

TOWN PLANNING BOARD

Minutes of 618th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 4.1.2019

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Mr Ivan C.S. Fu

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Dr C.H. Hau

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Mr K.W. Leung

Dr Jeanne C.Y. Ng

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

Miss Winnie W.M. Ng

Mr L.T. Kwok

Mr Ricky W.Y. Yu

In Attendance

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

Chief Town Planner/Town Planning Board
Mr Kepler S.Y. Yuen

Town Planner/Town Planning Board
Miss Denise M.S. Ho

Agenda Item 1

Confirmation of the Draft Minutes of the 617th RNTPC Meeting held on 21.12.2018

[Open Meeting]

1. The draft minutes of the 617th RNTPC meeting held on 21.12.2018 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Sha Tin, Tai Po and North District

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/NE-LYT/12 Application for Amendment to the Approved Lung Yeuk Tau & Kwan Tei South Outline Zoning Plan No. S/NE-LYT/17 and Approved Hok Tau Outline Zoning Plan No. S/NE-HT/5, To Rezone the Application Site from “Agriculture” and “Green Belt” to “Other Specified Uses” annotated “Cemetery”, Sung Him Tong Sung Chan Wui Kei Tuk Kau Fan Cheung, Lot 2213 in D.D. 83, Kwan Tei, Fanling
(RNTPC Paper No. Y/NE-LYT/12B)

3. The Secretary reported that the application was submitted for proposed rezoning to regularise the existing cemetery and columbarium use at the site. The following Members had declared interests on the item:

Mr H.W. Cheung - being a member of the Private Columbaria
(The Vice-chairman) Licensing Board; and

Mr Ivan C.S. Fu - being a member of the Private Columbaria
Appeal Board.

4. As the interests of the Vice-chairman and Mr Ivan C.S. Fu were indirect, the Committee agreed that they could stay in the meeting.

5. The Committee noted that a replacement page (page 1) of the Paper, rectifying the Lands Department’s comment of the Paper, was tabled at the meeting for Members’ reference.

Presentation and Question Sessions

6. The representatives of the Planning Department (PlanD), Mr Tony Y.C. Wu, District Planning Officer/ Sha Tin, Tai Po and North (DPO/STN) and Mr Tim T.Y. Fung, Senior Town Planner/Sha Tin, Tai Po and North (STP/STN) were invited to the meeting at this point.

7. The Chairman extended a welcome and informed Members that the applicant and his representative had indicated that they would not attend the meeting. He then invited PlanD's representative to brief Members on the application.

8. With the aid of a PowerPoint presentation, Mr Tim T.Y. Fung, STP/STN, presented the application and covered the following main points as detailed in the Paper :

- (a) the proposed rezoning of Sung Him Tong Sung Chan Wui Kei Tuk Kau Fan Cheung (SHT Cemetery) from "Agriculture" ("AGR") and "Green Belt" ("GB") zones to "Other Specified Uses" annotated "Cemetery" ("OU (Cemetery)") zone to regularize the existing cemetery and columbarium use;
- (b) the SHT Cemetery was gazetted as a cemetery in 1931 and was a private cemetery under Part 2 of the Fifth Schedule of the Public Health and Municipal Services Ordinance (Cap. 132). Since the private cemetery use on the Site was in existence immediately before the publication of the Interim Development Permission Area/Development Permission Area plans, such use was an existing use under the Town Planning Ordinance (TPO);
- (c) the columbarium completed in 2005 with written consent by the Food and Environmental Hygiene Department (FEHD) under s.4(1) of Private Cemeteries Regulation (Cap. 132BF) could be considered as part and parcel of the private cemetery under Cap. 132BF;
- (d) pursuant to s.4 of the Private Columbaria Ordinance (PCO) (Cap. 630), the PCO did not apply to a columbarium within a private cemetery under Part 2

of the Fifth Schedule of Cap. 132; and

- (e) since the SHT Cemetery was an existing use under the TPO, it was not necessary to apply for regularisation of the cemetery and columbarium use.

9. In response to the Chairman's enquiry on whether the applicant had been informed on the above, Mr Tim T.Y. Fung, STP/STN indicated that the applicant had been informed and agreed to the arrangement for not further processing the application.

10. As Members had no further questions, the Chairman thanked Mr Tony Y.C. Wu, DPO/STN and Mr Tim T.Y. Fung, STP/STN, for their attendance to answer Members' enquiries. They left the meeting at this point.

Deliberation Session

11. In response to a Member's enquiry, the Secretary responded that as the columbarium use was considered as part and parcel of the private cemetery, which was an existing use under the TPO, it was not necessary to apply for regularisation of such use. However, the relevant Outline Zoning Plans would be amended to reflect the existing use when opportunity arose.

12. After deliberation, the Committee noted that the planning application for rezoning of the Site from "AGR" and "GB" to "OU (Cemetery)" was not required and agreed that the application would not be further processed. A reply would be issued to the applicant by the Secretariat.

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/TP/27 Application for Amendment to the Approved Tai Po Outline Zoning Plan No. S/TP/28, To Rezone the Application Site from “Village Type Development” to “Government, Institution or Community (3)”, Lots 738 S.C and 738 S.C ss.1 in D.D. 6, 74-75 Kam Shan Road, Tai Po
(RNTPC Paper No. Y/TP/27A)

13. The Secretary reported that the application site was located in Tai Po and MVA Hong Kong Limited (MVA) was one of the consultants of the applicant. The following Members had declared interests on the item:

Mr Ivan C.S. Fu - his firm having current business dealings with MVA; and

Mr H.W. Cheung - owning a flat in Tai Po.
(The Vice-chairman)

14. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr Ivan C.S. Fu had no involvement in the application and the property of the Vice-chairman had no direct view of the application site, the Committee agreed that they could stay in the meeting.

15. The Committee noted that the applicant’s representative requested on 17.12.2018 deferment of the consideration of the application for one month so as to allow time for preparation of further information to address the Food and Environmental Hygiene Department’s comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information providing response to departmental comments.

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

[Messrs David Y.T. Lui, K.W. Leung and Dr C.H. Hau arrived to join the meeting at this point.]

Sai Kung and Islands District

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

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/300 Temporary Private Swimming Pool and Garden for a Period of 3 Years
in "Agriculture" and "Village Type Development" Zones, Lot 479 in
D.D. 244, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/300)

Presentation and Question Sessions

17. Mr William W.T. Wong, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) the temporary private swimming pool and garden for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from the indigenous inhabitant representative of Ho Chung and the Sai Kung Ho Chung Village Committee raising reservation on/objection to the application. Major grounds were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 10 of the Paper. Whilst the proposed swimming pool was not in line with the planning intention of the “Village Type Development” (“V”) zone, given the temporary nature of the swimming pool, approval of the subject application on a temporary basis would not jeopardise the long-term planning intention of the “V” zone. The Director of Agriculture, Fisheries and Conservation had no objection to the application. Land was still available to meet the outstanding Small House applications in Ho Chung Village. The temporary swimming pool and garden under the application was considered not incompatible with the surrounding landscape context. Relevant departments consulted had no objection to or no adverse comment on the application. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

18. Members raised the following questions :

- (a) whether the site was government land; and

- (b) whether the private land in the village could meet the demand for Small House development given that some private land had been used for other purpose.

