant approval conditions had been recommended to

address the concerns or technical requirements of government departments. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

62. A Member asked the rationale for inclusion of the submission requirement of a Noise Impact Assessment (NIA) under approval condition (e). Ms S.H. Lam, STP/FSYLE, responded that the applicant had submitted a Traffic Noise Impact Assessment since the application site (the Site) abutted on Hang Tau Road. Since industrial, open storage and workshop uses were also present in the “Comprehensive Development Area” and “Residential (Group D)” zones in the vicinity, the Director of Environmental Protection (DEP) considered a NIA was necessary. The Chairman supplemented that the NIA requested by DEP was to assess the potential industrial noise impacts that the applied use may be exposed to.

#### Deliberation Session

63. A Member requested clarification on the land exchange matter under the subject application. With reference to Figure 2.3 in the Supplementary Planning Statement as submitted by the applicant, Members noted that the Site encroached upon the adjoining government land to its east whereas a small portion of land to its south involved another private lot. Should planning approval be granted, the lot owner had to apply to the Lands Department for land exchange to incorporate the adjoining government land into the site boundary.

64. 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 21.12.2022, 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 landscape proposal to the satisfaction of the Director of Planning or of the TPB;

- (b) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) the submission and implementation of a sewerage connection proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (d) the submission and implementation of fire service installations and water supplies for fire-fighting to the satisfaction of Director of Fire Services or of the TPB; and
- (e) the submission of a Noise Impact Assessment and implementation of mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB.”

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

## **Agenda Item 20**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/636      Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lot 973 RP (Part) in D.D.107, Fung Kat Heung, Yuen Long  
(RNTPC Paper No. A/YL-KTN/636)

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### **Presentation and Question Sessions**

66. Ms Ivy C.W. Wong, STP/FSYLE, drew Members’ attention that a replacement page (P.5 of the Main Paper) rectifying editorial error in paragraph 9.12 had been dispatched to Members before the meeting. She then 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)
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received, with one from the Hong Kong Bird Watching Society and two from individuals objecting to 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 use was considered generally in line with the planning intention of the “Agriculture” (“AGR”) zone. The Director of Agriculture, Fisheries and Conservation had no strong view against the application from agricultural point of view. The proposed temporary hobby farm was not incompatible with the surrounding land uses which were rural in character. The proposed development would unlikely cause significant adverse traffic, landscape, environmental or drainage impacts and relevant departments consulted had no adverse comment on the application. Relevant approval conditions had been recommended to address the concerns or technical requirements of government departments and to minimise any possible environmental nuisance. Fourteen similar applications for hobby farm (three with caravan camp) were approved with conditions by the Committee on the same “AGR” zone. Approval of the application was generally in line with the Committee's previous decisions on similar applications. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

67. Members had no question on the application.

Deliberation Session

68. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.12.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 5:00 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) 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 21.6.2019;
- (d) in relation to (c) 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 21.9.2019;
- (e) 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 21.6.2019;
- (f) in relation to (e) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.9.2019;
- (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 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 21.6.2019;

- (i) in relation to (h) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 21.9.2019;
- (j) if any of the above planning conditions (a), (b) 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;
- (k) if any of the above planning conditions (c), (d), (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

### **Agenda Item 21**

#### **Section 16 Application**

[Open Meeting]

A/YL-KTS/806

Proposed Temporary Eating Place (Food Court) and School (Nursery and Kindergarten) for a Period of 5 Years in “Residential (Group C)” Zone, Lot 350 in D.D. 109 and adjoining Government Land, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/806)

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70. The Committee noted that the applicant’s representative requested on 11.12.2018 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.

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

## **Agenda Item 22**

### **Section 16 Application**

[Open Meeting]

A/YL-KTS/807      Temporary Animal Boarding Establishment for a Period of 3 Years in  
"Agriculture" Zone, Lot 1652 in D.D. 106, Kam Sheung Road, Pat  
Heung, Yuen Long  
(RNTPC Paper No. A/YL-KTS/807)

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72. The Committee noted that the applicant requested on 13.12.2018 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.

73. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and

could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

### **Agenda Item 23**

#### **Section 16 Application**

[Open Meeting]

A/YL-PH/794                      Proposed Temporary Public Vehicle Park for Private Cars for a Period of 3 Years in "Village Type Development" Zone, Lots 208 (Part), 209 S.D, 209 S.E, 209 S.F, 209 S.G (Part), 209 RP (Part) and 215 S.B ss.2 (Part) in D.D. 111, Sheung Che, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/794)

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74.            The Committee noted that the applicant's representative requested on 18.12.2018 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 24**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/795            Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Residential (Group D)” Zone, Lots 3037 RP (Part), 3039 and 3040 (Part) in D.D. 111 and Adjoining Government Land, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/795)

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**Presentation and Question Sessions**

76.            Ms Ivy C.W. Wong, STP/FSYLE, drew Members’ attention that a replacement page (Drawing A-1 of the paper) had been tabled at the meeting for Members’ reference. She then presented the applications and covered the following aspects as detailed in each of the Papers :

- (a) background to the application;
- (b) proposed temporary place of recreation, sports or culture (hobby farm);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application
- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received objecting to the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no known proposal for permanent

development at the application site (the Site). Approval of the application on a temporary basis for a period of 3 years would not jeopardize the long-term planning intention of the “R(D)” zone. The applied use was considered not incompatible with the character of the surrounding area. There was no adverse comment from relevant departments consulted and relevant approval conditions had been recommended to address the concerns or technical requirements of government departments and to minimise any possible environmental nuisance. The Site was subject to six previous applications while five were for temporary horse riding school with ancillary barbecue area and field study centre and the last application was for the same use. While the last application No. A/YL-PH/753 submitted by the same applicant was revoked due to non-compliance with the approval conditions in relation to submission and implementation of firefighting and fire service installations (FSIs) and implementation of tree preservation proposal, the applicant had submitted drainage and FSI proposals to support the current application. In this regard, shorter compliance periods were recommended to monitor the progress of compliance. Regarding the adverse local view on fire safety, the Director of Fire Services had no adverse comment on the application and the planning assessments above were relevant.

77. Members had no question on the application.

#### Deliberation Session

78. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.12.2021, 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 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time 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) 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;
- (e) the existing trees within the Site should be maintained at all times during the planning approval period;
- (f) the submission of records of the existing drainage facilities on the Site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.3.2019;
- (g) the submission of fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 21.3.2019;
- (h) in relation to (g) above, the provision of 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 21.6.2019;
- (i) 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
- (j) if any of the above planning conditions (f), (g) or (h) 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 VI of the Paper.

**Agenda Item 25**

**Section 16 Application**

[Open Meeting]

A/YL-PH/796                      Proposed Temporary Wholesale Trade (Metalware) for a Period of 5 Years in “Open Storage” Zone, Lots 872, 873, 875, 876, 877, 878, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891 (Part), 892 (Part), 893 (Part), 3049, 3050 in D.D. 111, and Adjoining Government Land, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/796)

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80.            The Committee noted that the applicant’s representative requested on 13.12.2018 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.

81.            After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, 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/797            Proposed Temporary Shop and Services (Vehicle Parts) for a Period of 3 Years in “Open Storage” Zone, Lots 861 S.A (Part), 861 S.C (Part), and 862 (Part) in D.D. 111, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/797)

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**Presentation and Question Sessions**

82.            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 shop and services (vehicle parts);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was considered not entirely in line with planning intention of the “Open Storage” (“OS”) zone, the temporary nature of the proposed development would not jeopardize the long-term planning intention. The proposed development was considered not incompatible with the surrounding land uses which were rural in character mixed with open storage/storage yards, workshops, a trailer/tractor park and vacant/unused

land. Relevant departments consulted had no adverse comment on the application. Relevant approval conditions had been recommended to address the concerns or technical requirements of government departments and to minimise any possible environmental nuisance. No public comment was received during the statutory publication period.

83. Members had no question on the application.

#### Deliberation Session

84. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.12.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing trees within the Site shall be maintained at all times during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.6.2019;
- (f) in relation to (e) 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 21.9.2019;

- (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 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 21.6.2019;
- (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 21.9.2019;
- (j) if any of the above planning conditions (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; and
- (k) if any of the above planning conditions (e), (f), (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.”

