

**TOWN PLANNING BOARD**

**Minutes of 619<sup>th</sup> Meeting of the  
Rural and New Town Planning Committee held at 2:30 p.m. on 18.1.2019**

**Present**

Director of Planning  
Mr Raymond K.W. Lee

Chairman

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr K.K. Cheung

Dr C.H. Hau

Miss Winnie W.M. Ng

Mr K.W. Leung

Dr Jeanne C.Y. Ng

Mr Ricky W.Y. Yu

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

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

Principal Environmental Protection Officer (Strategic Assessment),  
Environmental Protection Department  
Mr K.H. To

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

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

Secretary

**Absent with Apologies**

Mr H.W. Cheung

Vice-chairman

Mr Ivan C.S. Fu

Mr Philip S.L. Kan

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Mr L.T. Kwok

**In Attendance**

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

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

Assistant Town Planner/Town Planning Board  
Ms Andrea W.Y. Yan

**Agenda Item 1**

Confirmation of the Draft Minutes of the 618<sup>th</sup> RNTPC Meeting held on 4.1.2019

[Open Meeting]

1. The draft minutes of the 618<sup>th</sup> RNTPC meeting held on 4.1.2019 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

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

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

**Agenda Item 3**

**Section 12A Application**

[Open Meeting]

Y/NE-LK/1                      Application for Amendment to the Approved Luk Keng and Wo Hang Outline Zoning Plan No. S/NE-LK/11, to Rezone the Application Site from “Agriculture” and “Recreation” to “Comprehensive Development Area”, Various Lots in D.D. 39 and Adjoining Government Land, Ha Wo Hang, Sha Tau Kok  
  
(RNTPC Paper No. Y/NE-LK/1C)

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3.                      The Secretary reported that Landes Limited (Landes) and ESA Consulting Engineers Limited (ESA) were two of the consultants of the applicant. The following Members had declared interests on this item:

Mr Ivan C.S. Fu                      -    having current business dealings with Landes; and

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

4.                      The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting. As Mr. K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

5.                      The Committee noted that the applicant’s representative requested on 2.1.2019 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 fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

6.                      After deliberation, the Committee decided to defer a decision on the application

as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the fourth deferment and a total of eight months had been allowed including the previous deferments for the preparation of submission of further information, this was the last and no further deferment would be granted.

#### **Agenda Item 4**

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

[Open Meeting]

Y/ST/41                      Application for Amendment to the Approved Sha Tin Outline Zoning Plan No. S/ST/34, to Rezone the Application Site from "Green Belt" to "Residential (Group B) 2", Lots 59 S.A and 59 RP in D.D. 175, Sha Tin  
  
(RNTPC Paper No. Y/ST/41)

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7.                      The Committee noted that the applicant's representative requested on 21.12.2018 deferment of the consideration of the application for two months in order to allow time for preparing relevant technical assessment and responses to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

### **Sai Kung and Islands District**

#### **Agenda Item 5**

#### **Section 16 Application**

[Open Meeting]

A/SK-CWBN/48      Proposed Comprehensive Development for Residential, Commercial (Hotel, Kindergarten, Eating Place and Shop and Services) and Residential Institution Uses with Minor Relaxation of Plot Ratio, Gross Floor Area and Building Height Restrictions in “Comprehensive Development Area (2)” Zone, Lots 214 RP, 219, 220 S.A, 220 S.B, 220 RP, 224 and 226 in D.D. 229 and Adjoining Government Land, Clear Water Bay, Sai Kung  
(RNTPC Paper No. A/SK-CWBN/48B)

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9.            The Secretary reported that the application was submitted by Clear Water Bay Land Co. Limited (CWBL), Double One Limited and Coastline International Limited (CIL). ADI Limited (ADI), Ronald Lu & Partners (Hong Kong) Limited (RLP), AECOM Asia Company Limited (AECOM), LWK Conservation Limited (LWK) and MVA Hong Kong Limited (MVA) were five of the consultants of the applicants. The following Members had declared interests on this item:

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

Mr K.K. Cheung            -    his firm having current business dealings with CWBL, CIL and RLP;

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

Mr Stephen L.H. Liu - having past business dealings with LWK and RLP.

10. The Committee noted that the applicants had requested deferment of consideration of the application and Messrs Ivan C.S. Fu and Mr Stephen L.H. Liu had tendered apologies for being unable to attend the meeting. As Dr C.H. Hau and Mr K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

11. The Committee noted that the applicants requested on 7.1.2019 deferment of the consideration of the application for two months in order to allow time to address departmental comments. It was the third time that the applicants requested deferment of the application. Since the last deferment, the applicants had submitted further information to address departmental comments.

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

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

[Ms Jessica H.F. Chu, District Planning Officer/Shan Tin, Tai Po and North (DPO/STN), Mr Kenny C.H. Lau, Mr Tim T.Y. Fung, Mr Tony Y.C. Wu and Mr Feddy S.H. Leung, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

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

**Agenda Item 6**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/952                      Minor Relaxation of Gross Floor Area and Site Coverage Restrictions for Permitted Columbarium Use in “Other Specified Uses” annotated “Columbarium” Zone, The Western Part of No.1 Pau Tau Street, Sha Tin  
(RNTPC Paper No. A/ST/952B)

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13.            The Secretary reported that the application was for columbarium use at Po Fook Hill and Masterplan Limited (Masterplan) and Dennis Lau & Ng Chun Man Architects & Engineers (HK) Limited (DLN) were two of the consultants of the applicant. The following Members had declared interests on this item:

- Mr H.W. Cheung            -    being a member of the Private Columbaria Licensing Board;
  
- Mr Ivan C.S. Fu            -    being a member of the Private Columbaria Appeal Board; and having current business dealings with Masterplan; and
  
- Mr David Y.T. Lui            He owned a number of niches for his family at Po Fook Hill



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

14. The Committee noted Messrs H. W. Cheung, Ivan C.S. Fu and Stephen L.H. Liu had tendered apologies for being unable to attend the meeting, and as Mr David Y.T. Lui had no involvement in the application, the Committee agreed that he could stay in the meeting.

#### Presentation and Question Sessions

15. 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 minor relaxation of gross floor area (GFA) and site coverage (SC) restrictions for permitted columbarium use;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Commissioner for Transport (C for T) did not support the application as it was doubtful whether the applicant could reject the visitor to enter the site during Ching Ming and Chung Yeung Festivals. C for T did not concur with the applicant's views that the existing car parks nearby were not full. The columbarium niches would generate a larger number of additional picking-up or dropping-off activities which would deteriorate the traffic congestion on Pai Tau Street and the adjacent roads, especially during Ching Ming and Chung Yeung Festivals. Non-provision of additional car parking spaces, loading/unloading bay within the site might cause illegal parking and traffic congestion on the adjacent roads. It was pre-mature to say that the proposed traffic improvement proposals were justified from traffic ground, and the said proposals might not be feasible without sufficient justifications. Insufficient information was provided in the traffic impact assessment (TIA). The Commissioner of Police (C of P) considered that there was no readily available information to ascertain the traffic or crowd management impact if all 111,732 niches, including the 18,000 additional niches under

application, of the subject columbarium were fully occupied in the future. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication periods, 21 public comments were received. 20 of them from the Chairman of Sha Tin Rural Committee, Indigenous Inhabitant Representatives and villagers of Pai Tau Village and Sheung Wo Che Village, Members of Sha Tin District Council and private individuals objected to the application while there was a letter of support with 303 signatures collected. The major 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 grounds set out in paragraph 11 of the Paper. The current proposal for minor relaxation of GFA and SC restrictions to 4,738m<sup>2</sup> and 42.4% respectively to facilitate the proposed expansion of columbarium facilities with 19 new 1-storey columbarium structures was considered not incompatible with the surrounding land use context. The application which involved 18,000 new niches was expected to generate traffic and attract a large number of visitors during the peak hours of festival days. Although a TIA was submitted, C for T could not support the application as the applicant failed to demonstrate that the proposal would not have adverse traffic impact on the surrounding road networks. In addition, C of P considered that there was no readily available information to ascertain the traffic or crowd management impact if all 111,732 niches including the 18,000 additional niches of the subject columbarium were fully occupied in the future. As for the proposed traffic improvement measures, C for T considered that it was the responsibility of the applicant to justify these proposals from traffic engineering point of view and demonstrate their technical feasibility. It was pre-mature to say that the proposals were justified and feasible as the relevant issues were yet to be resolved. Other concerned departments had no objection to or no adverse comments on the application. Regarding the public comments received, the planning assessments and comments of the government departments

above were relevant.

16. In response to a Member's enquiry, Mr Kenny C.H. Lau, STP/STN, said that the further information submitted by the applicant on 7.1.2019 had been circulated to Transport Department (TD) for consideration and comment. After due consideration, TD maintained its view of not supporting the application.

#### Deliberation Session

17. Members noted that there was no similar application in the same "Other Specified Uses" annotated "Columbarium" zone but there were columbarium uses within Pai Tau area including 13 known private columbaria felling within the 'Village Environ' of the recognised villages.

18. A Member supported the recommendation of PlanD in that the additional niches would pose adverse impact on the heavily congested pedestrian links and road junctions in Sha Tin.

19. In response to a Member's question related to the applicant's suggested mitigation measure to reject visitors to enter the site during the festival periods, Mr Patrick K.H. Ho, Chief Traffic Engineer/New Territories West of TD said that it was the applicant's responsibility to demonstrate all the proposed mitigation measures would be technically feasible. After taken into account the characteristics of the area and based on its observations, TD considered that the technical feasibility of the proposed mitigation measures was in doubt.

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

“the applicant fails to demonstrate that the application would not pose adverse traffic impact on the surrounding areas.”

**Agenda Item 7**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/967                      Shop and Services (Fast Food Shop) in “Industrial” Zone, Unit A5,  
G/F, On Wah Industrial Building, 41-43 Au Pui Wan Street, Fo Tan,  
Sha Tin  
  
(RNTPC Paper No. A/ST/967)

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**Presentation and Question Sessions**

21.            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) 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 fast food shop was small in scale and considered not incompatible with the industrial and industrial-related uses in the subject industrial building and the surrounding developments. Similar applications for a range of mixed shop and services uses had been approved for other units on the ground floor of the subject building and its vicinity. The Director of Fire Services had no objection to the application subject to relevant approval conditions be

imposed. The application generally complied with the relevant considerations set out in the Town Planning Board Guidelines No. 25D including fire safety and traffic aspects. Relevant government departments had no objection to or no adverse comment on the application. Due to non-compliance with approval condition on fire service installations in the previous application and the applicants, pledge to comply with the approval condition within the specified period, shorter compliance period was proposed to monitor the progress. The applicants were advised that should they fail to comply with the approval condition again, sympathetic consideration would not be given to any further application. There had been no change in planning circumstances since the approval of the previous application. 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. No public comment was received during the statutory public inspection period.

22. Members had no question on the application.

#### Deliberation Session

23. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 18.1.2024, 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 3 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 18.4.2019;
- (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.”

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

set out at Appendix IV of the Paper.