19. Mr William W.T. Wong, STP/SKIs, made the following responses :

- (a) the site was private land under Old Schedule Agricultural Lot; and
- (b) the availability of private land for Small House development depended on market force which was subject to change from time to time.

Deliberation Session

20. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 4.1.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission of fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.7.2019;
- (b) in relation to (a) above, the implementation of fire service installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.10.2019; and
- (c) if any of the above planning conditions (a) or (b) is not complied with by the specified dates, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

[The Chairman thanked Mr William W.T. Wong, STP/SKIs, for his attendance to answer

Members' enquiries. Mr Wong left the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting]

A/SK-PK/246 Temporary Open Storage of Scrap Metal and Waste Plastics for Recycling and Workshop for Recycling for a Period of 3 Years in "Recreation" Zone, Lots 358 RP (Part), 360 RP (Part), 362 S.C (Part), 362 S.E (Part), 1716 RP (Part) in D.D. 221 and Adjoining Government Land, Muk Min Shan, Sai Kung
(RNTPC Paper No. A/SK-PK/246)

22. 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 to resolve comments from relevant government departments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 7

Section 16 Application

[Open Meeting]

A/SK-SKT/21 Proposed Comprehensive Residential Development in “Comprehensive Development Area (1)” Zone, Various Lots in D.D.221 and Adjoining Government Land, Sha Ha, Sai Kung
(RNTPC Paper No. A/SK-SKT/21)

24. The Secretary reported that the application was submitted by Boxwin Limited, which was a subsidiary of New World Development Co. Limited (NWD). Ove Arup & Partners Hong Kong Limited (ARUP), MVA Hong Kong Limited (MVA) and Ramboll Hong Kong Limited (Ramboll) were three of the consultants of the applicant. The following Members had declared interests on the item:

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|---------------------|---|--|
| Mr Ivan C.S. Fu | - | having current business dealings with NWD, ARUP and Ramboll and his firm having current business dealings with MVA; |
| Mr Stephen L.H. Liu | - | having past business dealing with NWD; |
| Dr C.H. Hau | - | being a principal lecturer and programme director of the University of Hong Kong (HKU). K11 Concept Ltd. of NWD had been sponsoring his student learning projects in HKU since 2009; |
| Mr K.K. Cheung | - | his firm having current business dealings with ARUP and past business dealings with The Automall Limited, which was a subsidiary of NWD; and |
| Mr Ricky W.Y. Yu | - | being the CEO of Light Be which had received donations from the developer-related charity foundation, Chow Tai Fook Charity Foundation (related to NWD). |

25. The Committee noted that Mr Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting and the applicant had requested deferment of consideration of the application. The Committee agreed that Mr Ivan C.S. Fu could stay in the meeting but should refrain from participating in the discussion as his interest was direct. As Messrs Stephen L.H. Liu and K.K. Cheung had no involvement in the application and the interest of Dr C.H. Hau was remote, the Committee agreed that they could stay in the meeting.

26. 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 to prepare supplementary materials to address comments from various government departments. It was the first time that the applicant requested deferment of the application.

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

Sha Tin, Tai Po and North District

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

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/966 Shop and Services (Fast Food Shop) in “Industrial” Zone, Workshop
I1, G/F, Century Industrial Centre, 33-35 Au Pui Wan Street, Fo Tan,
Sha Tin
(RNTPC Paper No. A/ST/966)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the shop and services (fast food shop);
- (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 five years based on the assessments set out in paragraph 11 of the Paper. The applied use was small

in scale and was not incompatible with the industrial and industrial-related uses in the subject industrial building and the surrounding developments. Similar applications had been approved on the ground floor of the subject industrial building. The application generally complied with the Town Planning Board Guidelines No. 25D for Use/Development within “Industrial” Zone including the fire safety and traffic aspects. A temporary approval of five years was recommended in order not to jeopardise the long-term planning intention of industrial use for the premises and to allow the Committee to monitor the supply and demand of industrial floor space in the area.

29. Members had no question on the application.

Deliberation Session

30. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 4.1.2024, 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 4.7.2019; 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.”

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

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-HLH/33 Proposed Temporary Open Storage of Construction Machineries and Ancillary Office for a Period of 3 Years in “Agriculture” Zone, Lot 373 in D.D. 87, Hung Lung Hang
(RNTPC Paper No. A/NE-HLH/33)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary open storage of construction machineries and ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the application site (the Site) possessed potential for agricultural rehabilitation and could be used as greenhouse cultivation or plant nursery. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application from the landscape point of view. The Commissioner for Transport (C for T) could not conclude his advice as no information had been submitted to demonstrate that the development would not generate adverse traffic impacts on the surrounding areas. According to the District Officer (North), Home Affairs Department, 打鼓嶺沙嶺村居民福利會 objected to the application, as set out in paragraph 10.1.12 of the Paper. Other concerned government departments had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, eight public comments were received. The Chairman of Sheung Shui District Rural Committee and a member of North District Council indicated no comment on the application. An individual supported the application, while Kadoorie Farm & Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, The Hong Kong Bird Watching Society and two individuals objected to the application. Major grounds were set out in paragraph 11 of the Paper; and

- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed temporary open storage was not in line with the planning intention of the “Agriculture” (“AGR”) zone. DAFC did not support the application. No strong planning justifications had been provided in the submission for a departure from the planning intention, even on a temporary basis. The application did not comply with the Town Planning Board Guidelines No. 13E in that the Site fell within Category 3 areas and no previous approval for similar open storage use had been granted for the Site. There were adverse departmental comments and local objections on the application. Approval of the application would set an undesirable precedent. The cumulative effect of approving such similar applications, even on a temporary basis, would result in a general degradation of the rural environment and landscape quality of the area. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

33. In response to a Member's question on whether the open storage was still under operation, Mr Tim T.Y. Fung, STP/STN replied that the Site was subject to planning enforcement actions against an unauthorized development involving storage use. The Site was currently partly vacant and partly used for open storage of tyres at the northwestern portion of the Site.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the proposed development does not comply with the Town Planning Board Guidelines No. 13E for ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ in that no previous planning approval has been granted at the Site and there are adverse departmental comments and local objection on the application;
- (c) the applicant fails to demonstrate that the proposed development would not generate adverse traffic and environmental impacts on the surrounding areas; and
- (d) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area.”