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

**Agenda Item 27**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/241            Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lot 361 S.B RP in D.D. 112, Shek Kong, Yuen Long  
(RNTPC Paper No. A/YL-SK/241A)

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**Presentation and Question Sessions**

86.            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);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection period, five comments objecting to the application were received from World Wide Fund for Nature Hong Kong, Kadoorie Farm and Botanic Garden Corporation, the Hong Kong Bird Watching Society, Designing Hong Kong and member of the public. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was generally not in conflict with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation



had no strong view to the application from the agricultural point of view. The application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone. The proposed hobby farm was considered not incompatible with the surrounding areas which were rural in character. The proposed use would unlikely cause significant adverse environmental, traffic, landscape or drainage impacts and relevant departments consulted had no adverse comment on the application. Relevant approval conditions had been recommended to address the concerns or technical requirements of government departments and to minimise any possible environmental nuisance. Similar applications for the same use within the same “AGR” zone had been approved by the Committee. Approval of the application was in line with the Committee’s previous decisions. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

87. A Member requested clarification on the adverse public comments accusing the subject application for encouraging ‘Destroy First, Build Later’ cases. Ms Ivy C.W. Wong, STP/FSYLE, responded that the subject application was subject to planning enforcement action (No. E/YL-SK/195) involving storage use. Enforcement Notice (EN) was issued to the responsible person on 11.7.2017. Upon the discontinuation of the unauthorized development on site, Compliance Notice was issued on 19.4.2018. Reinstatement Notice (RN) was issued on 26.4.2018 requiring the notice recipients to remove the fill materials on-site and to grass the Site. According to the site inspection at RN expiry and recent site inspection, it was noted that the RN requirements had not been met. The Planning Authority would continue to monitor the progress of reinstatement of the Site to determine whether further enforcement/prosecution action had to be taken.

#### Deliberation Session

88. A Member raised concern on the small scale of the application site. The Chairman said that the assessment mainly focussed on whether the applied use was acceptable from land use planning perspective whereas the business viability should be subject to the applicant’s own consideration. Another Member pointed out the concern of a

few green groups that there had been too many hobby farms approved recently, and asked if the Committee should assess the optimal number of approved hobby farm. The Chairman responded that the number of applications for hobby farm use had been increasing and this might reveal that applicant(s) were trying to identify possible uses to better utilize their land. While it would be difficult to assess the optimal number of hobby farm, the number of applications could probably reflect the market demand.

89. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.12.2021, 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. to 9:00 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) 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 21.6.2019;
- (d) in relation to (c) 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 21.9.2019;
- (e) 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 21.6.2019;
- (f) in relation to (e) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.9.2019;

- (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 fire service installation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 21.6.2019;
- (i) in relation to (h) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 21.9.2019;
- (j) if any of the above planning conditions (a), (b) 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;
- (k) if any of the above planning conditions (c), (d), (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

**Agenda Item 28**

**Section 16 Application**

[Open Meeting]

A/YL-MP/276            Proposed Temporary Public Vehicle Park for Private Cars, Light Goods Vehicles and Coaches for a Period of 3 Years in “Village Type Development” Zone, Lots 76 S.G (Part) and 76 S.H (Part) in D.D. 101, Mai Po, Yuen Long  
(RNTPC Paper No. A/YL-MP/276)

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91.            The Secretary reported that the application site was located in Mai Po and Mr K.W. Leung had declared interest on the item for owning a property in Fairview Park, Mai Po. The Committee noted that the applicant had requested deferment of consideration of the application and agreed that Mr K.W. Leung could stay in the meeting as his property did not have a direct view on the application site.

92.            The Committee noted that the applicant’s agent requested on 6.12.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address public comments and conduct surveys on the surrounding area. It was the first time that the applicant requested deferment of the application.