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

### **Agenda Item 8**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-FTA/188      Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 198 S.A in D.D. 52, Sheung Shui Wa Shan,  
Sheung Shui  
(RNTPC Paper No. A/NE-FTA/188)

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

25.      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 (NTEH)- Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The Commissioner of 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. Other concerned departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, four public

comments were received. The Chairman of Sheung Shui District Rural Committee had no comment and the incumbent North District Council member supported the application, while the Hong Kong Bird Watching Society and an individual raised objections to the application. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessment set out in paragraph 11 of the Paper. The proposed Small House development was not in line with the planning intention of the “Agriculture” zone. DAFC did not support the application. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, land was still available within the “V” zone of Man Shan Village to meet the outstanding Small House applications. It was more appropriate to concentrate Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services. Regarding the adverse public comments received, comments of concerned departments and the planning assessments above were relevant.

26. Members had no question on the application.

#### Deliberation Session

27. 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 in the Fu Tei Au and Sha Ling area which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and

- (b) land is still available within the “Village Type Development” zone of Wa Shan Village where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructures and services.”

[Dr Jeanne C.Y. Ng arrived to join the meeting at this point.]

### **Agenda Item 9**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-HLH/34      Temporary Public Vehicle Park (Private Car) for a Period of 3 Years in  
“Village Type Development” Zone, Lot 231 in D.D. 83, Hung Lung  
Hang, Sheung Shui  
(RNTPC Paper No. A/NE-HLH/34)

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

28.      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 temporary public vehicle park (private car) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no adverse comment on or no objection to the application;
- (d) during the first three weeks of statutory publication period, two public comments were received from an incumbent North District Council member and the Chairman of Sheung Shui District Rural Committee and



they had no comment on the application; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for a period of 3 years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not totally in line with the planning intention of the “Village Type Development” zone, it was noted that the temporary public vehicle park was mainly to serve the local villagers for meeting their car parking needs. As advised by the District Lands Officer/North, Lands Department, no Small House application had been received for the site. Approval of the temporary car park use on a temporary basis would not frustrate the long term planning intention of the area. The temporary public vehicle park was considered not incompatible with the surrounding land uses. Relevant approval conditions were recommended to ensure that the temporary public vehicle park would not degrade the environmental quality of the surrounding rural environment. As the applicants had proposed traffic and pedestrian safety measures, significant traffic impact was not expected. Concerned government departments had no adverse comment on or no objection to the application. All of the approval conditions of previous planning application submitted by the same applicants had been complied with and there had been no material change in the planning circumstances of the area since the approval of the previous application. No adverse public comment was received against this application.

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 3 years until 18.1.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the

planning approval period;

- (b) only private car as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that only private car as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no car washing, vehicle repair, dismantling, paint spraying or other workshop activities is allowed on the site at any time during the planning approval period;
- (e) the peripheral fencing and paving of the site shall be maintained at all times during the planning approval period;
- (f) the maintenance of the existing trees and vegetation within the site at all times during the planning approval period;
- (g) the existing drainage facilities shall be properly maintained at all times during the planning approval period and rectified if they are found inadequate/ineffective during operation;
- (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 18.4.2019;
- (i) 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; and

- (j) if any of the above planning condition (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.”

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 10**

#### **Section 16 Application**

[Open Meeting]

A/NE-LYT/683      Proposed Temporary Animal Boarding Establishment and Dog Training Centre for a Period of 3 Years in “Agriculture” and “Residential (Group C)” Zones, Lot 1029 RP in D.D. 83, Lung Yeuk Tau, Fanling  
(RNTPC Paper No. A/NE-LYT/683)

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32. The Committee noted that the applicant requested on 11.1.2019 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

33. 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 11**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/684      Temporary Shop and Services (Retail Shop for Building Materials and Metalwares) for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 578 RP(Part), 579 RP(Part) and 580 RP in D.D. 83 and Adjoining Government Land, Kwan Tei, Fanling  
(RNTPC Paper No. A/NE-LYT/684)

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**Presentation and Question Sessions**

34.            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 temporary shop and services (retail shop for building materials and metalwares) for a period of three years;
- (c)    departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d)    during the first three weeks of the statutory publication period, three public comments were received. The Chairman of Sheung Shui District Rural Committee and a North District Council member indicated no comment on the application while the Indigenous Inhabitant Representative of Kwan Tei objected to the application. Major views were set out in paragraph 9.1.11 and 10 of the Paper;
- (e)    the Planning Department (PlanD)’s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The approval of the

application on a temporary basis would not frustrate the long-term planning intentions of the “Village Type Development” and “Agriculture” zones. The temporary retail shop was considered not incompatible with the surrounding land uses. Given the use, facilities and site layout of the current application were the same as those under the previous application and the mitigation measures under the previous application would continue to be fully implemented and maintained by the applicant, it was expected that the applied use would unlikely cause environmental impact. Concerned government departments had no objection to or no adverse comment on the application. The developments complied with the Town Planning Board Guidelines No.34B as there had been no material change in the planning circumstances of the area since the approval of the last application. Approval of the current application was in line with the Committee’s previous decisions. Regarding the adverse local comments, government departments’ comments and planning assessments above were relevant.

35. Members had no question on the application.

#### Deliberation Session

36. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.1.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the environmental mitigation measures implemented on the site, as proposed by the applicant, shall be maintained properly at all times during the approval period;
- (c) the existing trees and vegetation within the site shall be maintained properly at all times during the approval period;

- (d) the setback of the eastern and northern boundary of the site to provide clearance of 3.5m from the crest of the Kwan Tei River embankment to the satisfaction of the Director of Drainage Services or of the TPB;
- (e) the existing drainage facilities implemented on the site shall be maintained properly at all times during the planning approval period;
- (f) 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 18.4.2019;
- (g) the submission of proposals for 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 18.7.2019;
- (h) in relation to (g) above, the implementation of proposals for 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 18.10.2019;
- (i) the submission of run-in/out proposal within 6 months from the from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 18.7.2019;
- (j) in relation to (i) above, the implementation of run-in/out proposal within 9 months from the from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 18.10.2019;
- (k) if the above planning condition (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (f), (g), (h), (i) or (j) is not complied

with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

## **Agenda Item 12**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/606      Renewal of Planning Approval for Temporary Warehouse (for Storage of Tools Related to Engineering Works of Overhead Cables) and Dog Kennel for a Period of 3 Years in “Open Storage” Zone and an area shown as ‘Road’, Lots 2197 S.A (Part) and 2195 RP (Part) in D.D.76 and Adjoining Government Land, Kwan Tei North Village, Fanling (RNTPC Paper No. A/NE-TKL/606)

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### **Presentation and Question Sessions**

38. 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 renewal of planning approval for temporary warehouse (for storage of tools related to engineering works of overhead cables) and dog kennel for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public

comments were received from a North District Council member and the Chairman of Sheung Shui District Rural Committee who had indicated no comment on the application; and

- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The site partly fell within an area shown as 'Road' and as advised by Project Manager (New Territories East), Civil Engineering and Development Department, there was no development programme for the road project, i.e. Road 2. Hence, approving the application on a temporary basis would not frustrate the long-term implementation of the road project. The development was considered not incompatible with the surrounding land uses. Concerned departments had no objection to or no adverse comment on the application. Relevant approval conditions had been recommended to alleviate any potential environmental impact. The application generally complied with the Town Planning Board Guidelines No. 34B as there had not been any material change in planning circumstances since the approval of the last application. All the approval conditions for the last application had been complied with. No local objection was received.

39. Members had no question on the application.

#### Deliberation Session

40. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 2.3.2019 until 1.3.2022, 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. from Mondays to Saturdays, as proposed by the applicant, should be allowed on the site during the planning approval period;



- (b) no operation on Sundays and public holidays, as proposed by the applicant, should be allowed on the site during the planning approval period;
- (c) no dismantling and workshop activities should be carried out on the site at any time during the planning approval period;
- (d) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container vehicle, as defined in the Road Traffic Ordinance is allowed for the operation of the site at any time during the planning approval period;
- (e) the existing trees and landscape planting on site shall be maintained at all times during the planning approval period;
- (f) the submission of drainage proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 2.9.2019;
- (g) in relation to (f) above, the implementation of drainage proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 2.12.2019;
- (h) the submission of proposals for water supplies for fire-fighting and fire service installations within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 2.9.2019;
- (i) in relation to (h) above, the implementation of proposals for water supplies for fire-fighting and fire service installations within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 2.12.2019;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby

given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

### **Agenda Item 13**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

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

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

Mr Ivan C.S. Fu - being a shareholder and a Director of LWK;  
and having current business dealings with

SHK, AECOM and ARUP;

- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Company (1933) Ltd. (KMB) and SHK is one of the shareholders of KMB;
- Mr K.K. Cheung - his firm having current business dealings with SHK and ARUP;
- Dr C.H. Hau - having current business dealings with AECOM;
- Mr Stephen L.H. Liu - having past business dealings with SHK, LD and LWK;
- Mr Ricky W.Y. Yu - his firm having current business dealings with LD; and
- Ms Jacinta Woo - her spouse being a Group Director of P&T.

43. The Committee noted that Messrs. Ivan C.S. Fu and Stephen L.H. Liu had tendered apologies for being unable to attend the meeting. As the interest of Miss Winnie W.M. Ng was direct, the Committee agreed that she should leave the meeting temporarily for this item. As Dr C.H. Hau, Messrs K.K. Cheung and Ricky W.Y. Yu had no involvement in the application, and as the interest of Ms Jacinta Woo, as Secretary, was remote, the Committee agreed that they could stay in the meeting.

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

#### Presentation and Question Sessions

44. Mr Tony Y.C. Wu, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) the proposed comprehensive residential and commercial development with government, institution or community facilities and minor relaxation of gross floor area (GFA) and building height (BH) restrictions;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, a total of 1,605 public comments were received. 939 comments supported the application while 666 comments including one member each of Sha Tin and Tai Po District Councils, Hong Kong Baptist Theological Seminary, Sai Kung Planning Concern Front, Kadoorie Farm and Botanic Garden, Land Justice League, Designing Hong Kong, Green Sense, Hong Kong Birds Watching Society, The Hong Kong and China Gas Company Limited, a lot owner of Tai Tung Wo Liu Village and individuals objected to/had concern on the application. The major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Compared with the last approved application No. A/NE-SSH/61-2, the current application largely retained the major development components, layout and block orientation with an increase in development intensity and additional public facilities. The proposed development was generally in line with the planning intention of the “Comprehensive Development Area” (“CDA”) zone. With appropriate development intensity and scale, the proposed development was considered not incompatible with the surrounding areas. The proposed increase of 4,570 units would help contribute to providing more flats to address the housing shortage in Hong Kong. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD advised that the proposed development arranged in building clusters with building separation had adopted variation in BH (stepping BH profile descending from the hillside to the shorefront) and

maximized setback distance from the village developments. On this basis, the proposed development would not induce significant adverse visual nor air ventilation impacts. CTP/UD&L, PlanD had no objection to the application as adverse impact arising from more trees to be felled at the site would be mitigated by the increased number of compensatory trees. To cater for the latest forecast of transport needs, two transport interchanges were proposed at Sites A and B, which would be opened for all members of the public 24 hours a day free of charge under management and maintenance by the proposed development. With various upgrading works and mitigation measures, the proposed comprehensive development with minor relaxation in GFA and BH restrictions would not create adverse traffic, fire safety, environmental and sewerage impacts on the surrounding areas according to the various assessments conducted by the applicant. Relevant government departments had no objection to or no adverse comments on the application. Relevant approval conditions on nature conservation, traffic and transport, environment, sewerage, drainage, water supply, slope safety, fire safety and heritage were suggested. Additional public facilities were proposed by the applicant to serve the community needs. Regarding the public comments received, planning assessments and departmental comments above were relevant.