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/682 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lots 614 S.A
ss.1 and 614 S.D in D.D. 83, Kwan Tei, Fanling
(RNTPC Paper No. A/NE-LYT/682)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation did not support the application from the agricultural development point of view as there were active agricultural activities in the vicinity of the application site (the Site). The Commissioner for Transport (C for T) had reservation on the application and considered that Small House development should be confined within the “Village Type Development” (“V”) zone as far as possible but given that the proposed development involved one Small House, it could be tolerated. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, five public comments were received. A North District Council member supported the application. The Chairmen of Fanling District Rural Committee and Sheung Shui District Rural Committee indicated no comment. The Hong

Kong Bird Watching Society and an individual objected to the application. 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 application based on the assessments set out in paragraph 11 of the Paper. The Site fell within an area zoned “Agriculture” (“AGR”) and “V” on the Outline Zoning Plan. The proposed Small House development was not in line with the planning intention of the “AGR” zone and DAFC did not support the application from the agricultural development point of view. The Site was mainly covered by wild grasses with small hard-paved area at its west. It was not entirely incompatible with the surrounding rural landscape character dominated by village houses and active/fallow agricultural land. Significant changes or disturbance to the existing landscape character and resources arising from the proposed development were not anticipated. While land available within the “V” zone was insufficient to fully meet the future Small House demand, land was still available within the “V” zone to meet the outstanding Small House applications. The Site was in close proximity to the existing village proper of Kwan Tei Village and there were approved Small House applications nearby. Sympathetic consideration might be given to the application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

36. Members raised the following questions:

- (a) whether the applicant was an indigenous villager of Kwan Tei Village;
- (b) whether the justification provided by the applicant that the Site was the only land owned by him for Small House development was a relevant consideration;
- (c) the existing use of the adjoining site to the west and whether it was possible to shift the proposed Small House to the west so that more area would fall within the “V” zone;

- (d) according to the Paper, less than 50% of the Site was within the “V” zone, any justification for approval of the application; and
- (e) the scope for extending the village to the nearby “AGR” zone.

37. Mr Tim T.Y. Fung, STP/STN, made the following responses:

- (a) the applicant was an indigenous villager of Tsz Tong Tsuen which was under the same Fanling Heung as Kwan Tei Village;
- (b) the applicant was the sole current land owner of the Site which was partly within the “V” zone;
- (c) according to Plans A-3 and A-4 in the Paper, the adjoining site to the west was occupied by a temporary domestic structure and there was no room for shifting the proposed Small House to the west;
- (d) according to the Interim Criteria for consideration of application for NTEH/Small House in New Territories, favourable consideration could be given if not less than 50% of the proposed NTEH/Small House footprint fell within the “V” zone, provided that there was a general shortage of land in meeting the demand for Small House development in the “V” zone and the other criteria could be satisfied. In this application, more than 50% of the footprint of the proposed NTEH/Small House fell within the “V” zone and there was a shortage of land in meeting the demand for Small House development in “V” zone;
- (e) the Site was in close proximity to the existing village proper of Kwan Tei Village and there were approved Small House applications nearby. Since the eastern boundary of the ‘VE’ of Kwan Tei Village was largely within the “V” zone as shown in Plan A-2a of the Paper, the scope for extending the village to the “AGR” zone to the further east was limited.

Deliberation Session

38. 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 4.1.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

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

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

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/557 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lot 32 S.A in
D.D. 7, Tai Hang, Tai Po
(RNTPC Paper No. A/NE-KLH/557)

40. The Committee noted that a replacement page (page 7) of the Paper, rectifying the Lands Department’s comment, was tabled at the meeting for Members’ reference.

Presentation and Question Sessions

41. 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 - 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 from agricultural development point of view as there were active agricultural activities in the vicinity. The District Lands Officer / Tai Po, Lands Department (DLO/TP, LandsD) did not support the application as the footprint of the proposed Small House fell entirely outside the village ‘environs’ (‘VE’) of the concerned village. The Director of Environmental Protection (DEP) and the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) did not support/objected to the application as the applicant proposed to use septic tank and soakaway system for foul water disposal and the wastewater generated from the proposed Small House would have potential to cause water pollution to the water gathering ground (WGG). There was no information in the submission to demonstrate that the proposed development would have no adverse impacts on the water quality of the surrounding areas. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from The Hong Kong Bird Watching Society and an individual objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House development was not in line with the planning intention of the “Agriculture” (“AGR”) zone. DAFC did not support the application as the application site possessed potential for agricultural rehabilitation. DLO/TP, LandsD did not support the application as the

footprint of the proposed Small House fell entirely outside the 'VE' of the concerned village. Both DEP and CE/C, WSD did not support/objected to the application as the adoption of septic tank for foul water disposal and the wastewater generated from the proposed Small House would have potential to cause water pollution to the WGG. Regarding the Interim Criteria, more than 50% of the footprint of proposed Small House fell outside the 'VE' and the "Village Type Development" ("V") zone, and land available in the "V" zone of Tai Hang was still capable of meeting the outstanding Small House applications. It was more appropriate to concentrate the proposed Small House developments within the "V" zone for orderly development pattern, efficient use of land and provision of infrastructures and services. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

42. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the "Agriculture" zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that more than 50% of the footprint of the proposed Small House falls outside the "Village Type Development" ("V") zone and the village 'environs' of Tai Hang; there is no general shortage of

land in meeting the demand for Small House development in the “V” zone of Tai Hang; and the applicant fails to demonstrate that the proposed development located within the Water Gathering Ground would be able to be connected to the existing or planned sewerage system and would not cause adverse impact on the water quality in the area; and

- (c) land is still available within the “V” zone of Tai Hang which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services.”

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/658 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lots 161 S.A ss.6 and 162 S.A ss.5 in D.D. 19,
Tong Min Tsuen, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/658)

44. The Committee noted that a replacement page (Plan A-2a) of the Paper was tabled at the meeting for Members’ reference.

Presentation and Question Sessions

45. 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 Commissioner for Transport (C for T) had reservation on the application but considered that the application only involving the development of a Small House could be tolerated on traffic grounds. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual objecting the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone, the Director of Agriculture, Fisheries and Conservation (DACF) had no strong view against the application from agricultural development point of view. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (Interim Criteria), while land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the future Small House demand, it was capable to meet the 29 outstanding Small House applications. Notwithstanding the above, the Site was the subject of a previously approved application submitted by the same applicant with no change to the footprint and the development parameters of the proposed Small House and the subject Small House grant application had been approved and execution of the Small House grant documents was pending fulfilment of the approval conditions imposed. Sympathetic consideration could be given to the current application based on its exceptional circumstances. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

46. Members had no question on the application.

Deliberation Session

47. 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 4.1.2023, 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; and
- (c) the provision of protective measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or of the TPB.”