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

**Agenda Item 29**

**Section 16 Application**

[Open Meeting]

A/YL-NTM/376      Proposed Temporary Cargo Handling and Forwarding Facility and Warehouse (excluding Dangerous Goods Godown) for a Period of 3 Years in “Open Storage” Zone, Lots 22 (Part), 23 S.B, 24 S.B (Part), 25 S.C (Part) and 40 (Part) in D.D. 98 and Adjoining Government Land, Ngau Tam Mei, Yuen Long  
(RNTPC Paper No. A/YL-NTM/376)

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94.            The Committee noted that the applicant’s agent requested on 5.12.2018 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.

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

**Agenda Item 30**

**Section 16 Application**

[Open Meeting]

A/YL-NTM/377      Proposed House and Minor Relaxation of Building Height Restriction from 6m to 7.65m in “Residential (Group D)” Zone, Lots 2572 RP, 2573, 2578 in D.D. 104 and adjoining Government Land, Ngau Tam Mei, Yuen Long  
(RNTPC Paper No. A/YL-NTM/377)

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96.            The Committee noted that the applicant’s agent requested on 7.12.2018 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.

97.            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 31**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/533            Temporary Shop and Services for a Period of 3 Years in “Other Specified Uses” annotated “Service Stations” Zone, Lot 774 RP in D.D. 99, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/533)

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**Presentation and Question Sessions**

98.            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 shop and services;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 12 of the Paper. There was no immediate proposal for permanent development at this part of the “Other Specified Uses” annotated “Service Stations” (“OU(SS)”) zone. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “OU(SS)” zone. The proposed development was not incompatible with the surrounding areas. The site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No. 12C

which specified that the requirement of Ecological Impact Assessment was exempted for temporary use and the Director of Agriculture, Fisheries and Conservation (DAFC) had no strong view on the application from nature conservation point of view. Concerned government departments had no objection to or no adverse comment on the application from traffic, environmental, fire safety, drainage and landscape aspects. Relevant approval conditions had been recommended to address the concerns or technical requirements of government departments and to minimise any possible environmental nuisance. Previous applications for similar uses at the Site and similar applications for temporary public vehicle park within the same “OU(SS)” zone had been approved by the Committee. However, since the last approval was revoked due to non-compliance with the approval condition, shorter compliance periods were recommended to closely monitor the progress of compliance with approval conditions. No public comment was received during the statutory publication period.

99. A Member asked if the subject application was part of the temporary cross-boundary shopping centre (i.e. The Boxes). Ms Emily P.W. Tong, STP/FSYLE, responded that the subject application was not part of the outlet but located to its south.

#### Deliberation Session

100. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.12.2021, 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 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period;
- (c) the maintenance of paving and boundary fencing on the Site at all times during the planning approval period;



- (d) the maintenance of existing trees on the Site at all times during the planning approval period;
- (e) the maintenance of existing drainage facilities at all times during the planning approval period;
- (f) the submission of as-built drainage plans and photographic records within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.3.2019;
- (g) the submission of water supplies for fire fighting and fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 21.3.2019;
- (h) in relation to (g) above, the implementation of water supplies for fire fighting and fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 21.6.2019;
- (i) 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
- (j) if any of the above planning conditions (f), (g) or (h) 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.”

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

[The Chairman thanked Ms 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**

#### **Agenda Item 32**

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

[Open Meeting]

A/YL-PS/574            Proposed Filling of Pond for Four Permitted Houses (New Territories Exempted Houses – Small Houses) in “Village Type Development” Zone, Lots 182 S.A RP, 182 S.B, 182 S.C, 182 S.D RP and 182 RP (Part) in D.D. 123, near Shing Uk Tsuen, Ping Shan, Yuen Long (RNTPC Paper No. A/YL-PS/574)

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102.            The Committee noted that the applicant requested on 7.12.2018 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.

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

[Mr Simon P.H. Chan, Ms Bonnie K.C. Lee and Ms Stella Y. Ng, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), were invited to the meeting at this point.]