#### *Development Site Boundary*

45. Noting that application site boundary and proposed development site boundary were shown on the Drawings of the Paper, a Member asked the differences between those boundaries. In response, Mr Tony Y.C. Wu, STP/STN, explained that the application site boundary comprised the three development sites (i.e. Site A, Site B and Site C) and the proposed Sai Sha Road widening work area, which were mainly on government land. As for the proposed development site boundary, it excluded the areas for the Sai Sha Road widening area and the areas reserved for a sewage pumping station near Tseng Tau Village, which would be handed over to the Government for maintenance and operation upon completion.

46. In response to a Member's enquiry on whether the proposed development would

be fenced off upon completion, Ms Jessica H.F. Chu, DPO/STN, said that there was no information submitted regarding the detailed design of fences/boundary wall of the proposed development as the proposed master layout plan indicated the general development layout only. Notwithstanding that, access gates were proposed in various locations along the site boundary as linkages with the surrounding coastal areas and to allow public's access to the eco-trails and some of the conserved woodlands in the site.

*Planning Aspect*

47. A Member raised the following questions:

- (a) the Government policy on increasing the development intensity for residential developments;
- (b) whether the proposed relaxation of various development restrictions was mainly caused by the increase in GFA or the site area;
- (c) the differences between the proposed scheme and the last approved scheme in terms of development parameters, layout and supporting facilities; and
- (d) noting that there was an increase in BH of about 30% in terms of number of storey and 15% in terms of mPD, whether there was an adopted standard to determine if the proposed BH was acceptable and whether there was any development with similar BH in the New Territories.

48. Ms Jessica H.F. Chu, DPO/STN, made the following responses:

- (a) as stated in the 2014 Policy Address (paragraph 122 of the Policy Address), the Government considered it feasible to generally increase the maximum domestic plot ratio (PR) permitted for the less densely populated areas in the territory by around 20% with due consideration to factors such as traffic and infrastructural capacities, local characteristics, existing development intensity and the various possible impacts on the areas concerned. Since then, the development intensity of several government and private projects

had been increased and some of these projects had gone through the Committee's scrutiny. As such, it was not unprecedented for relaxation of GFA/PR to increase the housing supply;

- (b) the proposed relaxation of development restrictions for the subject application was mainly caused by an increase in domestic PR of 20%, not the site area;
- (c) the proposed scheme retained the major development components, layout and block orientation as compared with the last approved scheme. The main differences were an increase in GFA and BH and provision of two transport interchanges as well as offering a welfare centre and two reserved school sites; and
- (d) in general, each application would be considered on a case-by-case basis. There was no fixed criterion for determining the extent of BH relaxation that would be accepted. In this case, the applicant had proposed to increase the BH of the residential towers to accommodate the increase in additional GFA and residential units. In order to reduce the increase of BH, the applicant had proposed to locate part of the proposed carpark in the basement levels. A Visual Impact Assessment was submitted to demonstrate the proposed development would not create adverse visual impact. Furthermore, a stepped BH profile with BH of the residential blocks ranging from 131mPD to 147mPD was adopted in the application. Taken into account the above considerations, as well as the topography and the height of the backdrop of Ma On Shan Country Park, the proposed increase in BH was considered acceptable from visual point of view. Besides, BH of the existing developments to the further west of the site, such as Double Cove at Ma On Shan, were similar to that proposed in this application.

#### *Traffic Aspect*

49. In response to Members' enquiry, Ms Jessica H.F. Chu, DPO/STN, said that a

total of 2,415 residential parking spaces, 230 visitor parking spaces, as well as motorcycle and loading and unloading bays would be provided at the site to serve the residential development. Members asked why the number of flats was increased by 4,570 but the number of residential parking spaces was reduced by 266. Mr Patrick K.H. Ho, Chief Traffic Engineer/New Territories West, Transport Department (CTE/NTW,TD) said that the provision of the car parking spaces was based on the standards set out in the Hong Kong Planning Standards and Guidelines (HKPSG) and various factors had been taken into account, including but not limited to, the average flat size of the proposed development. The average flat size of the current scheme had been substantially reduced to 56.65m<sup>2</sup> (from 90.99m<sup>2</sup>).

50. In response to a Member's enquiry, Ms Jessica H.F. Chu, DPO/STN, said that Sai Sha Road would be upgraded to a dual 2-lane carriageway upon completion of the proposed road widening works. Mr Patrick K.H. Ho, CTE/NTW,TD, supplemented that the capacity of Sai Sha Road upon completion of road widening works was considered adequate to cater for the additional traffic generated by the proposed residential units.

51. The Chairman and some Members asked apart from widening of Sai Sha Road, whether there was any transport facilities proposed to cater for the additional residential units and the commercial GFA, and whether the nearby roads and junctions would have adequate capacity to cater future traffic demand generated from the proposed development. Ms Jessica H.F. Chu, DPO/STN, said that two public transport interchanges (PTI) with bus and minibus as well as taxi services were proposed at Sites A and B for public use 24 hours a day free of charge. Mr Patrick K.H. Ho, CTE/NTW,TD, supplemented that the provision of PTIs would encourage the use of public transport services instead of private transport and thus lighten the traffic demand to the nearby roads and junctions.

52. In response to a Member's enquiry, Mr Patrick K.H. Ho, CTE/NTW,TD advised that modal split was one of the factors in assessing traffic impact. Based on the traffic impact assessment (TIA) submitted by the applicant, higher traffic flow was observed at Sai Sha Road heading towards Ma On Shan than those heading towards Sai Kung during peak hours. With support of relevant data, it was considered that the proposed development would not cause adverse traffic impact on the surroundings.

53. In response to Members' enquires, Ms Jessica H.F. Chu, DPO/STN advised that



the distance between the site and Wu Kai Sha MTR station was about 2.5km. With the completion of the Sha Tin to Central Link in the near future, the 8-car train, upgraded signal system and new railway line would enhance the carrying capacity of the railway network. There would be no particular problem on the capacity of the Ma On Shan Line.

#### *Environmental and Ecological Aspect*

54. In response to a Member's question that whether the current scheme would be a subject to the Environmental Impact Assessment Ordinance (EIAO) noting that the site was close to country park, Mr K.H. To, Principal Environmental Protection Officer (Strategic Assessment) of the Environmental Protection Department (PEPO(SA), EPD), said that most of the projects listed under the EIAO as designated projects which would be subject to the EIAO were large scale infrastructure projects such as airport, railway, highways, port development, new town development etc. However, for protection of ecological sensitive areas such as country park, a project involving reclamation works more than 1 hectare in size or a land borrow area of more than 50000cu.m, and a boundary of which was less than 500m from the nearest boundary of an existing or planned country park would be listed as a designated project. Mr K.H. To advised that the subject scheme was not a designated project under EIAO and the environmental assessment submitted by the applicant was considered acceptable from environmental protection point of view.

55. In response to a Member's enquiry on the importance of the natural stream at the site (i.e. Tai Tung Wo Liu), Ms Jessica H.F. Chu, DPO/STN said that as advised by Agriculture, Fisheries and Conservation Department, although Tai Tung Wo Liu was not classified as an ecological important stream, it was of high ecological value. The applicant had suggested that a 20m wide ecological buffer zone would be designated on each side of the Tai Tung Wo Liu Stream in Sites A and C for preservation and enhancement of the ecological value of the stream. Relevant approval condition was recommended to monitor provision and implementation of such proposal.

#### *Public Facilities*

56. Members noted that two primary school sites were reserved at Site C. In response to a Member's enquiry, Ms Jessica H.F. Chu, DPO/STN, said that provision of

secondary schools was adequate in the district, while kindergartens were proposed at Sites A and B. As for private clinics, it could be provided in the proposed shopping malls within the site.

#### *Land Lease*

57. In response to a Member's enquiry on the comments from the District Lands Officer/Tai Po, Lands Department (LandsD), Ms Jessica H.F. Chu, DPO/STN, said that land exchange for the site based on the previous approved scheme had been executed. If the current application was approved, the applicant was required to apply to LandsD for lease modification/land exchange.

#### Deliberation Session

#### *Landscape and Ecological Aspect*

58. A Member had no comment on approving the application but expressed concern that the proposed landscape proposal could not satisfactorily compensate the habitat loss due to the impacts caused by felling of trees, especially those in the woodlands. The same Member also raised the concern that relevant government departments did not pay enough attention to ecological compensation following the urban forestry concept in assessing the landscape impact. Tree compensation solely in terms of quantity was not sufficient to address the impact on habitat loss.

59. In response, the Chairman suggested to convey the Member's concern to the CTP/UD&L, PlanD that more consideration should be given to ecological compensation in assessing landscape proposals and to liaise with the Greening, Landscape and Tree Management Section of the Development Bureau in this regard.

#### *Traffic Aspect*

60. In view of the substantial increase in the number of residential units, some Members cast doubt on the decrease in the number of residential car parking spaces and considered that the provision of car parking spaces was insufficient despite it had met the

standards set out in HKPSG. A Member commented that the standard for residential car parking spaces should also take into account the location and characteristics of the development. Another Member shared the same view and said that a higher level of private car ownership was anticipated as the residents would likely come from higher income groups given the location of the site. However, a Member highlighted that due to the relatively small flat size of an average of 56.65m<sup>2</sup>, the residents might not come from the higher income group. A Member was of a view that it would be more desirable to locate the carpark at basement levels. Members generally agreed that if the application was to be approved, relevant approval conditions should be imposed to ensure that the provision of car parking spaces was sufficient to meet the demand of residents and the public. Some Members had different views as to whether the said approval condition should be monitored by TD, which did not raise objection to the applicant's proposal from traffic point of view. After some discussion, the Committee agreed that it would be more appropriate to follow the general practice to require TD to monitor approval conditions related to the transport aspect and Members' concerns on car parking standards could be conveyed to TD separately via a letter so that it could take Members' view into account when assessing the applicant's submissions for compliance of the relevant approval conditions.

61. The Committee noted that the PTIs were generally located below the ground level in order to provide more at-grade landscaping treatments.