48. The Committee also agreed to advise the applicant 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-TK/658 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 287 in D.D. 29, Ting Kok Village, Tai Po
(RNTPC Paper No. A/NE-TK/658)

Presentation and Question Sessions

49. 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 the application site (the Site) possessed potential for agricultural rehabilitation. The District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) objected to the application as the Site fell entirely outside the village ‘environs’ (‘VE’) of the concerned village. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had strong reservation on the application as the approval of the application would set an undesirable precedent and encourage similar Small House applications at the subject “Agriculture” (“AGR”) zone, resulting in village expansion to the surrounding area and degradation of the existing agricultural landscape character along the coastal area of Ting Kok. The Commissioner for Transport (C for T) had reservation on the application but considered that the application only involved development of a Small House could be tolerated. 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, three public comments were received from The Hong Kong Bird Watching Society, World Wide Fund for Nature Hong Kong and an individual objecting the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House was not in line with the planning intention of the “AGR” zone and DAFC did not support the application. CTP/UD&L, PlanD had strong

reservation on the application as approval of the application would set an undesirable precedent to similar applications. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, land available in the “Village Type Development” (“V”) zone of Ting Kok was still capable of meeting the outstanding Small House applications. It was more appropriate to concentrate the proposed Small House developments within the “V” zone for orderly development pattern, efficient use of land and provision of infrastructures and services. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

50. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” (“AGR”) zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the current submission for a departure from the planning intention;
- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that more than 50% of the footprint of the proposed Small House falls outside the “Village Type Development” (“V”) zone and the village ‘environs’ of Ting Kok and it would cause adverse landscape impact on the surrounding area;
- (c) land is still available within the “V” zone of Ting Kok which is primarily

intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services; and

- (d) the approval of the application would set an undesirable precedent for similar applications at the subject “AGR” zone, resulting in village expansion to the south of Ting Kok Road, leading to disturbance to landscape resources in the surrounding area and degradation of the existing agricultural landscape character.”

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

Fanling, Sheung Shui and Yuen Long East District

[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 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/46	Proposed Temporary Shop and Services for a Period of 3 Years in “Village Type Development” Zone, Lot 1391 RP (Part) in D.D. 95, Ho Sheung Heung, Sheung Shui (RNTPC Paper No. A/KTN/46B)
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52. The Secretary reported that the application site (the Site) was located in Kwu Tung North area. Dr C.H. Hau had declared interest for owning a flat in Kwu Tung North.

53. The Committee agreed that Dr C.H. Hau could stay in the meeting as his property had no direct view of the Site.

Presentation and Question Sessions

54. 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) the proposed temporary shop and services for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The District Lands Officer/ North, Lands Department (DLO/N, LandsD) advised that the existing structures extended from the New Territories Exempted House (NTEH) had exceeded the dimensions prescribed under the Buildings Ordinance (Application to the New Territories) and were not acceptable under the lease concerned, and therefore the application was not supported from land management point of view. 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, three public comments were received. One comment from a general public had no comment on the application. A general public and a group of nearby villagers objected to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. Whilst selected commercial (including 'shop and services') and community uses serving the needs of the villages and in support of the village development were always permitted on the ground floor of a NTEH and other commercial, community and recreational uses might be permitted on

application to the Town Planning Board, the application site (the Site) was considered not suitable for such use by nature of its configuration and location. The Site in U-shape enclosed the adjoining NTEH by 3 sides. Closely surrounded by the adjacent houses, the Site was in fact the narrow vacant spaces among the houses serving as the passageway and breathing space for the house cluster. The Site had a small area of 53.6m², comprising three parts with a narrow width of about 0.5m to 3m. Given its small size and configuration, the Site was considered not a suitable location for provision of shop and services use. DLO/N, LandsD did not support the application from land management point of view. The proposed development of one-storey structure for store use at the existing vacant space among the village cluster was considered undesirable and should not be encouraged. Approval of the application would set an undesirable precedent for similar applications, the cumulative effect of approving such similar applications would result in a general degradation of the living environment of the village area. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

55. In response to a Member's question on whether the adjoining NTEH together with the proposed structures had already exceeded the maximum floor space requirement of NTEH, Ms S.H. Lam, STP/FSYLE said that the applicant stated that the Site did not form part of the adjoining NTEH and there was about 100mm separation between the house and the proposed structures.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Village Type Development” (“V”) zone which is to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for

development of Small Houses by indigenous villagers. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis; and

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

Agenda Items 15 and 16

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/461 Proposed House (New Territories Exempted House - Small House) in “Residential (Group D)” and “Village Type Development” Zones, Lot 409 S.AI in D.D. 94, Hang Tau Tai Po, Kwu Tung South
(RNTPC Paper No. A/NE-KTS/461 and 462)

A/NE-KTS/462 Proposed House (New Territories Exempted House - Small House) in “Residential (Group D)” and “Village Type Development” Zones, Lot 409 S.AJ in D.D. 94, Hang Tau Tai Po, Kwu Tung South
(RNTPC Paper No. A/NE-KTS/461 and 462)

57. The Committee agreed that the two s.16 applications could be considered together as they were similar in the nature, and the application sites (the Sites) were adjoining one another and falling within the same “Residential (Group D)” (“R(D)”) and “Village Type Development” (“V”) zones.

Presentation and Question Sessions

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

- (a) background to the applications;

- (b) the proposed houses (New Territories Exempted Houses (NTEHs)- Small Houses);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of the statutory publication period, five public comments were received on both applications from members of the general public. Two comments supported both applications, two comments indicated no comment on both applications and the remaining comment had raised concerns on the applications. Major views were set out in paragraph 11 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 12 of the Paper. The proposed houses (NTEH/Small Houses) would phase out the existing open storage use on the Sites and were generally in line with the planning intention of the “R(D)” zone which was primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings, and was also intended for low-rise, low-density residential developments. The proposed houses were compatible with the surrounding environmental and landscape character which was rural in nature. The proposed houses were not anticipated to cause adverse traffic, drainage, sewerage and environmental impacts on the surrounding area. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, the whole footprints of the proposed Small Houses fell within the village ‘environs’ (‘VE’) of Hang Tau and land available within the “V” zone was insufficient to meet the future Small House demand, but could meet the outstanding Small House applications. Sympathetic consideration might be given to the applications. Regarding the public comments received, the comments of government departments and

planning assessments above were relevant.

59. Members raised the following questions:

- (a) the number of applications approved within the same “R(D)” zone for Small House Development and the development intensity of “R(D)” zone;
- (b) whether the Serenity Garden to the east of the Site were NTEHs; and
- (c) why expansion of Small House development to the adjacent “R(D)” zone was considered acceptable.

60. Ms S.H. Lam, STP/FSYLE, made the following responses:

- (a) the existing “R(D)” zone was formerly zoned “Recreation” (“REC”) before 2017. There was no similar application for Small House development but two applications for proposed houses (non-NTEH) within the same “R(D)” zone had been approved. For the development intensity of “R(D)” zone, according to the Notes of the approved Kwu Tung South Outline Zoning Plan (OZP) No. S/NE-KTS/16, the maximum plot ratio restriction for ‘House’ was 0.4 but it was not applicable to NTEH development;
- (b) Serenity Garden were NTEHs which fell within the “R(D)1” zone. According to the Notes of the “R(D)1” zone, any building development should be located in the southern area and no building development (except ancillary structures) was permitted in the northern part which should be designated as a landscaped area with ancillary car parking and utility installations; and
- (c) “R(D)” zone was intended for low-rise and low-density development. As the Sites were immediately adjacent to the “V” zone and within the ‘VE’, the proposed developments could meet the Small House demand as well as the planning intention to phase out the open storage in the area.

