

TOWN PLANNING BOARD

**Minutes of 621st Meeting of the
Rural and New Town Planning Committee held at 2:30 p.m. on 22.2.2019**

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Dr C.H. Hau

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Mr L.T. Kwok

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

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 Ivan C.S. Fu

Mr K.W. Leung

Dr Jeanne C.Y. Ng

Mr Ricky W.Y. Yu

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

In Attendance

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

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

Town Planner/Town Planning Board
Miss Kirstie Y.L. Law

Agenda Item 1

Confirmation of the Draft Minutes of the 620th RNTPC Meeting held on 1.2.2019

[Open Meeting]

1. The draft minutes of the 620th RNTPC meeting held on 1.2.2019 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Sai Kung and Islands District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/SK-HC/4

Application for Amendment to the Approved Ho Chung Outline Zoning Plan No. S/SK-HC/11, To Rezone the Application Site from “Conservation Area”, “Village Type Development” to “Village Type Development”, Lot 764 in D.D.249 and Adjoining Government Land, Wang Che, Sai Kung
(RNTPC Paper No. Y/SK-HC/4)

3. The Committee noted that the applicant requested on 25.1.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Tuen Mun and Yuen Long West District

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/YL/14

Application for Amendment to the Approved Yuen Long Outline Zoning Plan No. S/YL/23, To Rezone Part of the Application Site from “Residential (Group A) 1” to “Government, Institution or Community” and Part from “Government, Institution or Community” to “Residential (Group A) 1”, Various Lots in D.D. 120 and Adjoining Government Land, Area 13, Yuen Long
(RNTPC Paper No. Y/YL/14A)

5. The Secretary reported that the application site was located in Yuen Long and the application was submitted by Join Base Development Ltd., Fortune Land Development Ltd. and Winpo Development Ltd., which were all subsidiaries of New World Development Co. Ltd. (NWD), with Ove Arup & Partners Hong Kong Ltd. (Arup) as the consultant of the applicants. The following Members had declared interests on this item:

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

6. The Committee noted that the applicant had requested deferment of consideration of the application and Messrs Ivan C.S. Fu and Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting. As Messrs Stephen L.H. Liu and K.K. Cheung and Dr C.H. Hau had no involvement in the application, and the property of Mr K.H. To's spouse had no direct view of the application site, the Committee agreed that they could stay in the meeting.

7. The Committee noted that the applicant requested on 4.2.2019 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 second 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. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, and no further deferment would be granted unless under very special circumstances.

Sai Kung and Islands District

Agenda Item 5

Section 16 Application

[Open Meeting]

A/SK-HC/302 Proposed Public Utility Installation (Sewage Treatment Plant and Underground Sewers) with Re-provisioning of Public Vehicle Park (excluding Container Vehicle) in "Green Belt" Zone and an area shown as 'Road', Government Land in D.D. 214 and D.D. 244, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/302)

9. The Secretary reported that the application was submitted by Drainage Services Department (DSD), with Black and Veatch Hong Kong Ltd. (B&V) as the consultant. The following Members had declared interests on this item:

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

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

10. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr K.K. Cheung and Dr C.H. Hau had no involvement in the application, the Committee agreed that they could stay in the meeting.

11. The Committee noted that the applicant requested on 30.1.2019 deferment of the consideration of the application for one month so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

12. 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 one month was allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Sha Tin, Tai Po and North District

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

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/968 Renewal of Planning Approval for Temporary “Public Vehicle Park (excluding container vehicle)” for a Period of 3 Years in “Residential (Group A)” Zone, Section A of Sha Tin Town Lot No. 229, May Shing Court, Sha Tin
(RNTPC Paper No. A/ST/968)

Presentation and Question Sessions

13. The Secretary reported that the Hong Kong Housing Authority (HKHA) was the applicant of the application. The following Members had declared interests on this item:

- Mr Raymond K.W. Lee - being a member of the Strategic Planning Committee (SPC) and the Building Committee of HKHA;

- Mr Martin W.C. Kwan - being an alternate representative of the Director of Home Affairs who was a member of the SPC and the Subsidized Housing Committee of HKHA;

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

- Mr Ivan C.S. Fu - having past business dealings with HKHA;

- Dr C.H. Hau - the institute he served having current business dealings with HKHA; and

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

14. The Committee noted that Messrs Ivan C.S. Fu and Martin W.C. Kwan had tendered apologies for being unable to attend the meeting. The Committee agreed that as the interests of the Chairman was direct, he should be invited to leave the meeting temporarily for the item. Since Messrs K.K. Cheung and Stephen L.H. Liu and Dr C.H. Hau had no involvement in the application, the Committee agreed that they could stay in the meeting. The Vice-chairman took over the chairmanship of the meeting at this point.