#### *Public Facilities*

62. A Member had doubt about whether the public facilities proposed at the site could sufficiently meet the demands in Ma On Shan district and considered that more public facilities should be provided given the large scale of the proposed development. The Chairman drew Members' attention that comparing to the last approved scheme, two PTIs, two schools sites and a welfare centre comprising district support centre for persons with disabilities, residential care home for the elderly cum day care unit, neighbourhood elderly centre and special child care centre would be provided at the site. Members also noted that concerned government departments had been consulted in respect of the incorporation of suitable public facilities into the application site. While supporting the application, a Member opined that more medical facilities should be provided.

63. In response to a Member's comments on the design of the welfare centre, the Chairman said that an approval condition was recommended to ensure the design and provision of such facilities would be to the satisfaction of the Director of Social Welfare.

#### *General Design*

64. A Member supported the application, noting the applicant's efforts over the years to develop the site in a comprehensive manner. The Member also opined that further consideration should be given to the design of boundary fencing to create a more a welcoming community and environment.

#### *Approval Conditions*

65. While Members in general considered that approval could be given to the application, the Chairman invited Members to go through the suggested approval conditions set out in paragraph 12.2 of the Paper.

66. Members agreed that in addition to including an approval condition related to car parking spaces as earlier discussed, an approval condition requiring submission of a revised TIA should be included correspondingly.

67. In response to a Member's enquiry about the different approving authorities for tree preservation-related issues in approval conditions (c) and (l), the Secretary explained that as a general practice, an approval condition on submission of Landscape Master Plan including tree preservation scheme to the satisfaction to the Director of Planning (D of Plan) or the TPB would be imposed if the application site was within "CDA" zone (i.e. approval condition (c)). Approval condition (l) was to the satisfaction of the Director of Agriculture, Fisheries and Conservation Department as it was concerned about the tree preservation near the ecological stream buffer zone. In view of a Member's comments related to woodland compensation, the Secretary suggested that approval condition (m) could be revised to include the requirement on woodland compensation.

68. To address some Member's concern, the Secretary said that revision could be made to approval condition (c) to incorporate requirement on the design of site boundary

treatment to the satisfaction of D of Plan.

69. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 18.1.2023, 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 a revised Master Layout Plan (MLP), taking into account approval conditions (b) to (g) and (j) to (z) below, to the satisfaction of the Director of Planning or of the TPB;
- (b) the building heights for the proposed development (in terms of mPD) shall not exceed the maximum building heights as proposed by the applicant;
- (c) the submission and implementation of a Landscape Master Plan including a tree survey, a tree preservation scheme and site boundary treatment to the satisfaction of the Director of Planning or of the TPB;
- (d) the submission and implementation of the eco-trail proposal to the satisfaction of the Director of Planning or of the TPB;
- (e) the design and implementation of improvement works on the vehicular access road network for the proposed development and the adjoining villages, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (f) the design and provision of parking spaces and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB;
- (g) the submission and implementation of revised Traffic Impact Assessment including the mitigation measures to the satisfaction of the Commissioner for Transport or of the TPB;

- (h) the implementation of the modification of the roundabout of Sai Sha Road/Nin Wah Road/Nin Fung Road, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (i) no occupation of the residential development, except for 600 dwelling units prior to the completion of the Sai Sha Road widening project, subject to the implementation of traffic improvement measures recommended in the revised Traffic Impact Assessment to the satisfaction of the Commissioner for Transport or of the TPB;
- (j) the design and provision of two public transport interchanges, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (k) the submission of an environmental assessment for the proposed development and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (l) the submission of a sewerage impact assessment and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (m) the submission of a hazard review with respect to the risk due to liquid chlorine storage at the Ma On Shan Water Treatment Works, and the implementation of the risk mitigation measures identified therein before any population intake at the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;
- (n) the design (including the submission of detailed tree preservation and planting proposal) and provision of a 20m ecological stream buffer zone along each side of Tai Tung Wo Liu Stream to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;

- (o) the submission of a revised ecological impact assessment including woodland compensation taking into account the revised MLP and the implementation of the mitigation measures identified therein, to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;
- (p) the diversion of water mains to be affected by the proposed development, as proposed by the applicant, to the satisfaction of the Director of Water Supplies or of the TPB;
- (q) the submission of a water supply impact assessment and the implementation of upgrading works identified therein, as proposed by the applicant, to the satisfaction of the Director of Water Supplies or of the TPB;
- (r) the submission of a natural terrain hazard study and the implementation of the mitigation measures identified therein, as proposed by the applicant, to the satisfaction of the Director of Civil Engineering and Development or of the TPB;
- (s) the submission of a drainage impact assessment and the implementation of mitigation measures identified therein to the satisfaction of the Director of Drainage Services or of the TPB;
- (t) the provision of fire fighting access, water supplies for fire fighting and fire services installations to the satisfaction of the Director of Fire Services or of the TPB;
- (u) the submission of the Further Archaeological Impact Assessment and the implementation of mitigation measures identified therein to the satisfaction of the Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Office or of the TPB;

- (v) the provision of public car park of not less than 160 car parking spaces, 20 coach parking spaces and two light bus lay-bys in the adjoining “Government, Institution or Community” zone near Tseng Tau Village to the satisfaction of the Commissioner for Transport or of the TPB;
- (w) the provision of no less than 8,000m<sup>2</sup> of public open space facilities in the “Open Space” and “Comprehensive Development Area” zones near Tseng Tau Village, and the management of this open space which should be kept open daily for public use, as proposed by the applicant, to the satisfaction of the Director of Leisure and Cultural Services or of the TPB;
- (x) the formation and surrender of two sites adjacent to Che Ha Village, each of about 6,200m<sup>2</sup> with a minimum width of 65m for building two primary schools, upon the demand of the Government, to the satisfaction of the Secretary for Education or of the TPB;
- (y) the design and provision of social welfare facilities in the “Government, Institution or Community” zone near Tseng Tau Village to the satisfaction of the Director of Social Welfare or of the TPB; and
- (z) the submission of an implementation programme, with phasing proposals to tie in with the completion of both major infrastructural facilities serving the proposed development and the traffic improvement measures, to the satisfaction of the Director of Planning or of the TPB.”

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

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

### General Discussion

71. As a general issue, in response to a Member’s view on the voluminous documents of the applicant’s submissions, the Chairman said that appropriate revisions could



be made to the relevant guidance notes/forms to encourage electronic submissions for planning applications.

[Messrs David Y.T. Lui and Patrick K.H. Ho, CTE(NTE),TD, left the meeting at this point.]

**Agenda Item 14**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TT/7                    Proposed House (New Territories Exempted House - Small House) in  
“Green Belt” Zone, Government Land in D.D. 289, Ko Tong, Tai Po  
(RNTPC Paper No. A/NE-TT/7)

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**Presentation and Question Sessions**

72.            Mr Tony Y.C. Wu, 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 10 and Appendix IV of the Paper. The District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) had reservation on the application since there were ongoing complaints against the unauthorized track and the applicant could not demonstrate how he could make proper access to the site. The Commissioner for Transport (C for T) had reservation on the application as the cumulative adverse traffic impact of similar developments could be substantial but considered that the proposed development involving one house only could be tolerated. The Director of Agriculture, Fisheries and Conservation (DAFC) advised that the site was on government land that had been degraded by unauthorized

activities, it was more appropriate to allow natural regeneration to take place to facilitate ecological restoration. DAFC had reservation on the application as approval of the application might set an undesirable precedent for similar illegal acts of environmental damage on government land. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) considered that the proposed Small House was incompatible with the surrounding environment as the site was situated in an area of rural landscape character comprising an extensive hillside woodland which linked with the Sai Kung West Country Park to its west. Adverse landscape impacts due to the proposed use were also expected. Other government departments consulted had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, five comments objecting to the application were received from Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Designing Hong Kong and two individuals. The major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed Small House development was not in line with the planning intention of the “Green Belt” (“GB”) zone and was incompatible with the surrounding environment. The site and its vicinity had undergone extensive unauthorized felling of trees and vegetation removal. Approval of the application would set an undesirable precedent for similar vegetation removal prior to obtaining planning permission. DAFC also had reservation on the application and considered it more appropriate to allow natural regeneration to take place on the site to facilitate ecological restoration. DLO/TP, LandsD advised that there were ongoing complaints against this unauthorized track, and the applicant could not demonstrate how he could make proper access to the Site. C for T also had reservation on the application but considered that the proposed development involving one house only could be tolerated. Other government departments had no

objection to or no adverse comment on the application. Land was still available within the “Village Type Development” zone of Ko Tong Village for Small House development. The application did not meet the Interim Criteria in that the proposed development would cause adverse landscape impact on the surrounding area. The application also did not meet the Town Planning Board Guidelines No. 10 as the proposed Small House would affect the existing natural landscape. Regarding the public comments received, the comments from concerned government departments and the planning assessment above were relevant.

73. In response to a Member’s enquiry, Mr Tony Y.C. Wu, STP/STN, said that the house to the immediate south of the site was under construction and the land grant of the house had been executed before the site was covered by any statutory plan. The construction work of the house had been suspended and the lot owner had submitted a planning application for the Small House (application No. A/NE-TT/8) which would later be submitted for the Committee’s consideration. As for the two houses to the west of the site, the land grant was yet to be executed, which was similar to the status of the proposed small house of this application.

#### Deliberation Session

74. 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 “Green Belt” (“GB”) zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention of the “GB” zone;
- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small

House in New Territories in that the proposed development would cause adverse landscape impact on the surrounding area;

- (c) the proposed development does not comply with the Town Planning Board Guidelines No. 10 for Application for Development within “GB” zone under section 16 of the Town Planning Ordinance in that the proposed development would affect the existing natural landscape; and
- (d) the approval of the application would set an undesirable precedent for similar applications in the area. The cumulative effect of approving such applications would result in adverse impacts on the natural environment and landscape character of the area.”

### **Agenda Items 15 and 16**

#### **Section 16 Applications**

[Open Meeting]

A/NE-KLH/558 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 310 S.D and 311 S.A in D.D. 9, Kau Lung Hang Village, Tai Po  
(RNTPC Paper No. A/NE-KLH/558 and 559)

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A/NE-KLH/559 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 310 S.E and 311 S.B in D.D. 9, Kau Lung Hang Village, Tai Po  
(RNTPC Paper No. A/NE-KLH/558 and 559)

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75. The Secretary reported that the application sites were in Tai Po. Mr H.W. Cheung had declared an interest on the items as he owned a property in Tai Po Market. The Committee noted that the applicants had requested deferment of consideration of the applications and Mr H.W. Cheung had tendered apology for being unable to attend the meeting.

76. The Committee noted that the applicants’ representatives requested on

28.12.2018 deferment of the consideration of the applications for two months so as to allow time for preparation of further information in support of the applications. It was the first time that the applicants requested deferment of the applications.

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

### **Agenda Item 17**

#### **Section 16 Application**

[Open Meeting]

A/NE-KLH/560 Proposed Temporary Private Car Park for a Period of 3 Years in  
“Agriculture” Zone, Lot 645 RP in D.D. 9, Yuen Leng, Tai Po  
(RNTPC Paper No. A/NE-KLH/560)

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78. The Secretary reported that the application sites were in Tai Po. Mr H.W. Cheung had declared an interest on the items as he owned a property in Tai Po Market. The Committee noted that the applicant had requested deferment of consideration of the applications and Mr H.W. Cheung had tendered apology for being unable to attend the meeting.