Deliberation Session

61. Noting that the Sites were immediately adjacent to the “V” zone and within ‘VE’, while there was sufficient land available within the “V” zone to meet the outstanding Small House applications, some Members were concerned that approval of the application would set a precedent for similar applications of NTEH/Small House development which had higher development intensity than the permissible plot ratio of 0.4 for ‘House’ in the “R(D)” zone. In addition, according to Figure 2 of the planning statement in Appendix 1d of the Paper, the lot index plan indicated that the adjacent lots of the Sites had been carved out and it was likely that many more similar applications would be invited within the same “R(D)” zone if the current applications were approved.

62. In response to Members’ enquiry, Mr Edwin W.K. Chan, Assistant Director/Regional 3, Lands Department (LandsD) clarified that land within ‘VE’ was primarily reserved for Small House development. Under the current land administrative policy, unless with building entitlement, LandsD would normally not approve the land grant application for non-Small House development on an agricultural lot within ‘VE’.

63. The Chairman stated that the planning intention of “R(D)” zone was to improve and upgrade the existing temporary structures in the rural area through redevelopment of existing temporary structures into permanent buildings. It was also intended for low-rise, low-density residential developments. It was noted that over the years the phasing out of temporary structures through redevelopment was not very effective as the permitted development intensity of the said zone was low, which had not given much incentive for redevelopment. A Member added that “R(D)” zone was a dynamic zone with a view to displacing the undesirable land uses in the area, and approving the developments might positively upgrade the area as well as better utilise the Sites with higher development intensity. Another Member echoed this view and supplemented that the Government might consider increasing the development intensity of the area if infrastructural support was available.

64. A Member opined that allowing Small House development within “R(D)” zone as a tool to upgrade the area might not be desirable as Small House would be built in a very dense manner which would not help improve the living environment.

65. A Member said that it would be more cautious for the Committee to have a comprehensive picture on the areas of “R(D)” zone which overlapped with ‘VE’ of the recognized villages in the rural areas before making a decision on the applications. Other Members agreed that more information should be provided so that the Committee could better assess the implications on other applications of similar nature if the current applications were approved.

66. After deliberation, the Committee decided to defer making a decision on the applications pending the provision of information by PlanD on the areas zoned “R(D)” and falling within ‘VE’ of the recognized villages in the rural areas.

[Messrs K.K. Cheung and David Y.T. Lui left the meeting at this point.]

Agenda Items 17 and 18

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/463 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 842 (Part) in D.D.100, Hang Tau, Kwu Tung South, Sheung Shui
(RNTPC Paper No. A/NE-KTS/463 and 464)

A/NE-KTS/464 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 840 RP in D.D.100, Hang Tau, Kwu Tung South, Sheung Shui
(RNTPC Paper No. A/NE-KTS/463 and 464)

67. The Committee agreed that the two s.16 applications could be considered together as they were similar in the nature, and the application sites (the Sites) were adjoining one another and falling within the same “Agriculture” (“AGR”) zone.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the temporary private swimming pool and private garden for a Permitted House (New Territories Exempted House – Small House) for a period of three years at each of the Sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of the statutory publication period, two public comments were received from individuals on each application. The commenters indicated no comment on the applications; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied uses were not in line with the planning intention of the “Agriculture” (“AGR”) zone, temporary planning permission for swimming pool for three years within each site had been granted twice since 2012. The Director of Agriculture, Fisheries and Conservation had no strong view on the applications from agriculture point of view as the Sites were within enclosed private backyards and the potential for agricultural rehabilitation was low. The applied uses were considered not incompatible with the surrounding land uses, which were predominantly rural in nature mainly with village houses, domestic structures, active/fallow agricultural land and unused land in the vicinity. The temporary open-air swimming pools and gardens would unlikely cause adverse traffic, environmental, drainage and landscape impacts on the surrounding areas and the concerned government

departments had no adverse comment on or objection to the applications.

69. Members had no question on the applications.

Deliberation Session

70. After deliberation, the Committee decided to approve the applications on a temporary basis for a period of 3 years until 4.1.2022, each 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 4.4.2019;
- (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 4.7.2019;
- (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 4.10.2019;
- (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) and (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 application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

71. The Committee also agreed to advise each of the applicants to note the advisory clauses as set out at Appendix V of the Paper.

Agenda Item 19

Section 16 Application

[Open Meeting]

A/YL-KTN/631 Temporary Open Storage of Private Cars for a Period of 3 Years in “Open Space” and “Residential (Group D)” Zones, Lot 529 S.B (Part) in D.D. 109, Lot 644 S.A RP (Part) in D.D. 110, and Adjoining Government Land, Kam Tin Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/631A)

72. The Committee noted that the applicant requested on 31.12.2018 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.

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

meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/637 Proposed Temporary Shop and Services (Retail of Tail Lift) for a
Period of 3 Years in "Agriculture" Zone, Lot 470 in D.D. 107, Fung
Kat Heung, Yuen Long

(RNTPC Paper No. A/YL-KTN/637)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services (retail of tail lift) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the application site (the Site) possessed a potential for agricultural rehabilitation. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as the approval of the application would set an undesirable precedent of site modification prior to application and the cumulative impact of such approval would

further degrade the existing landscape quality in the surrounding area. 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, five public comments were received from the Kadoorie Farm and Botanic Garden Corporation and individuals objecting the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application, it was considered that approval of the application on a temporary basis of three years would not jeopardize the long-term planning intention of the “AGR” zone. The Site was located in the fringe of the “AGR” zone and adjoining the “Industrial (Group D)” (“I(D)”) zone to the north. The proposed use was considered not incompatible with the surrounding land uses which were predominated by open storage/storage yards, warehouses, parking of vehicles, residential dwellings/structures and vacant/unused land. Relevant departments did not have objection to or adverse comments on this application. Appropriate approval conditions were recommended to address concerns from concerned departments. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

75. Members had no question on the application.

Deliberation Session

76. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 4.1.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of landscape proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 4.7.2019;
- (g) in relation to (f) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 4.10.2019;
- (h) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.7.2019;
- (i) in relation to (h) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.10.2019;

- (j) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.7.2019;
- (k) in relation to (j) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.10.2019;
- (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;
- (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; and
- (n) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/809 Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Agriculture” Zone, Lot 1165 (Part) in D.D.106, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/809)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the application site possessed potential for agricultural rehabilitation. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, six public comments were received from nearby residents and individuals objecting the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed use was not in line with the planning intention of the “AGR” zone and DAFC did not support the application, it was considered that approval of the application on a temporary basis of three years would not jeopardize the long-term planning intention of the “AGR” zone. The proposed use was considered not incompatible with the surrounding land uses which were predominated by residential development, open storage yards, warehouses, vehicle repairing workshop, and vacant/unused land. In view of its small scale, it was unlikely that the proposed temporary shop and services would generate significant adverse traffic and landscape impacts and

environmental nuisance to the nearby residential development. Appropriate approval conditions were recommended to address concerns from concerned departments. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

79. Members had no question on the application.

Deliberation Session

80. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 4.1.2022, 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 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 tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) existing trees within the site shall be maintained at all times during the planning approval period;
- (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 4.7.2019;
- (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 4.10.2019;

- (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 4.7.2019;
- (i) in relation to (h) 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 4.10.2019;
- (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;
- (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; 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.”