### **Agenda Item 33**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/113            Proposed Temporary Open Storage of Recyclable Material (Metal) for a Period of 3 Years in “Open Space” and “Residential (Group A) 3” Zones, Lots 1824 S.A RP, 1824 S.B RP (Part) and 1824 S.C (Part) in D.D. 125, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/113)

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

104.            Mr Simon P.H. Chan, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary open storage of recyclable material (metal);
- (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 because there were sensitive uses along Ping Ha Road and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one comment from the general public had been received suggesting certain restrictions on the operation of business should be imposed to protect the

nearby residents from noise disturbance; 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 development was not in line with the planning intention, the implementation programme for this part of New Development Area (NDA) was still being formulated. Approval of the application on a temporary basis would not jeopardize the long-term development of the application site (the Site). The proposed use was not incompatible with the surrounding land uses. The application was generally in line with the Town Planning Board Guidelines No. 13E in that majority of the site fell within Category 1 area where favourable consideration would normally be given to an application. Though the Director of Environmental Protection did not support the application, there was no substantiated environmental complaint concerning the site in the past three years and relevant approval conditions had been recommended to address any potential environmental nuisance and the technical requirements of concerned government departments. Previous applications for the similar uses at the Site and similar applications for temporary public vehicle park within the same “Residential (Group A)3” and “Open Space” zones had been approved by the Committee. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

105. In respond to a Member's question, Mr Simon P.H. Chan, STP/TMYLW said that the Chief Town Planner/Urban Design and Landscape, PlanD suggested to include an approval condition on no storage and stacking of materials within 1m of any tree to minimise any possible adverse impact to the trees located near the boundary of the Site.

#### Deliberation Session

106. A Member asked if approval conditions on submission and implementation of landscape proposal would be more effective than requiring no stacking of materials within 1 m of any tree in terms of protection of trees. The Secretary supplemented the approval

conditions on provision of fencing and submission and implementation of landscape proposal were fully complied with under the last application, the applicant was only required to maintain the existing fencing and existing trees under the current application.

107. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.12.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 7:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no workshop activities, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) the existing fencing on the site shall be maintained at all time during the approval period;
- (e) no storage or stacking of materials is allowed within 1m of any trees during the planning approval period;
- (f) all existing trees and landscape plants on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.6.2019;
- (h) in relation to (g) 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 21.9.2019;

- (i) in relation to (h), the implemented drainage facilities on the site shall be maintain at all times during the planning approval period;
- (j) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.2.2019;
- (k) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 21.6.2019;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 21.9.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (i) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (g), (h), (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.”

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

**Agenda Item 34**

**Section 16 Application**

[Open Meeting]

A/YL-TT/448            Temporary Open Storage and Warehouse of Construction Materials and Miscellaneous Goods, Agricultural Use and associated Filling of Land(about 0.2m) for a Period of 3 Years in “Agriculture” Zone, Lots 1040 S.A RP and 1040 S.A ss.1 S.A in D.D. 117, Yeung Ka Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TT/448)

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109.            The Committee noted that the applicant requested on 11.12.2018 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.

110.            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 35**

**Section 16 Application**

[Open Meeting]

A/YL-TT/449

Proposed Temporary Wholesale Trade (Metal Ware) for a Period of 3 Years in “Open Storage” and “Recreation” Zones, Lots 1466 (Part), 1467 (Part), 1470 S.A, 1470 S.B (Part), 1471, 1472, 1474, 1477 S.A, 1477 S.A ss.1 (Part), 1477 S.B, 1477 S.B ss.1, 1477 S.B ss.2 S.A, 1477 S.B ss.2 S.B, 1477 S.B ss.2 RP, 1477 S.B ss.3 S.A, 1477 S.B ss.3 RP, 1477 S.B ss.4, 1477 S.B ss.5, 1477 S.B ss.6, 1479 (Part), 1480 (Part), 1481, 1483 (Part), 1484 S.A (Part) , 1484 S.B, 1484 S.C, 1484 S.D, 1484 S.E, 1484 S.F, 1484 S.G, 1485, 1486 (Part) in D.D. 117 and adjoining Government Land, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/449)

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111. The Committee noted that the applicant requested on 13.12.2018 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.