79. The Committee noted that the applicant requested on 8.1.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental and public comments. It was the first time that the applicant requested deferment of the application.

80. 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 18**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/660            Proposed House (New Territories Exempted House - Small House) in  
                                 "Green Belt" Zone, Government Land in D.D. 28, Lung Mei, Tai Po  
                                 (RNTPC Paper No. A/NE-TK/660)

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

81. Mr Feddy S.H. Leung, 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 at paragraph 10 and Appendix V of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L,

PlanD) had reservation on the application as the site was located immediate next to the existing woodland. The approval of the application would encourage similar Small House developments within the “Green Belt” (“GB”) zone, the cumulative effect of such would cause general degradation of the surrounding environment and undermine its function to contain urban sprawl. 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 unless it was rejected on other 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, three public comments from the Hong Kong Bird Watching Society, World Wide Fund for Nature Hong Kong and an individual were received objecting to the application. The major objection grounds were set out in paragraph 11 of the Paper; and
- (e) PlanD’s views – PlanD did not support the application based on the assessment set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of “GB” zone. CTP/UD&L, PlanD had reservation on the application as the site was located immediate next to the existing woodland. The land available within the “Village Type Development” (“V”) zone for Small House development was capable to meet the outstanding Small House applications. It was 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. The proposed development also did not comply with the Town Planning Board Guidelines No. 10 in that the proposed development involving clearance of existing natural vegetation would result in deterioration of landscape quality in the subject “GB” zone. Previous application, review and appeal were rejected/ dismissed. There had been no major change in the planning circumstances since the rejection of the previous application. Regarding the adverse public comments received, planning assessments

and comments of the government departments above were relevant.

82. In response to a Member's enquiry, Ms Jessica H.F. Chu, DPO/STN, and Mr Feddy S.H. Leung, STP/STN, explained that approval of similar applications was due to special circumstances and should not be used as justification for the current application. The Chairman supplemented that the Town Planning Appeal (No. 1/2016) was dismissed by the Town Planning Appeal Board on 22.3.2017. There had been no change in planning circumstances since then. As such, PlanD did not support the application as recommended in the Paper.

83. In response to a Member's enquiry regarding an approved planning application (No. A/NE-TK/425), Ms Jessica H.F. Chu, DPO/STN, advised that the planning application was approved before the Board's adoption of a more cautious approach in approving Small House planning applications and the Small House grant application had been approved by the Lands Department, pending construction.

#### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone;
- (b) the proposed development does not comply with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “Green Belt” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would affect the existing natural vegetation and the existing natural landscape on the surrounding environment;
- (c) the proposed development does not comply with the Interim Criteria for



Consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse landscape impacts on the surrounding areas; and

- (d) land is still available within the “Village Type Development” (“V”) zone of Lung Mei and Tai Mei Tuk which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

[Dr C.H. Hau left the meeting at this point.]

### **Agenda Item 19**

#### **Section 16 Application**

[Open Meeting]

A/TP/652                      Religious Institution and Columbarium with Ancillary Quarters in “Green Belt” Zone, Lot 1171 (part) in D.D. 6 and Adjoining Government Land, Shek Lin Road, Shek Kwu Lung, Tai Po  
(RNTPC Paper No. A/TP/652B)

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85.            The Secretary reported that the application was for religious institution and columbarium with ancillary quarters while the application site was in Tai Po. The following Members had declared interests on this item:

Mr H.W. Cheung            -    being a member of the Private Columbaria Licensing Board and owning a property in Tai Po Market; and

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

86.            The Committee noted that the applicant had requested deferment of consideration

of the application and Messrs H.W.Cheung and Ivan C.S. Fu had tendered apologies for being unable to attend the meeting.

87. The Committee noted that the applicant's representative requested on 21.12.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address comments from the Transport Department and Food and Environmental Hygiene Department. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted a traffic impact assessment.

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

## **Agenda Item 20**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/661                      Proposed House (Redevelopment) in "Green Belt" Zone, Lot 2087 in  
D.D. 6, Pun Chun Yuen Road, Tai Po  
(RNTPC Paper No. A/TP/661)

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89. The Committee noted that a replacement page (page 11 of the Paper) for rectifying an editorial error in the Paper was tabled for Members' reference.

90. The Secretary reported that the application site was in Tai Po and Mr H.W. Cheung had declared an interest on the item as he owned a property in Tai Po Market. The Committee noted that Mr H.W. Cheung had tendered apology for being unable to attend the meeting.

#### Presentation and Question Sessions

91. Mr Feddy S.H. Leung, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed house (redevelopment);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received. The major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not in line with the planning intention of “Green Belt” zone, the proposed redevelopment was considered in compliance with Town Planning Board Guidelines No. 10 in which redevelopment of existing residential development would generally be permitted up to the intensity of the existing development. The proposed development was not incompatible with the surrounding environment. Concerned government departments had no objection to or no adverse comment on the application. Regarding the concerns raised in the public comment, government departments' comments and the planning assessments above were relevant.

92. In response to a Member's enquiry about the previous building plan (BP) submission which was rejected by the Building Authority (BA), Mr Feddy S.H. Leung, STP/STN said that BA's rejection was not related to planning issue. Ms Jessica H.F. Chu, DPO/STN, said that the applicant had to obtain a fresh planning permission prior to resubmission of BP for BA's approval since the planning permission of the previous application had lapsed in 2017.

#### Deliberation Session

93. 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 18.1.2023, 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 landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (c) the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

[The Chairman thanked Ms Jessica H.F. Chu, DPO/STN, Mr Kenny C.H. Lau, Mr Tim T.Y. Fung, Mr Tony Y.C. Wu and Mr Feddy S.H. Leung, STPs/STN, for their attendance to answer Members' enquiries. They left the meeting at this point.]

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

**Agenda Item 21**

**Section 16 Application**

[Open Meeting]

A/YL-SK/246            Proposed Temporary Logistics Centre for a Period of 3 Years in  
“Industrial (Group D)” Zone, Lots 580 (Part) and 598 (Part) in D.D.  
114, Shek Kong, Yuen Long  
(RNTPC Paper No. A/YL-SK/246)

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95.            The Committee noted that the applicant’s representative requested on 31.12.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from Transport Department. It was the first time that the applicant requested deferment of the application.

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

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

**Agenda Item 22**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/52                      Proposed Temporary Vehicle Repair Workshop for a Period of 3 Years in “Other Specified Uses” annotated “Business and Technology Park” and “Other Specified Uses” annotated “Amenity Area” Zones and an area shown as ‘Road’, Lots 880 S.C RP (Part), 903 (Part), 904 and 905 (Part) in D.D. 92 and Adjoining Government Land, Yin Kong, Sheung Shui  
  
(RNTPC Paper No. A/KTN/52A)

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97.                      The Secretary reported that the application site was in Kwu Tung North and Dr C.H. Hau had declared an interest on this item as he owned a property in Kwu Tung North area. Members noted that Dr C.H. Hau had left the meeting.

**Presentation and Question Sessions**

98.                      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 vehicle repair workshop for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as the applied use would cause traffic of heavy vehicles and there were sensitive uses in the vicinity of the site. Environmental nuisance to nearby residents was anticipated. 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 from the general public were received with one indicated no comment while the remaining two objected to the application. The major objection grounds were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed temporary use could be tolerated for a period of three years. The proposed use was not in line with the planning intention of the zonings. However, the site fell within the Remaining Works Packages of Kwu Tung North New Development Area (KTN NDA) project. The Project Manager/North, Civil Engineering and Development Department had no objection to the application in relation to the implementation of the KTN NDA project. In view of the above, approval of the application for three years would not jeopardize the implementation of the long term uses of the zonings. The proposed use was not incompatible with the existing surrounding environment. The application generally complied with the Town Planning Board Guidelines No. 13E in that the site was the subject of two previous planning approvals. Other concerned departments except DEP had no objection to the application. Although DEP did not support the application, there was no environmental complaint in respect of the site received in the past three years. The concern of DEP on possible environmental nuisance to the surrounding areas could be addressed through the incorporation of relevant approval conditions. Regarding the adverse public comments, relevant government departments' comments and planning considerations above were relevant.

99. Members had no question on the application.

[Mr Ricky W.Y. Yu left the meeting at this point.]

#### Deliberation Session

100. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.1.2022, 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 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) the existing trees within the application site shall be maintained in healthy condition at all times during the planning approval period;
- (d) the paving of the vehicular access area of the application site, as proposed by the applicant, within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 18.7.2019;
- (e) the submission of proposal for fire service installations and water supplies for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.7.2019;
- (f) in relation to (e) above, the implementation of proposal for fire service installations and water supplies for fire-fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.10.2019;
- (g) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.7.2019;
- (h) in relation to (g) above, the implementation of drainage proposal with 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.10.2019;
- (i) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approved hereby given shall cease to have effect and shall be revoked without further notice; and



- (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.”

101. 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]

A/KTN/58 Proposed Temporary Shop and Services (Selling of Converted Container and Showrooms for Koi, Steel Door and Aluminium Window) and Office for a Period of 3 Years in “Agriculture” and “Other Specified Uses” annotated “Amenity Area” Zones, Lot 540 RP (Part) in D.D. 92 and Adjoining Government Land, Castle Peak Road, Kwu Tung North  
(RNTPC Paper No. A/KTN/58)

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102. The Secretary reported that the application site was in Kwu Tung North and Dr C.H. Hau had declared an interest on this item as he owned a property in Kwu Tung North area.

103. The Committee noted that the applicant had request deferral of consideration of the application. Members noted that Dr C.H. Hau had left the meeting.

104. The Committee noted that the applicant’s representative requested on 9.1.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address comments of the Transport Department. It was the first time that the applicant requested deferment of the application.

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

#### **Agenda Item 24**

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

[Open Meeting]

A/NE-KTS/465 Proposed Residential Development and Minor Relaxation of Plot Ratio and Site Coverage Restrictions in "Comprehensive Development Area" Zone, Lots 1124 RP, 1125 RP, 1126 and 1127 RP (Part) in D.D. 92, Lots 343 RP, 344A S.1 RP (Part), 402 S.A RP, 404 RP, 407 S.A RP, 407 S.A ss.1 RP, 408 S.A RP, 408 S.C ss.2 RP, 408 S.D ss.1, 408 S.D RP and 408 RP in D.D. 94 and Adjoining Government Land, Hang Tau Tai Po, Kwu Tung South  
(RNTPC Paper No. A/NE-KTS/465)

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106. The Secretary reported that the application site was in Kwu Tung North and LWK & Partners Architects Limited (LWK) and MVA Hong Kong Limited (MVA) were two of the consultants of the applicant. The following Members had declared an interest on this item:

Dr Lawrence K.C. Li - being a member of the Hong Kong Golf Club, which was located to the south of the site;

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

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

107. The Committee noted that the applicant had requested deferral of consideration of the application and Dr Lawrence K.C. Li, Messrs Ivan C.S. Fu and Stephen L.H. Liu had tendered apologies for being unable to attend the meeting.