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

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/810 Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lots 760 RP, 762 RP, 795 RP, 797 RP, 798, 799, 800, 801, 802 and 803 in D.D. 103, and Adjoining Government Land, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/810)

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) the temporary place of recreation, sports or culture (hobby farm) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Relevant concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, 76 public comments were received from World Wide Fund for Nature Hong Kong and members of the public objecting the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment set out in paragraph 11 of the Paper. The applied 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 on the application. It was considered

that approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “AGR” zone. The hobby farm was considered not incompatible with the surrounding areas which were rural in character. Appropriate approval conditions were recommended to address concerns from concerned departments. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

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 4.1.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. to 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 existing trees within the site shall be maintained at all times during the planning approval period;
- (d) 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 4.7.2019;
- (e) in relation to (d) 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 4.10.2019;

- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of 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 4.7.2019;
- (h) in relation to (g) 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 4.10.2019;
- (i) if any of the above planning conditions (a), (b), (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning conditions (d), (e), (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; and
- (k) 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.”

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

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/371 Temporary Goods Compartment Assembling Workshop for Light Goods Vehicle for a Period of 3 Years in “Comprehensive Development Area” Zone, Lots 625 (Part), 626 (Part), 627 (Part), 628 (Part) and 629 (Part) in D.D. 105 and Adjoining Government Land, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/371A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary goods compartment assembling workshop for light goods vehicle for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as the surrounding area was in rural landscape character and the application site (the Site) was covered with vegetation according to aerial photo taken on 13.4.2014, but was now formed with most of the vegetation removed. Approval of the application would encourage similar site modification prior to application and set an undesirable precedent for similar applications for workshop uses in the “Comprehensive Development Area” (“CDA”) zone, resulting in piecemeal development. Other concerned government departments had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, one public comment was received from a Yuen Long District Council member objecting the application without providing any reason; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The Site fell within the “CDA” zone which was for comprehensive development/redevelopment of the area for residential use with commercial, open space and other supporting facilities. The proposed use was not in line with the planning intention of the “CDA” zone. No strong planning justification had been given in the submission for a departure from the planning intention, even on a temporary basis. The surrounding areas were mainly domestic dwellings, open storage yards/warehouses and vehicle parks of which some were suspected unauthorised developments. The proposed use was considered not entirely compatible with the surrounding land uses. Whilst other concerned departments had no adverse comments on the application, CTP/UD&L, PlanD had reservation on the application. Approval of the application would encourage similar site modification prior to application and set an undesirable precedent for similar applications for workshop uses in the “CDA” zone. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

87. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Comprehensive Development Area” (“CDA”) zone, which is primarily for comprehensive development/ redevelopment of the area for residential use with commercial, open space and other supporting facilities. There is no

strong planning justification in the submission for a departure from such planning intention, even on a temporary basis; and

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

Agenda Item 24

Section 16 Application

[Open Meeting]

A/YL-NTM/378 Proposed Temporary Animal Boarding Establishment for a Period of 3 Years in “Green Belt” Zone, Lots 253 S.B RP (Part), 253 S.B ss.2, 253 S.B ss.3, 253 S.B ss.4, 253 S.B ss.5, 253 S.B ss.6, 253 S.B ss.7, 253 S.C and 254 in D.D. 104, Ngau Tam Mei , Yuen Long
(RNTPC Paper No. A/YL-NTM/378)

89. The Committee noted that the applicant’s representative requested on 12.12.2018 deferment of the consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 25

Section 16 Application

[Open Meeting]

A/YL-NTM/379 Proposed Open Storage of Chemical Products/ Dangerous Goods (LPG Cylinders) in “Open Storage” Zone, Lot 116 in D.D. 105, Mai Po Lung Road, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/379)

91. The Committee noted that the applicant’s representative requested on 14.12.2018 deferment of the consideration of the application for two months so as to allow time to clarify the concerns raised by the government departments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/534 Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Lots 3 (Part) & 4 (Part) in D.D. 105 and adjoining Government Land, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/534)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from a Yuen Long District Councilor and two members of the public objecting the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The application site (the Site) fell within the “Other Specified Uses” annotated “Comprehensive Development to Include Wetland Restoration

Area” (“OU(CDWRA)”) zone. As there was no immediate permanent development proposal at the Site, approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “OU(CDWRA)” zone. The proposed temporary shop and services use was not incompatible with the surrounding land uses, comprising mainly open storage yards, parking of vehicles and residential dwellings. Concerned departments had no objection to or no adverse comment on the application. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

94. In response to a Member’s enquiry, Ms Emily P.W. Tong, STP/FSYLE, said that the planning intention of “OU(CDWRA)” zone was to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential and/or recreational development on less environmentally sensitive areas. It was also intended to phase out existing sporadic open storage or port back-up uses on degraded wetlands. In view of the nature of the proposed development, significant adverse impacts on the area were not expected.

Deliberation Session

95. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 4.1.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 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 the site at any time during the planning approval period;
- (c) the existing tree within the site shall be maintained in healthy condition at all time during the approval period;

- (d) the provision of boundary fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 4.7.2019;
- (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 4.7.2019;
- (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 4.10.2019;
- (g) the submission 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 4.7.2019;
- (h) in relation to (g) above, the implementation of water supplies for fire fighting and fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.10.2019;
- (i) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning conditions (d), (e), (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.”

96. 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. They left the meeting at this point.]

Tuen Mun and Yuen Long West District

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

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/100 Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles Not Exceeding 5.5 Tonnes) and Ancillary Shroff for a Period of 3 Years in "Village Type Development(1)" and "Open Space" Zones and an area shown as 'Road', Lots 1677 (Part), 1684 (Part), 1685 (Part), 1687 (Part), 1688 and 1689 (Part) in D.D. 130 and Adjoining Government Land, Tsing Yick Road, Lam Tei, Tuen Mun (RNTPC Paper No. A/HSK/100A)

Presentation and Question Sessions

97. 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) the proposed temporary public vehicle park (private cars and light goods vehicles not exceeding 5.5 tonnes) and ancillary shroff for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application from the landscape planning perspective as vegetation clearance had taken place causing adverse landscape impact. The Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD) had no objection to the temporary uses at the application site (the Site), but did not support the approval period of three years. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from a member of Tuen Mun District Council supporting the application and from a private individual objecting the application. Major grounds were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Majority of the Site fell within "Village Type Development (1)" ("V(1)") zone and the remaining portion fell within "Open Space" ("O") zone and an area shown as 'Road'. The implementation programme for this part of New Development Area (NDA) was still being formulated and PM(W), CEDD had no objection to the proposed temporary uses at the Site. Approval of the application on a temporary basis would not jeopardise the long-term development of the Site. Should the application be approved, it was suggested to include an advisory clause stating that the Site might be resumed by the Government at any time during the planning approval period for the implementation of Government projects. The Site was located in an area which was predominantly occupied by village clusters, cultivated agricultural land/unused land and open storage use. The applied use was considered not incompatible with the surrounding land uses. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

98. Members raised the following questions:

- (a) whether the Committee might shorten the period of planning approval; and
- (b) the existing use of the Site.