[The Chairman left the meeting temporarily at this point.]

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 renewal of planning approval for 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. 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 objecting to the application was received from an individual. 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. The application generally complied with the Town Planning Board Guidelines No. 34B in that there had been no material change in planning circumstances since the previous temporary approval was granted. There were no adverse planning implications arising from the renewal of the planning approval. Concerned government departments including the Commissioner for Transport had no objection to the application. The

applicant indicated that residents of May Shing Court would be given priority in the letting of monthly vehicle parking spaces and only surplus monthly vehicle parking spaces would be let out to non-residents, the parking need of residents of May Shing Court would not be compromised. An approval condition was recommended in this regard. The period of renewal of three years was considered reasonable so that the vacant parking spaces could be let to non-residents flexibly while the parking demand of the residents could be further reviewed. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

16. Members had no question on the application.

Deliberation Session

17. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 27.3.2019 to 26.3.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition:

“priority should be accorded to the residents of May Shing Court in the letting of the surplus vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.”

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

[The Chairman returned to chair the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/663 Proposed House (New Territories Exempted House - Small House) in
 “Green Belt” Zone, Lot 612 S.D in D.D. 28, Tai Mei Tuk Village, Tai
 Po

 (RNTPC Paper No. A/NE-TK/663)

19. The Secretary reported that C K Lau Surveyors Ltd. (CKL) was one of the consultants of the applicant and Mr Stephen L.H. Liu had declared an interest as having past business dealings with CKL. As Mr Stephen L.H. Liu had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper. The Commissioner for Transport (C for T) had reservation on the application but considered that the application involving development of a Small House could be tolerated. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application from landscape planning point of view as vegetation clearance had been carried out gradually within the Site and its immediate surroundings since 2011. Approval of the application would encourage similar site modification prior to approval and similar developments resulting in further encroachment

onto the “Green Belt” (“GB”) zone, and the cumulative effect of approving such application would result in degradation of landscape character and against the planning intention of “GB” zone. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, seven public comments were received from local groups, the Indigenous Inhabitant Representative of Tai Mei Tuk and other individuals objecting to the application. Major grounds of objection were set out in paragraph 11 of the Paper; and
- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed Small House development was not in line with the planning intention of the “GB” zone. There was a general presumption against development within this zone. CTP/UD&L, PlanD did not support the application and C for T had reservation on the application. The Director of Environmental Protection had no objection to the application provided that the applicant connected the proposed Small House to the public sewer at his own cost and obtained written consents from adjacent lot owners for laying and maintaining sewage pipes. However, the applicant had not provided any sewerage connection proposal nor owners’ consent of the concerned lots. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (the Interim Criteria), whilst land available within the “Village Type Development” (“V”) zone for Small House development was insufficient to fully meet the future Small House demand, it was capable to meet the 69 outstanding Small House applications. As a more cautious approach in approving applications for Small House had been adopted by the Board in recent years, 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. After the adoption of more cautious approach in approving applications for Small House, four applications were approved from 2016 to 2018 mainly on

sympathetic considerations. The remaining four applications were rejected mainly for not being in line with the planning intention of the “GB” zone; not complying with the Interim Criteria and Town Planning Board Guidelines No. 10 in view of adverse landscape and geotechnical impacts on the surrounding areas; and/or land still being available within the “V” zone for Small House development. The current application was similar to those rejected cases. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

21. The Chairman enquired about the approved application (No. A/NE-TK/545) located to the south of the Site. In response, Ms Kathy C.L. Chan, STP/STN, said that part of the application site of application No. A/NE-TK/545 was located in the “V” zone, and the application was considered by the Committee before the adoption of more cautious approach in approving applications for Small House. Since there was a general shortage of land in meeting the demand for Small House development in the “V” zone of the concerned villages at that time and concerned government departments had no adverse comments on the application, the application was approved with conditions by the Committee on 17.4.2015.

Deliberation Session

22. 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. There is no strong planning justification in the submission for a departure from this planning intention; and
- (b) 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.”

Agenda Item 8

Section 16 Application

[Open Meeting]

A/TP/657 Columbarium in “Government, Institution or Community” Zone, Lot 1006 RP in D.D.5, No. 2, Mui Shue Hang Village, Tai Po
(RNTPC Paper No. A/TP/657A)

23. The Secretary reported that the application site was located in Tai Po and the application was for columbarium use. 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 flat in Tai Po; and

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

24. The Committee noted that the Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting. The Committee also noted that the applicant had requested deferment of consideration of the application. Since the interest of Mr H.W. Cheung was indirect and his property had no direct view of the application site, the Committee agreed that he could stay in the meeting.

25. The Committee noted that the applicant requested on 31.1.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information (FI) to address departmental comments and public comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the

applicant had submitted FI providing a quantitative risk assessment and a traffic management plan to address departmental comments.