108. The Committee noted that the applicant's representative requested on 9.1.2019 deferment of the consideration of the application for two months so as to allow time to update the relevant technical assessments and clarify the concerns raised by government departments. It was the first time that the applicant requested deferment of the application.

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

## **Agenda Items 25 and 26**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/626 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in "Agriculture" Zone, Lot 1397 in D.D. 107, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/626A)

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A/YL-KTN/630 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lot 1456 in D.D. 107, Shui Mei Tsuen, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/630A)

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Presentation and Question Sessions

110. The Committee agreed that the two s.16 applications could be considered together as they were similar in nature and the application sites (the Sites) were located in close proximity to one another within the same “Agriculture” (“AGR”) zone.

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

- (a) background to the applications;
- (b) the proposed temporary place of recreation, sports or culture (hobby farm) for a period of three years at each of the application sites.
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comments on the applications;
- (d) during the first three weeks of the statutory publication period, five public comments objecting to application No. A/YL-KTN/626 were received from The Hong Kong Bird Watching Society (HKBWS), World Wide Fund for Nature Hong Kong, Designing Hong Kong (DHK) and two individuals; whereas three public comments objecting to application No. A/YL-KTN/630 were received from HKBWS, DHK and an individual. Major objecting grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Paper.

The proposed use was generally in line with the planning intention of “AGR” zone. Approval of the applications on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “AGR” zone. The proposed temporary hobby farm at the Sites was considered not incompatible with the surrounding land uses. In view of the nature of the hobby farms, it would unlikely cause significant adverse impacts on the surrounding. Relevant advisory clauses were recommended to minimize the potential environmental impacts. Concerned departments had no objection to or no adverse comment on the applications. Similar applications were approved with conditions by the Committee, and approval of the applications was generally in line with the Committee’s previous decision. Regarding the adverse public comments received, the planning considerations and assessments above were relevant.

112. Members had no question on the application.

#### Deliberation Session

113. After deliberation, the Committee decided to approve the applications on a temporary basis for a period of 3 years until 18.1.2022, on the terms of the applications as submitted to the Town Planning Board (TPB) and subject to the following conditions :

#### A/YL-KTN/626

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the site at any time during the planning approval period;
- (c) no 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 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 landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 18.7.2019;
- (f) in relation to (e) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 18.10.2019;
- (g) the submission of drainage proposal with no filling works at the natural watercourse within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.7.2019;
- (h) in relation to (g) 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 18.10.2019;
- (i) in relation to (h) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.7.2019;
- (k) in relation to (j) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.10.2019;
- (l) if any of the above planning conditions (a), (b), (c), (d) or (i) is not

complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

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

A/YL-KTN/630

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the site at any time during the planning approval period;
- (c) no 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 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 landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 18.7.2019;
- (f) in relation to (e) above, the implementation of landscape proposal within

9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 18.10.2019;

- (g) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.7.2019;
- (h) in relation to (g) 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 18.10.2019;
- (i) in relation to (h) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.7.2019;
- (k) in relation to (j) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.10.2019;
- (l) if any of the above planning conditions (a), (b), (c), (d) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (e), (f), (g), (h), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) upon 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 applicants to note the advisory clauses as set out at Appendix V of the Papers.

**Agenda Item 27**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/798            Proposed House (New Territories Exempted House - Small House) in  
                                 “Residential (Group D)” Zone, Lot 2961 RP (Part) in D.D. 111, Lo Uk  
                                 Tsuen, Pat Heung, Yuen Long  
                                 (RNTPC Paper No. A/YL-PH/798)

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**Presentation and Question Sessions**

115. 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 house (New Territories Exempted House - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix II of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments objecting to the application were received. The major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed Small House development was generally in line with the

planning intention of the “Residential (Group D)” (“R(D)”) zone. Based on the latest estimate by PlanD, there was sufficient land available within the “Village Type Development” (“V”) zone to meet the outstanding Small House applications though it could not fully meet the 10-year Small House demand of the concerned villages. The application did not comply with the Interim Criteria in that the site and the footprint of the proposed Small House did not fall within the ‘Village Environ’ of any recognized village. There was no exceptional circumstance to justify approval of the application. Regarding the public comments received, the planning considerations and assessments above were relevant.

116. Members had no question on the application.

#### Deliberation Session

117. While supporting the recommendation of PlanD, a Member recalled that the Committee had decided to defer making a decision on two applications (No. A/NE-KTS/461 and A/NE-KTS/462) for Small House in “R(D)” zone on 4.1.2019, pending submission of more information so that the Committee could better assess the overall implications on approving Small House in “R(D)” zone. The Member then enquired the progress of such request. In response, the Chairman said that PlanD was gathering the relevant information including previous applications for Small House development within “R(D)” zone and their location. Such information would be provided for the Committee’s reference once ready.

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

“the application does not comply with the Interim Criteria in that the Site and the footprint of the proposed Small House falls entirely outside the ‘Village Environ’ of any recognized village and the “Village Type Development” (“V”) zone. Land is still available within the “V” zone of Wang Toi Shan, Lo Uk Tsuen, Leung Uk Tsuen and Chuk Hang, where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House close to the existing village cluster within the “V” zone

for a more orderly development pattern, efficient use of land and provision of infrastructure and services. There is no exceptional circumstance to justify approval of the application.”

## **Agenda Item 28**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/799            Proposed Temporary Public Vehicle Park (excluding container vehicle) for a Period of 3 Years in “Agriculture” Zone, Lots 60 (Part), 61 (Part) and 62 (Part) in D.D. 114, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/799)

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### **Presentation and Question Sessions**

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

- (a)    background to the application;
- (b)    the proposed temporary public vehicle park (excluding container 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 some reservations on the application as the last application for temporary shop and services (second-hand motor vehicles showroom) at the site was rejected by the Committee. Although adverse impact on landscape resources arising from the proposed use was not anticipated, approval of the application would set an undesirable precedent to encourage such unauthorized removal of vegetation. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the

site possessed potential for agricultural rehabilitation. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, three public comments were received from World Wide Fund for Nature Hong Kong, Kadoorie Farm & Botanic Garden Corporation and an individual objecting the application. The 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 development was not in line with the planning intention of the “Agricultural” (“AGR”) zone. DAFC did not support the application from agricultural point of view as the site had potential for agricultural rehabilitation. No strong planning justification had been given in the submission to justify for a departure from the planning intention, even on a temporary basis. CTP/UD&L of PlanD had some reservations on the application as approval of the application would set an undesirable precedent to encourage unauthorized removal of vegetation. There was no similar application for public vehicle park within the same “AGR” zone on the OZP. The approval of the current application would set an undesirable precedent for similar applications within the “AGR” zone. Regarding the adverse public comments received, planning assessments and considerations above were relevant.

120. Members had no question on the application.

#### Deliberation Session

121. 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

“AGR” zone which is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. This zone is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis; and

- (b) the approval of the application, even on a temporary basis, would set an undesirable precedent for other similar applications to proliferate into the “AGR” zone. The cumulative effect of approving such application would result in a general degradation of the rural environment of the area.”

## **Agenda Item 29**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/800      Proposed Temporary Private Car Park (Excluding Container Vehicle) for a Period of 3 Years in “Village Type Development” Zone, Lots 2053 RP (Part), 2053 S.A ss.1, 2053 S.A ss.2, 2053 S.A ss.3, 2053 S.A RP and 2054 (Part) in D.D. 111, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/800)

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### **Presentation and Question Sessions**

122.      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 private car park (excluding container vehicle) for a period of three years;
- (c) departmental comments – departmental comments were set out in

paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one objecting comment from an individual was received. The major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. It was considered that temporary approval for three years of the application would not jeopardise the long-term planning intention of the “Village Type Development” (“V”) zone. The proposed carpark was not incompatible with the surrounding areas. Relevant departments had no objection to or adverse comment on the application. To minimise any potential nuisance, relevant approval conditions were recommended. Similar applications for temporary car/lorry park within the same “V” zone were approved with conditions by the Committee. Regarding the adverse comment on the application, the planning assessments and considerations above were relevant.

123. Members had no question on the application.

#### Deliberation Session

124. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.1.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the

planning approval period;

- (c) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site at any time during the planning approval period;
- (d) a notice should be posted at a prominent location of the site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at all times during the planning approval period;
- (e) no 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;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the 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 18.7.2019;
- (h) in relation to (g) 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 18.10.2019;
- (i) in relation to (h) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (j) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.7.2019;

- (k) in relation to (j) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.10.2019;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (g), (h), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

### **Agenda Item 30**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

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

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

126. 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 place of recreation, sports or culture (Chinese culture) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from a Legislative Council member supporting the application was received. The major supporting views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. As the long term use of the “Undetermined” zone was subject to further study, approval of the proposed temporary use for a period of three years would not jeopardise the long-term land use planning for the area. The site was occupied by a vacant school with no designated use, and it was considered appropriate to put the site for beneficial temporary use. The proposed use was considered compatible with the surrounding developments. Concerned departments had no objection to or no adverse comment on the application. The permission for application No. A/YL-NSW/243 submitted by the same applicant for similar use was revoked on 18.12.2016 due to non-compliance of approval conditions on submission and implementation of fire service installations proposal. Should the application be approved, shorter compliance periods were recommended for closer monitoring of the progress on compliance with the approval conditions. Regarding the public comment received, the planning assessment above was of relevance.

127. Members had no question on the application.

Deliberation Session

128. The Committee noted that the applicant had submitted a floor plan (i.e. Drawing A-1 of the Paper) with the logo of Kowloon–Canton Railway (KCR) which was because KCR was involved in the previous redevelopment of the school and the applicant had made use of KCR’s plan in this submission.

129. In response to a Member’s enquiry about whether approval of this application would supersede the previously approved application at the same site (application No. A/YL-NSW/264 approved by the Committee on 2.3.2018), the Secretary explained that a site could be covered by more than one planning permission. As the site was located on government land, the concerned applicants would need to apply to the Lands Department (LandsD) for the use of this vacant school site upon obtaining planning approval. LandsD would be the authority to decide which organisation could undertake the proposed development at the vacant school site.

130. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.1.2022, 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. on Mondays to Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing trees and landscape planting on the Site shall be maintained at all times during the planning approval period;
- (e) the maintenance of drainage facilities on site in good condition at all times

during the planning approval period;

- (f) the submission of records of the existing drainage facilities on site within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 18.4.2019;
- (g) the submission of fire service installations proposal within 3 months to the satisfaction of the Director of Fire Services or of the TPB by 18.4.2019;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 6 months to the satisfaction of the Director of Fire Services or of the TPB by 18.7.2019;
- (i) if any of the above planning condition (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning condition (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.”