99. Mr Simon P.H. Chan, STP/TMYLW, made the following responses:

- (a) while the applicant sought a temporary approval for three years, the Committee could grant a shorter approval period as appropriate; and
- (b) the Site was previously used as a car park and had ceased operation. The Site was generally vacant.

Deliberation Session

100. In response to Members' concern on whether a shorter approval period should be granted to avoid hindering the implementation of Government projects in the NDA, the Chairman said that an advisory clause as suggested in Appendix IV of the Paper would alert the applicant to note that the Site might be resumed at any time during the planning approval period for implementation of government projects. Since the implementation programme for the NDA was still being formulated, an approval of three years could still be considered. A Member added that a period of three years was normally granted for similar applications in this area.

101. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 4.1.2022, on the terms of the application as submitted to the TPB (TPB) and subject to the following conditions :

- “(a) no medium and 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;

- (b) 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 not exceeding 5.5 tonnes as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter/be parked on the site during the planning approval period;
- (c) no vehicle without valid license issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the 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 4.7.2019.
- (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 4.10.2019;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all time during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.7.2019;
- (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 Director of Fire Services or of the TPB by 4.10.2019;
- (j) the submission of a landscape proposal within 6 months from the date of

planning approval to the satisfaction of the Director of Planning or of the TPB by 4.7.2019.

- (k) in relation to (j) above, the implementation of the landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 4.10.2019;
- (l) 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
- (m) if any of the above planning conditions (e), (f), (h), (i), (j) or (k) 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.”

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

Agenda Item 28

Section 16 Application

[Open Meeting]

A/HSK/114 Proposed Temporary Shop and Services (Furniture Retail Shop) for a Period of 5 Years in “Government, Institution or Community” and “Village Type Development” Zones, Lots 1094 (Part), 1095 (Part), 1096 (Part) and 1097 (Part) in D.D. 124 and Adjoining Government Land, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/HSK/114)

103. The Committee noted that the applicant’s representative requested on 27.12.2018 deferment of the consideration of the application for two months so as to allow time to

prepare proposals to support the application. It was the first time that the applicant requested deferment of the application.

104. 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/TM/523

Proposed Hotel, Office and Shop and Services (Wholesale Conversion of an Existing 15-storey Industrial Building) in "Other Specified Uses" annotated "Business" Zone, East Asia Industrial Building, 2 Ho Tin Street, Tuen Mun
(RNTPC Paper No. A/TM/523C)

105. The Committee noted that the applicant's representative requested on 12.12.2018 deferment of the consideration of the application for two months in order to allow time to address the Transport Department (TD)'s comments. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including response to comments of TD. Since TD had further comments on the proposed measures for the junctions in the vicinity of the application site, the applicant needed more time to respond to the comments.

106. 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 fourth deferment and a total of eight months had been allowed for preparation of submission of further information, it was the last deferment and no further deferment would be granted.

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/330 Proposed Temporary Shop and Service (Retail of Family Goods) with Ancillary Office for a Period of 3 Years in "Recreation" Zone, Lot 2093 (Part) in D.D. 129, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/330)

Presentation and Question Sessions

107. 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) the proposed temporary shop and service (retail of family goods) with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on

the application from the landscape planning perspective. Approval of the application would likely set an undesirable precedent encouraging the applicants of other similar applications to form the site and remove the vegetation prior to obtaining planning permission, the cumulative impact of which would result in the general degradation of the rural landscape character. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, two public comments were received from a member of Yuen Long District Council and an individual objecting the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not entirely in line with the planning intention of “Recreation” (“REC”) zone, there was yet no known programme to implement the zoned use. Approval of the application on temporary basis would not frustrate the planning intention of the “REC” zone. The proposed temporary use was not incompatible with the land uses in the surrounding area, which was predominately occupied by open storage uses, vehicle parks and workshops. Whilst CTP/UD&L, PlanD had reservation on the application, there was no adverse comment from other concerned government departments and no major adverse impacts on environment, traffic and drainage were anticipated. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

108. Members had no question on the application.

Deliberation Session

109. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 4.1.2022, on the terms of the application as

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

- “(a) no operation between 7:30 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the existing vegetation on the site shall be maintained in good condition at all times during the planning approval period;
- (c) 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 4.7.2019;
- (d) in relation to (c) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.10.2019;
- (e) in relation to (d) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.7.2019;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.10.2019;
- (h) if any of the above planning conditions (a), (b) or (e) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning conditions (c), (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/578 Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years in “Green Belt” and “Village Type Development” Zones, Lots 39RP (Part), 40RP, 42 (Part), 43 S.B (Part), 43 S.C (Part), 43 S.D (Part), 43 S.E (Part), 43 S.F (Part) and 43 S.G (Part) in D.D. 122 and adjoining Government Land, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/578)

Presentation and Question Sessions

111. 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) the temporary public vehicle park for private cars and light goods vehicles for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The application site (the Site) fell within the “Green Belt” (“GB”) and “Village Type Development” (“V”) zones. Whilst the development was not entirely in line with the planning intention of the “GB” zone, the “GB” part of the Site was previously zoned “Undetermined” (“U”) before the exhibition of the then draft Ping Shan Outline Zoning Plan No. S/YL-PS/12 on 5.11.2010, and the first permission for temporary vehicle park covering the Site was granted on 6.3.1998. The development did not involve clearance of natural vegetation. The Director of Agriculture, Fisheries and Conservation had no strong view on the application from nature conservation point of view. Whilst the development was not entirely in line with the planning intention of the “V” zone, it could serve some of the parking demand of residents in the nearby villages and the locality. Approval of the application on a temporary basis for three years would not frustrate the long term planning intention of the “V” zone. The development was not incompatible with the surrounding land uses which included vehicle parks, vacant land and some village houses, elevated section of West Rail and logistics centre.