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



**Agenda Item 36**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/931 Temporary Open Storage of Recycling Materials (Metal, Plastic and Paper) and Used Electrical/Electronic Appliances and Parts with Ancillary Workshop and Packaging Activities for a Period of 3 Years in “Undetermined” and “Village Type Development” Zones, Lots 324 (Part), 325, 326 (Part), 327 S.E RP (Part), 1420 RP and 1421 (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/931)

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**Presentation and Question Sessions**

113. 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 open storage of recycling materials (metal, plastic and paper) and used electrical/electronic appliances and parts with ancillary workshop and packaging activities;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse 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. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone which was generally intended for open storage use. Whilst the use of the area was being reviewed under the Planning and Engineering Study for Housing Sites in Yuen Long South, the Chief Engineer/Cross-boundary Infrastructure and Development of PlanD and the Project Manager (New Territories West) of the Civil Engineering and Development Department had no objection to the application. As for the remaining minor portion of the Site falling within the “Village Type Development” (“V”) zone which had been included in the eight previously approved applications, the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) advised that there was no Small House application within this part of the “V” zone. Approval of the application on a temporary basis of 3 years would not jeopardize the long-term development of the area nor affect the land availability for village type development. The development was not incompatible with the surrounding uses. The application was also generally in line with the Town Planning Board Guidelines No. 13E in that majority of the Site fell within the Category 1 areas which were considered suitable for open storage and port back-up uses with a minor portion straddling the Category 4 areas; relevant proposals had been submitted to demonstrate that the proposed use would not generate adverse impacts. Concerned government departments had no objection to or no adverse comments on the application, except DEP. Although DEP did not support the application, there was no environmental complaint received in the past three years. Relevant approval conditions were recommended to mitigate any potential environmental impacts. Previous applications for the similar uses at the site and similar applications for open storage uses in the vicinity of the site had been approved by the Committee. Approval of the application was considered in line with the Committee's previous decisions. No public comment was received during the statutory publication period.

114. In response to a Member's enquiry, Mr Terence S.W. Tsang, Assistant Director (Environmental Assessment) of the Environmental Protection Department (EPD) said that starting from 31 December 2018, any person who was engaged in the storage, treatment, reprocessing or recycling of e-waste must obtain a licence/permit issued by the EPD under the Waste Disposal Ordinance. The Chairman said that if the application was approved, the applicant would also be advised to meet all necessary requirements under the jurisdiction of other concerned government departments. The Secretary also supplemented that relevant approval conditions were recommended to restrict the operational activities as proposed by the applicant.

#### Deliberation Session

115. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.12.2021, 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 storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste, as proposed by the applicant, is allowed outside the concrete-paved covered structures on the Site at any time during the planning approval period;
- (d) no dismantling, repairing and cleansing activities, except ancillary workshop and packaging activities, as proposed by the applicant, are allowed on the Site at any time during the planning approval period;
- (e) no loading/unloading activities are allowed at Structures No. 1 and 2 on the Site, as proposed by the applicant, at any time during the planning approval

period;

- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing trees and landscape planting on the Site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (i) 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 21.3.2019;
- (j) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.2.2019;
- (k) 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 21.6.2019;
- (l) in relation to (k) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 21.9.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

### **Agenda Item 37**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/360 Proposed Temporary Office for a Period of 3 Years in “Residential (Group C)” Zone, Lots 1059 S.A, 1059 S.B, 1059 S.C, 1059 S.D, 1059 S.E and 1059 RP in D.D. 130, Lam Tei, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/360)

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

117. 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) proposed temporary office;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed temporary office was not entirely in line with the planning intention of “Residential (Group C)” (“R(C)”) zone. However, there was no permanent development at the Site. Approval of the application on a temporary basis for a period of 3 years would not jeopardise the long-term planning intention of the “R(C)” zone. The proposed development was considered not incompatible with the surrounding land uses. Relevant government departments had no objection or no adverse comment on the application. Relevant approval conditions had been recommended to address the concerns or technical requirements of government departments and to minimise any possible environmental nuisance. There was no public comment received on the application.

118. Members had no question on the application.

#### Deliberation Session

119. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.12.2021, 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. to 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;

- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the Site at any time during the planning approval period;
- (e) no dismantling, repairing, cleansing, paint-spraying and other workshop activities, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (f) the submission of a drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.6.2019;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.9.2019;
- (h) in relation to (g) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 21.6.2019;
- (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 21.9.2019;
- (k) the provision of boundary fencing on the Site within 6 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 21.6.2019;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e) 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; and

- (m) if any of the above planning conditions (f), (g), (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.”