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

**Agenda Item 31**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/535            Temporary Parking of Lorry Cranes for Sale with Ancillary Maintenance Workshop for a Period of 3 Years in “Residential (Group D)” Zone, Lots 155(Part) and 157 in D.D.105 and Adjoining Government Land, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/535)

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**Presentation and Question Sessions**

132.            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 parking of lorry cranes for sale with ancillary maintenance workshop for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as the applied use would generate traffic of heavy vehicles and the site was within 100m from the nearest sensitive use (i.e. residential dwellings at about 18m north of the site) and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered 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. Although the applied

use for temporary parking of lorry cranes for sale with ancillary maintenance workshop was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “R(D)” zone as there was no immediate development proposal for the site. The applied use was not incompatible with the surrounding land uses. The application was in line with the Town Planning Board Guideline No. 13E in that the site fell within the Category 2 areas where previous planning approvals for the same applied use had been granted since 2005. While DEP did not support the application, there was no environmental complaint related to the site in the past three years. To mitigate potential environmental impacts on the surrounding areas, relevant approval conditions were recommended. Other concerned departments had no objection to or no adverse comment on the application. Approval of the current application was in line with the previous decisions of the Committee. There was no public comment on the application received during the statutory publication period.

133. Members had no question on the application.

#### Deliberation Session

134. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.1.2022, 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 7:00 a.m. from Mondays to Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) only lorry crane (vehicle length not over 7m) is allowed to access the site at

any time during the planning approval period;

- (d) no vehicle is allowed to queue back to or reverse onto/from the site 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 paving and boundary fencing on the site shall be maintained at all times during planning approval period;
- (g) the existing trees within the site shall be maintained in healthy condition at all times during the 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 18.7.2019;
- (i) in relation to (h) above, the implementation of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.10.2019;
- (j) 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; and
- (k) if any of the above planning conditions (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.”

135. 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**

**Agenda Item 32**

**Section 16 Application**

[Open Meeting]

A/TM/530 Columbarium Use in "Government, Institution or Community" Zone,  
Lot 2011 (Part) in D.D. 132, Tuen On Lane, Tuen Fu Road, Fu Tei,  
Tuen Mun  
(RNTPC Paper No. A/TM/530A)

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136. The Secretary reported that the application was for columbarium use and Landes Limited (Landes) was one of the consultants of the applicant. The following Members had declared interests on this item:

Mr H.W. Cheung - being a member of the Private Columbaria Licensing Board; and

Mr Ivan C.S. Fu - being a member of the Private Columbaria Appeal Board and having current business dealings with Landes.

137. The Committee noted that the applicant had requested deferment of consideration of the application, and Messrs H.W.Cheung and Ivan C.S. Fu had tendered apologies for being unable to attend the meeting.

138. The Committee noted that the applicant requested on 28.12.2018 deferment of the consideration of the application for two months in order to allow time for preparation of

further information to address further comments of the Lands Department, Drainage Services Department and Transport Department and of the public. 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 comments from the public and concerned government departments.

139. 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 (including the previous deferment) had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

### **Agenda Item 33**

#### **Section 16 Application**

[Open Meeting]

A/YL-HTF/1092      Proposed Temporary Warehouse of Electric Spare Parts for a Period of 2 Years in "Agriculture" Zone, Lot 384 RP in D.D. 128, Deep Bay Road, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-HTF/1092A)

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140. The Committee noted that the applicant requested on 10.1.2019 deferment of the consideration of the application for two months in order to allow time for the consultant to prepare documents to respond to the comments of the Agriculture, Fisheries and Conservation Department, Urban Design and Landscape Section, Planning Department and Transport Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted a letter on 10.1.2019



providing justifications that more time was required for the consultants to respond to comments raised by concerned departments.

141. 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 including the previous deferment for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

### **Agenda Item 34**

#### **Section 16 Application**

[Open Meeting]

A/TM-LTY Y/362 Proposed House (New Territories Exempted House - Small House) in "Residential (Group E)" and "Village Type Development" Zones, Lots 190 S.D RP and 190 S.E in D.D. 130, San Hing Tsuen, Lam Tei, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/362)

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142. The Committee noted that the applicant requested on 21.12.2018 deferment of the consideration of the application for two months in order to allow time to resolve departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

### **Agenda Item 35**

#### **Section 16 Application**

[Open Meeting]

A/TM-LTY Y/363 Proposed House (New Territories Exempted House - Small House) in "Residential (Group E)" Zone, Lots 190 S.D ss.2 and 190 S.Q in D.D.130, San Hing Tsuen, Lam Tei, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/363)

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144. The Committee noted that the applicant requested on 21.12.2018 deferment of the consideration of the application for two months in order to allow time to resolve departmental comments. It was the first time that the applicant requested deferment of the application.

145. 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/HSK/67

Proposed Social Welfare Facility (Private Elderly Home) and Residential Institution (Senior Citizen Housing) in “Government, Institution or Community” Zone and an area shown as ‘Road’, Lot 793 in D.D. 124, and Lots 70, 71, 72, 73, 74, 75, 76, 77, 215 RP and 216 in D.D. 127, Ping Shan, Yuen Long  
(RNTPC Paper No. A/HSK/67A)

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146. The Committee noted that the applicant requested on 20.12.2018 deferment of the consideration of the application for two months in order to allow time to address departmental comments. The Committee previously agreed to defer a decision on the application, considering that the zoning of the site was the subject of adverse representations. Upon approval of the Outline Zoning Plan, the application was scheduled for consideration by the Committee at this meeting.

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

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

**Agenda Item 37**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/116            Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles Not Exceeding 5.5 Tonnes) with Ancillary Car Beauty Services and Office for a Period of 3 Years in “Village Type Development” Zone, Lots 1804 (Part), 1805 (Part), 1808 RP, 1809 RP (Part) and 1817 (Part) in D.D.124, San Lee Uk Tsuen, Yuen Long (RNTPC Paper No. A/HSK/116)

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**Presentation and Question Sessions**

148.        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) with ancillary car beauty services and office for a period of three years;
- (c)    departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d)    during the first three weeks of the statutory publication period, two public comments from Yuen Long District Council and an individual objecting the application were received. The 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 use was considered not entirely in line with the planning

intention of the “Village Type Development” (“V”) zone. The nature of use and scale of the proposed development was considered not incompatible with the surrounding land uses. However, the site was the subject of three previous planning permissions for similar temporary public vehicle park (private cars and light goods vehicles not exceeding 5.5 tonnes with ancillary car beauty services) submitted by the same applicant. These planning approvals were subsequently revoked due to non-compliance with the approval conditions. The applicant had yet to demonstrate sincerity to comply with the approval condition(s) since the first grant of planning approval in 2010. Approval of the application with repeated non-compliances with approval condition(s) would set an undesirable precedent for other similar applications, thus nullifying statutory planning control. Regarding the adverse public comments received, the planning considerations and assessments above were relevant.

149. Members had no question on the application.

#### Deliberation Session

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

“three previous planning permissions for the same use granted on the site by the Board were revoked due to non-compliance of the approval condition(s). Approval of the application with repeated non-compliances with approval condition(s) would set an undesirable precedent for other similar applications, thus nullifying the statutory planning control mechanism.”

**Agenda Item 38**

**Section 16 Application**

[Open Meeting]

A/HSK/117

Proposed Temporary Logistics Centre for a Period of 3 Years in “Village Type Development(1)” Zone and an area shown as ‘Road’, Lots 63 (Part), 67 (Part), 68 (Part), 69 (Part) and 70 (Part) in D.D.128 and Lots 3018 (Part), 3019 (Part), 3021 (Part), 3022, 3024 RP (Part) and 3025 RP (Part) in D.D.129, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/117)

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151. The Committee noted that the applicant requested on 8.1.2019 deferment of the consideration of the application for two months in order to allow time to prepare further information to address the concerns on the vehicular access arrangement leading to the site. It was the first time that the applicant requested deferment of the application.

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

**Agenda Item 39**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/120                      Renewal of Planning Approval for Temporary “Shop and Services (Real Estate Agency)” for a Period of 3 Years in “Village Type Development” Zone, Lot 650 RP (Part) in D.D.125 and Adjoining Government Land, Sik Kong Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/120)

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**Presentation and Question Sessions**

153.            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 renewal of planning approval for 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 comments on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from the public objecting to the application. The 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. Although the temporary shop and services use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could provide real estate agency service to meet any such demand in the area. The District Lands Officer/Yuen Long, Lands Department advised

that no Small House application had been received for the site. Approval of the application on a temporary basis of 3 years would not jeopardise the long-term development of the area. The proposed temporary use was not incompatible with the existing land use for the area. There was no adverse comment from the concerned government departments. Relevant approval conditions had been recommended to minimize any possible nuisances or to address the technical requirements of the concerned government departments. The application was a renewal application. There had been no major change in planning circumstances of the site and the surrounding areas since the previous temporary approval and the applicant had complied with all the approval conditions under previous approval. It was considered generally in line with the Town Planning Board Guidelines No. 34B. Regarding the adverse public comments received, the planning considerations and assessments above were relevant.

154. Members had no question on the application.

#### Deliberation Session

155. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 23.1.2019 until 22.1.2022, 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) 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 23.4.2019;
- (c) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;



- (d) the existing trees and landscape planting on the site shall be maintained at all time during the planning approval period;
- (e) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.7.2019;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.10.2019;
- (g) if any of the above planning conditions (a), (c) or (d) 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
- (h) if any of the above planning conditions (b), (e) or (f) 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.”

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

**Agenda Item 40**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/452 Proposed Houses in “Residential (Group D)” Zone, Lots 3188, 3338, 3339 S.H ss. 1 to ss. 5, 3339 S.H RP(Part), 3339 S.I ss. 1 to ss. 10, 3339 S.I RP, 3339 S.J ss. 1 to ss. 9, 3339 S.J RP(Part), 3339 S.K ss. 1 to ss. 2, 3339 S.K ss. 3(Part), 3339 S.K ss.4, 3339 S.K ss.5(Part), 3339 S.K ss.6 to ss.11, 3339 S.K RP(Part), 3339 S.L ss. 1 to ss. 8 and 3339 S.L RP(Part) in D.D. 116, Nga Yiu Tau, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/452)

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**Presentation and Question Sessions**

157. 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 proposed houses;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, ten public comments objecting to the application were received from a Yuen Long District Councillor, a Village Representative of Nga Yiu Tau Tsuen and individuals. The 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. The proposed low-rise, low-density residential development was generally

in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, and not incompatible with the surrounding areas. There was no adverse comment on the application from concerned government departments. Relevant approval conditions were recommended to address the technical concerns of the departments. Given that the Committee had approved three similar applications for proposed houses to the northwest of the Site within the subject “R(D)” zone, approval of the subject application was in line with the Committee’s previous decision. Regarding the adverse public comments, the planning considerations and assessments above were relevant.

158. Members had no question on the application.

#### Deliberation Session

159. 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 18.1.2023, 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 a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (b) the submission and implementation of water supplies for firefighting and fire service installations proposal to the satisfaction of the Director of Fire Services or of the TPB.”

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

**Agenda Item 41**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/898 Temporary Open Storage of Construction Material with Ancillary Office for a Period of 3 Years in “Undetermined” Zone, Lot 1195 in D.D. 119, Tong Yan San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/898B)

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161. The Committee noted that a total of 11 replacement pages and a new appendix (i.e. Appendix If) arising from the further information submitted by the applicant on 14.1.2019, had been dispatched to Members before the meeting.