112. Members had no question on the application.

Deliberation Session

113. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 4.1.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) only private cars and light goods vehicles as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site at all times during the planning approval period;

- (c) 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;
- (d) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing landscape planting on the site shall be maintained at all times during the approval period;
- (g) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.4.2019;
- (i) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.7.2019;
- (j) in relation to (i) above, the implementation of the fire service installations proposal with 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.10.2019;
- (k) the provision of boundary fencing on the site within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 4.4.2019;

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

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

Agenda Item 32

Section 16 Application

[Open Meeting]

A/YL-TT/450 Proposed Temporary Shop and Services (Retail Shop for Plants) with Plant Nursery for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 1958 (Part), 1959 (Part) and 1960 (Part) in D.D. 119 and Adjoining Government Land, Yuen Long
(RNTPC Paper No. A/YL-TT/450)

115. The Committee noted that the applicant’s representative requested on 26.12.2018 deferment of the consideration of the application for two months so as to allow time to address comments from the Agriculture, Fisheries and Conservation Department. It was the first time that the applicant requested deferment of the application.

116. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the

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

Agenda Item 33

Section 16 Application

[Open Meeting]

A/YL-TT/451 Proposed Public Utility Installation (Package Substation) and
Excavation of Land in "Village Type Development" Zone, Government
Land in D.D. 117, Tai Tong Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TT/451)

117. The Secretary reported that the applicant was CLP Power Hong Kong Limited (CLP) which was a subsidiary of CLP Holdings Limited. The following Members had declared interests on the item:

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

118. The Committee noted that the applicant had requested deferment of consideration of the application and Mr K.K. Cheung had already left the meeting. The Committee agreed that Dr Jeanne C.Y. Ng could stay in the meeting but should refrain from participating in the discussion as her interest was direct. As Mr Stephen L.H. Liu had no involvement in the application, the Committee agreed that he could stay in the meeting.

119. The Committee noted that the applicant requested on 21.12.2018 deferment of the consideration of the application for two months so as to allow time to address departmental comments regarding the application site. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/932 Renewal of Planning Approval for Temporary “Warehouse for Storage of Non-Staple Food” for a Period of 3 Years in “Undetermined” Zone, Lots 1220 RP (Part) and 1223 RP (Part) in D.D. 119 and Adjoining Government Land, Kung Um Road, Shap Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-TYST/932)

Presentation and Question Sessions

121. Mr Steven Y.H. Siu, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) the renewal of planning approval for temporary “warehouse for storage of non-staple food” for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The application was for renewal of the planning permission under previous application No. A/YL-TYST/752 for temporary warehouse for storage of non-staple food for a period of three years at a site zoned “Undetermined” (“U”) on the Outline Zoning Plan (OZP). The applied use was not in conflict with the planning intention of the “U” zone which was generally intended for open storage use but was designated with this zoning mainly due to concerns of the capacity of Kung Um Road. The Commissioner for Transport (C for T) had no adverse comment on the application. Whilst the application site fell within an area zoned “Local Open Space” (“LO”) and an area shown as ‘Road’ on the Recommended Outline Development Plan (RODP) of Planning and Engineering Study for Housing Sites in Yuen Long South (YLS) promulgated on 8.8.2017, the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD (CE/CID, PlanD) did not raise objection to the application and the Project Manager (West) of Civil Engineering and Development Department (PM(W), CEDD) had no objection to the proposed temporary use for three years. Approval of the application on a temporary basis would not jeopardise the long-term development of the area. The applied development was not incompatible with the surrounding land uses which were mainly mixed with warehouses, open storage/storage yards, vehicle repair workshop. The application was generally in line with Town Planning Board Guidelines No. 34B in that

there had been no material change in planning circumstances since the granting of the previous approval, the approval conditions had been complied with, and the three-year approval period sought was of the same timeframe as the previous approval.

122. Members had no question on the application.

Deliberation Session

123. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 9.1.2019 to 8.1.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and statutory 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 are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services

or of the TPB by 9.4.2019;

- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.7.2019;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.10.2019;
- (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.”

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

Agenda Item 35

Section 16 Application

[Open Meeting]

A/YL-TYST/933 Proposed Temporary Shop and Services (Outdoor Motor-vehicle Showroom) for a Period of 3 Years in “Residential (Group B) 1” Zone, Lots 638 RP (Part), 638 S.A RP, 1031, 1032 S.A, S.B & S.C, 1033 S.B, 1033 S.D (Part), 1868 RP, 1868 S.A RP, 1868 S.B in D.D. 121, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/933)

125. The Committee noted that after issuance of the Paper, the applicant's representative wrote to the Secretary of Town Planning Board (the Board) on 3.1.2019 and requested the Board to defer making a decision on the application for two months so as to allow time for preparation of further information to support the application. The letter was tabled at the meeting for Members' consideration. It was the first time that the applicant requested deferment of the application.

126. 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]

A/YL/251 Proposed Office and Shop and Services in "Residential (Group A)"
Zone, 8 Yuen Long Pau Cheung Square, Yuen Long
(RNTPC Paper No. A/YL/251)

127. The Committee noted that the applicant's representative requested on 10.12.2018 and 19.12.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information in response to departmental comments. It was the first time that the applicant requested deferment of the application.

128. 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 37

Section 16 Application

[Open Meeting]

A/YL/252 Proposed Composite School and Religious Institution (Church) Development, with Minor Relaxation of Building Height Restriction in "Government, Institution or Community (1)" and "Village Type Development" Zones, Lots 1694, 1695 S.F RP and 3721 in D.D. 120, Tai Kei Leng, Yuen Long
(RNTPC Paper No. A/YL/252)

129. 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 consultation of relevant government departments and preparation of submission of further information in response to departmental comments. It was the first time that the applicant requested deferment of the application.

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

applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 38

Section 16 Application

[Open Meeting]

A/YL/253

Proposed Office cum Public Car Park with Retail Shops and Minor Relaxation of Plot Ratio Restriction in “Other Specified Uses” annotated “Public Car Park With Ground Floor Retail Shops (1)” Zone, 16 Hi Yip Street, Tung Tau Industrial Area, Yuen Long (Yuen Long Town Lot No. 443)
(RNTPC Paper No. A/YL/253)

131. The Secretary reported that Landes Limited (Landes) and T.K. Tsui Associates Limited (TKT) were two of the consultants of the applicant. The following Members had declared interests on the item:

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|-----------------|--|
| Mr Ivan C.S. Fu | - his firm having current business dealings with Landes; and |
| Mr K.K. Cheung | - his firm having current business dealings with TKT. |

132. The Committee noted that the applicant had requested deferment of consideration of the application and Mr K.K. Cheung had already left the meeting. The Committee agreed that Mr Ivan C.S. Fu could stay in the meeting as he had no involvement in the application.

133. The Committee noted that the applicant’s representative requested on 12.12.2018 deferment of the consideration of the application for two months so as to allow time for providing further information in response to departmental comments. It was the first time that the applicant requested deferment of the application.

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

[The Chairman thanked Messrs Simon P.H. Chan and Steven Y.H. Siu and Ms Bonnie K.C. Lee, STPs/TMYLW, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Agenda Item 39

Any Other Business

135. There being no other business, the meeting closed at 4:50 p.m..