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

**Agenda Item 38**

**Section 16 Application**

[Open Meeting]

A/TM-LTY Y/361 Proposed Public Utility Installation (Package Substation) in “Village Type Development” Zone, Government Land in D.D. 130, Tsing Cheun Wai, Lam Tei, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/361)

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

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

122. The Committee noted that the applicant had requested deferment of consideration of the application and Dr Jeanne C.Y. Ng had tendered apologies for being unable to attend the meeting. As Messrs K.K. Cheung and Stephen L.H. Liu had no involvement in the



application, the Committee agreed that they could stay in the meeting.

123. The Committee noted that the applicant requested on 12.12.2018 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.

124. 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 39**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/575            Temporary Warehouse (Storage of Kitchenware and Miscellaneous Goods) for a Period of 3 Years in "Village Type Development" Zone, Lots 438 S.A (Part), 442 RP (Part), 445 (Part), 446 (Part), 447 (Part), 448 (Part) and 1522 RP (Part) in D.D. 122, Hang Mei Tsuen, Ping Shan, Yuen Long  
  
(RNTPC Paper No. A/YL-PS/575)

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

125. 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 warehouse (storage of kitchenware and miscellaneous goods);
- (c) departmental comments –departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The development was not in line with the planning intention of the “Village Type Development” (“V”) zone. No strong justification had been given in the submission for a departure from the planning intention, even on a temporary basis. The proposed development was not compatible with the surrounding rural and residential uses which were mostly Small Houses. Approval of the application would set an undesirable precedent for similar applications within the “V” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.

126. In response to a Member’s enquiry on the surrounding uses of the application site, Ms Stella Y. Ng, STP/TMYLW indicated that village houses, unauthorized storage use and a carpark had been observed by making reference to Plan A2 of the Paper.

#### Deliberation Session

127. Members noted that the Site was subject to planning enforcement action against unauthorised development (UD) involving storage use. Enforcement Notice (No. E/YL-PS/679) was issued on 7.9.2018 requiring discontinuation of the UD. If the notice was not complied with, prosecution action might be taken.

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

- “(a) the development is not in line with the planning intention of the “Village Type Development” (“V”) zone which is primarily intended for development of Small Houses by indigenous villagers. No strong justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the proposed development is not compatible with the residential development to the north, east, south and southeast of the site; and
- (c) approval of the application would set an undesirable precedent for similar applications within the “V” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

#### **Agenda Item 40**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/576            Proposed Temporary Eating Place (Light Refreshment Restaurant) for a Period of 3 Years in “Village Type Development” Zone, Lot 357 (Part) in D.D. 122, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/576)

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

129. 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) proposed temporary eating place (light refreshment restaurant);

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the development was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, according to the Lands Department there was no Small House application approved or under processing at the Site. In this regard, temporary approval of the application would not frustrate the long-term planning intention of the zoned use on the OZP. The development was not incompatible with the surrounding land uses. The application was in line with the Town Planning Board Guidelines No. 15A in that the applied use would unlikely cause significant adverse environmental hygiene, traffic, drainage, fire safety, sewerage and environmental impacts on the surrounding areas in view of its scale. In this regard, concerned government departments had no objection to or no adverse comment on the application. Relevant approval conditions had been recommended to address the concerns or technical requirements of government departments and to minimise any possible environmental nuisance. There was no public comment received on the application.

130. Members had no question on the application.

#### Deliberation Session

131. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.12.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m. is allowed on the site, as proposed by the applicant, during the planning approval period;
- (b) 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 21.6.2019;
- (c) in relation to (b) 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 21.9.2019;
- (d) if the above planning condition (a) 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
- (e) if any of the above planning conditions (b) or (c) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 41**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/577            Renewal of Planning Approval for Temporary “Warehouse (storage of used and new construction materials and equipment)” for a Period of 3 Years in “Comprehensive Development Area” Zone, Lots 763RP, 764, 765, 766, 767, 768, 771 & 772S.B. in D.D.122, East of Yung Yuen Road, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/577)

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**Presentation and Question Sessions**