**Presentation and Question Sessions**

162. 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 temporary open storage of construction material with 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 Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity (with the nearest one about 20m to its southeast) with heavy vehicles involved; environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that proposed temporary use could be tolerated for a period of three years. The applied use was not in conflict with the planning intention of the “Undetermined” zone. Whilst the site fell within an area zoned as “Residential – Zone 2 (with Commercial)”, “Other Specified Uses” annotated “Mixed Use”, “Local Open Space” and an area shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South, the concerned departments did not raise objection to the application. Approval of the application on a temporary basis of three years would not jeopardize the long-term development of the area. The development was not incompatible with the surrounding uses. The application was generally in line with Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up use and the technical concerns of relevant government departments could be addressed through imposing relevant approval conditions. There was no adverse comment on the application from concerned government departments, except DEP. Although the site was subject to a substantiated environmental complaint regarding flytipping of construction and demolition waste on private lots, it was not related to the applied use. The applicant had submitted drainage and fire service installations proposals which were accepted by concerned government departments. Sympathetic consideration might be given to this application. As the Committee had approved similar applications for open storage uses in the vicinity of the site, approval of this application was in line with the Committee's previous decisions. There was no public comment received on the application during the statutory publication period.

163. Members had no question on the application.

#### Deliberation Session

164. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.1.2022, on the terms of the application as

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

- “(a) no operation between 4:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no container tractor/trailer is allowed to park or enter/exit the site, as proposed by the applicant, during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time, as proposed by the applicant, during the planning approval period;
- (e) the implementation of the accepted landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 18.7.2019;
- (f) the implementation of the accepted 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 18.7.2019;
- (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 provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.3.2019;
- (i) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.7.2019;

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

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

#### **Agenda Item 42**

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

[Open Meeting]

A/YL-TYST/934 Temporary Public Vehicle Park (excluding container vehicle) for a Period of 3 Years in “Comprehensive Development Area” and “Residential (Group B) 1” Zones, Lots 415, 420, 421 and 422 RP in D.D. 121, Tai Tao Tsuen, Hung Shui Kiu, Yuen Long  
(RNTPC Paper No. A/YL-TYST/934)

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166. The Committee noted that the applicant requested on 9.1.2019 deferment of the consideration of the application for two months in order to allow time to address comments from the Transport Department. It was the first time that the applicant requested deferment of the application.

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

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

### **Agenda Item 43**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/935      Temporary Open Storage of Construction Machinery and Materials with Ancillary Workshop & Office for a Period of 3 Years in "Undetermined" Zone, Lots 2428 RP (Part), 2429 S.D (Part), 2704 S.A&S.B (Part), 2705 (Part), 2712 S.A (Part), 2712 S.B (Part), 2713 (Part), 2714 (Part), 2716 RP (Part), 2717 RP (Part) and 2718 RP (Part) in D.D. 120 and Adjoining Government Land, Shan Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/935)

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168.            The Committee noted that replacement pages (pages 1 and 7 of the Main Paper and page 1 of Appendix VI) rectifying the editorial errors were tabled for Members' reference.

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

169.            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 temporary open storage of construction machinery and materials with ancillary workshop and office for a period of three years;
- (c) departmental comments – departmental comments were set out in



paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity (with the nearest about 60m away to the east of Lam Tai East Road across the nullah) and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone. Whilst the site fell within the areas zoned “Residential - Zone 1 (with Commercial)” and “Special Residential - Public Rental Housing (with Commercial)”, and area shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South promulgated, the concerned departments had no objection to the proposed temporary use for three years. Approval of the application on a temporary basis of 3 years would not jeopardise the long-term development of the area. The development was not incompatible with the surrounding uses in the “U” zone. There was no adverse comment on the application from concerned government departments, except DEP. To address the concerns on the possible environmental nuisances generated by the temporary use and the technical requirements of other concerned government departments, relevant approval conditions were recommended. The application was also generally in line with Town Planning Board Guidelines No. 13E in that the Site fell within Category 1 areas which were considered suitable for open storage and port back-up use and relevant proposals had been submitted to demonstrate that the proposed use would not generate adverse impact. As the Committee had approved similar uses covering the site and in the vicinity, approval of the application was considered in line with the Committee's previous decisions. There was no public comment received

on the application during statutory publication period.

170. In response to a Member's enquiry, Mr Steven Y.H. Siu, STP/TMYLW, said that the replacement pages were for rectifying the editorial errors of the Paper.

#### Deliberation Session

171. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.1.2022, 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 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no workshop activities, except in Structure No. 1, as proposed by the applicant, are allowed at any time during the planning approval period;
- (d) no heavy goods vehicle exceeding 24 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, is allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (e) no storage or handling (including loading and unloading) of used electrical appliances and electronic and computer wastes, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse on public road at any time during the planning approval period;
- (g) all existing trees and landscape plantings within the Site shall be

maintained at all times during the planning approval period;

- (h) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (i) the existing boundary fence on the Site shall be maintained at all times during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities on the Site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.4.2019;
- (k) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.3.2019;
- (l) 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 18.7.2019;
- (m) in relation to (l) 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 18.10.2019;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (o) if any of the above planning conditions (j), (k), (l) or (m) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

#### **Agenda Item 44**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/936 Temporary Open Storage of Recycling Materials with Ancillary Workshop for a Period of 3 Years in “Undetermined” Zone, Lots 1159 RP (Part), 1160 (Part), 1161, 1163 S.B (Part), 1164 RP (Part), 1174 (Part), 1175 (Part), 1181, 1182 and 1183 (Part) in D.D. 119, Kung Um Road, Yuen Long  
(RNTPC Paper No. A/YL-TYST/936)

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173. The Committee noted that replacement pages (page 7 of the Main Paper and page 1 of Appendix VI) rectifying the editorial errors were tabled for Members’ reference.

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

174. 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 temporary open storage of recycling materials with ancillary workshop for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity (with the nearest one located about 30m southwest of the site) with heavy vehicles involved; environmental nuisance was expected. Other concerned departments had no objection to

or no adverse comment on the application.

- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” zone. Whilst the site fell within an area zoned as “Education”, “Local Open Space” and “District Open Space”, and an area shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South, relevant government departments did not raise objection to the application. Approval of the application on a temporary basis of three years would not jeopardize the long-term development of the area. The application was generally in line with Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up use. Relevant proposals had been submitted to demonstrate that the proposed use would not generate adverse impacts. There was no adverse comment on the application from concerned government departments, except DEP. In order to address the concerns on the possible environmental nuisances generated by the temporary use, the applicant had been advised to follow the relevant mitigation measures and requirements in the Code of Practice in order to minimize any potential environmental impact. Given that previous approvals had been granted to the site for similar uses and similar applications for open storage uses in the vicinity, approval of this application was considered in line with the Committee's previous decisions. There was no public comment received during the statutory publication period.

175. Members had no question on the application.

Deliberation Session

176. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.1.2022, 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 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no repairing, cleansing or other workshop activities, except ancillary workshop activities of consolidation, classification, dismantling and packaging of recycling materials, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) no storage or handling (including loading and unloading) of electronic waste and used electrical appliances, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (e) no heavy goods vehicles exceeding 24 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;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the 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 18.7.2019;
- (h) in relation to (g) above, the implementation of the drainage proposal within

9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.10.2019;

- (i) in relation to (h) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.3.2019;
- (k) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.7.2019;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.10.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (g), (h), (j), (k) and (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 45**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/937 Temporary Open Storage of Construction Materials and Machinery, Vehicle Spare Parts and Recyclable Materials (including Plastic Goods, Paper and Metal) with Ancillary Workshop and Office for a Period of 3 Years in “Undetermined” and “Village Type Development” Zones, Lots 1433 S.A (Part), 1433 S.B, 1433 S.C (Part), 1433 S.D (Part), 1433 RP (Part), 1434 RP (Part), 1438 S.A RP (Part), 1438 S.B RP (Part), 1438 S.D (Part), 1438 S.E (Part), 1438 S.F, 1438 S.G, 1438 S.H (Part) and 1438 RP (Part) in D.D. 119, Lot 1658 S.C (Part) in D.D. 121, Shan Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/937)

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**Presentation and Question Sessions**

178. 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 temporary open storage of construction materials and machinery, vehicle spare parts and recyclable materials (including plastic goods, paper and metal) with ancillary workshop and office for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity (with the nearest one situated about 5m to its west) and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the



statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” zone. Whilst the site fell within an area zoned as “Residential - Zone 6” and “Local Open Space” on the Recommended Outline Development Plan of Yuen Long South (YLS) and partly fell outside the development area of YLS, the Project Manager (West), Civil Engineering and Development Department had no further comments on the application as the programme of land resumption would follow the project programme notwithstanding the validity period of the planning permission to be granted. As such, approval of the application on a temporary basis would not jeopardize the long-term development of the area. The development was not incompatible with the surrounding uses. There was no adverse comment on the application from concerned government departments, except DEP. To address the concerns on the possible environmental nuisances generated by the temporary use or the technical requirements of other concerned government departments, relevant approval conditions were recommended. The application was generally in line with Town Planning Board Guidelines No. 13E in that the majority of the site (about 97.4%) fell within Category 1 areas which were considered suitable for open storage and port back-up use. Relevant proposals had been submitted to demonstrate that the proposed use would not generate adverse impacts. As the Committee had approved similar uses covering the site and in the vicinity, approval of the subject application was considered in line with the Committee's previous decisions. There was no public comment received on the application during statutory publication period.

179. Members had no question on the application.

Deliberation Session

180. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.1.2022, 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 open storage within the “Village Type Development” zone, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) no dismantling, cleansing, repairing, paint spraying or other workshop activities, except ancillary packing and classification of the recyclable materials activities at Structure No. 2 of the Site, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (e) no storage of electrical wastes and used electrical appliances, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (f) 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 accessed the site, as proposed by the applicant, at any time during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (h) the existing boundary fencing on the site shall be maintained at all times

during the planning approval period;

- (i) all existing trees and landscape plantings within the site shall be maintained at all times during the planning approval period;
- (j) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (k) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.4.2019;
- (l) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.3.2019;
- (m) 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 18.7.2019;
- (n) in relation to (m) 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 18.10.2019;
- (o) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h), (i) or (j) 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
- (p) if any of the above planning conditions (k), (l), (m) or (n) 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.”

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

**Agenda Item 46**

**Section 16 Application**

[Open Meeting]

A/YL/249                      Proposed Flat, Shop and Services, Eating Place and Public Vehicle Park (excluding container vehicle) and Minor Relaxation of Plot Ratio Restriction in “Residential (Group E)1” Zone, No. 21 Wang Yip Street West, Yuen Long (Yuen Long Town Lot No. 461)  
(RNTPC Paper No. A/YL/249A)

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182. The Committee noted that the application was rescheduled

**Agenda Item 47**

**Any Other Business**

183. There being no other business, the meeting closed at 6:15 p.m..