133.        Ms Stella Y. Ng, STP/TMYLW, drew Members’ attention that a replacement page (P.2 of Appendix Ia) had been dispatched to Members before the meeting. She then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) renewal of planning approval for temporary “warehouse (storage of used and new construction materials and equipment)”;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The District Officer (Yuen Long) (DO(YL), Home Affairs Department, conveyed that 33 replies were received from the locals including the village representative of Wing Ning Tsuen and villagers of Ping Shan Heung Wing Ning Tsuen Committee opposing the application mainly on the grounds of traffic safety, adverse drainage and environmental impacts and illegal occupation of government land. Other government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, five public comments were received supporting the application. Major grounds were

set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the development was not in line with the planning intention of the “Comprehensive Development Area” (“CDA”) zone, approval of the application on a temporary basis for 3 years would not jeopardize the long-term planning intention of the “CDA” zone. The applied use was not incompatible with the surrounding land uses. The application was generally in line with Town Planning Board Guideline No. 34B in that previous approval for the same applied use was granted, planning implications arising from the renewal of the planning approval were not envisaged, all conditions under the previous approval had been complied with and the approval period sought was the same as the previous approval. Relevant government departments had no objection to or no adverse comment on the application. Relevant approval conditions had been recommended to address the concerns or technical requirements of government departments and to minimise any possible environmental nuisance. There were two previous applications for the same use at the application site and two similar applications in the same “CDA” zone approved by the Committee. Approval of the current application was in line with the previous decisions of the Committee. There were five public comments received in support of the application. Regarding the 33 local objections on the application conveyed by DO(YL), the comments of government departments and planning assessments above were relevant.

134. Members had no question on the application.

#### Deliberation Session

135. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 20.2.2019 to 19.2.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following

conditions:

- “(a) no operation between 5:00 p.m. and 9:00 a.m. is allowed on the site, as proposed by the applicant, during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no repairing, dismantling or other workshop activity, as proposed by applicant, is allowed on the site at any time during the planning approval period;
- (d) only private cars and light goods vehicles as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site at all times during the planning approval period;
- (e) 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;
- (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 fencing of the site shall be maintained at all times during the planning approval period;
- (h) the existing trees and landscape planting on the site shall be maintained in good condition at all times during the planning approval period;
- (i) the existing drainage facilities on 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 commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.5.2019;
- (k) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.8.2019;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.11.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (j), (k), or (l) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 42**

**Section 16 Application**

[Open Meeting]

A/TM-SKW/100      Temporary Barbecue Area for a Period of 3 Years in “Village Type Development” Zone, Lots 263 S.B. (Part) and 268 (Part) in D.D. 385, Tai Lam Chung, Tuen Mun  
(RNTPC Paper No. A/TM-SKW/100)

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137.            The Committee noted that the applicant’s representative requested on 3.12.2018 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.

138.            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 43**

**Section 16 Application**

[Open Meeting]

A/TM/533

Proposed Public Utility Installation (Sewage Pumping Station) in “Village Type Development” Zone, Government land in D.D. 374 near junction of Ka Wo Li Hill Road and Castle Peak Road - So Kwun Wat Section, Tuen Mun

(RNTPC Paper No. A/TM/533)

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139. The Committee noted that the applicant requested on 28.11.2018 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.

140. 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 44**

**Section 16 Application**

[Open Meeting]

A/TM/534                      Proposed Temporary Eating Place for a Period of 6 Years in “Village Type Development” Zone, Lots No. 308 RP (Part), 309 (Part), 310 and 311 (Part) in D. D. 375 and adjoining Government Land, So Kwun Wat, Tuen Mun  
(RNTPC Paper No. A/TM/534)

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141.            The Committee noted that the applicant requested on 11.12.2018 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.

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

[The Chairman thanked Mr Simon P.H. Chan, Ms Bonnie K.C. Lee and Ms Stella Y. Ng, STPs/TMYLW, for their attendance to answer Members’ enquiries. Mr Chan, Ms Lee and Ms Ng left the meeting at this point.]

**Agenda Item 45**

Any Other Business

143.        There being no other business, the meeting closed at 4:10 p.m..