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

Agenda Item 9

Section 16 Application

[Open Meeting]

A/NE-HT/10 Temporary Public Vehicle Park (Private Car) for a Period of 3 Years in
"Village Type Development" Zone, Lot 292 in D.D. 76, Sze Tau Leng,
Fanling
(RNTPC Paper No. A/NE-HT/10)

27. The Committee noted that the applicant requested on 14.2.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

applicant. If the FI 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 FI, and no further deferment would be granted unless under very special circumstances.

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MUP/135 Proposed Temporary Vehicle Park for Container Trailers for a Period of 3 Years in "Agriculture" Zone, Lots 171 RP and 174 S.B RP in D.D. 38, Man Uk Pin, Sha Tau Kok
(RNTPC Paper No. A/NE-MUP/135B)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary vehicle park for container trailers for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Commissioner for Transport (C for T) did not support the application as the applicant failed to demonstrate in the submission that there was no adverse traffic impact arising from the proposed development. The Director of Environmental Protection (DEP) did not support the application as the proposed development would generate traffic of heavy vehicles and there were domestic structures in the vicinity of the Site, and the closest one was located to the south at a

distance of about 30m. The Chief Town Planner/ Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as the approval of the application would set an undesirable precedent to encourage more open storage/container vehicle parks in the area and the cumulative impact of such approval would further degrade the landscape quality of the surrounding area. 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 periods, 20 public comments were received, with three from the Chairman of Sheung Shui District Rural Committee indicating no comment, another three from a North District Council member indicating no comment/support on the application, and the remaining 14 objecting comments submitted by Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, the Hong Kong Bird Watching Society, Designing Hong Kong and four individuals. Major views were set out in paragraph 11 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed temporary use under application was not in line with the planning intention of “Agriculture” (“AGR”) zone. The Site fell within Category 3 area under the Town Planning Board Guidelines No. 13E. The Site was not the subject of any previous planning approval for similar container vehicle park and there was no special circumstances in the application that justify sympathetic consideration. The applicant had failed to demonstrate that the proposed development would have no adverse traffic, environmental and landscape impacts on the surroundings areas. Approval of the application would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment and

landscape quality of the area. C for T, DAFC and DEP did not support the application. The Site was the subject of three previous planning applications for various temporary open storage uses and were rejected by the Committee/ the Board, and the circumstances of the current application were similar to the rejected applications. Also, the Committee/ the Board had not approved any similar application within the “AGR” zone in Man Uk Pin area. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

30. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the proposed development does not comply with the Town Planning Board Guidelines No. 13E in that no previous planning approval has been granted at the Site and there are adverse departmental comments and local objections to the application;
- (c) the applicant fails to demonstrate in the submission that the proposed development would not cause adverse traffic and environmental impacts on the surrounding areas; and
- (d) the approval of the application, even on a temporary basis, would set an

undesirable precedent for similar applications within the same “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the environment and landscape of the area.”

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

32. The Committee noted that a replacement page (page 7 of the Paper) reflecting the latest comments from the Environmental Protection Department in paragraph 9.1.3(c)(iv) had been tabled for Members’ reference.

Presentation and Question Sessions

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

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

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

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as the proposed development included a loading/unloading bay for medium and heavy good vehicles, and would attract heavy vehicle traffic while there were domestic uses within 100m of

the site boundary. 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 public inspection periods, seven public comments were received. Five comments from the Chairmen of Sheung Shui District Rural Committee and Fanling District Rural Committee and a North District Council (NDC) Member indicated no comment on the application. Another NDC member supported the application. Major grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The Site largely fell within the “Open Storage” zone in which ‘warehouse (excluding dangerous Goods Godown)’ use was always permitted. While a portion of the Site fell within the “Agriculture” (“AGR”) zone, the Site was located in an area comprising mainly open storage yards, warehouses and logistics centre intermixed with vacant land and some temporary structures for domestic purpose and the development was generally not incompatible with the surrounding environment. Approval conditions were recommended to address DEP’s concern on possible environmental nuisance. The Site was the subject of a previously approved application for similar warehouse use submitted by the same applicant. Although the planning permission was revoked on 22.2.2018 due to non-compliance with approval conditions in relation to the provision of drainage facilities and provision of water supplies for fire-fighting and fire service installations (FSI), the applicant had submitted a revised drainage proposal and a FSI proposal in support of the subject application. Shorter compliance periods on the approval conditions could be proposed to monitor the progress of compliance. While a similar application for temporary workshop and warehouse use in the vicinity of the Site was rejected by the Board, the planning circumstances of that similar application was different from the current

application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

34. Members had no question on the application.

Deliberation Session

35. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.2.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 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 vehicle repairing, dismantling or other workshop activities is allowed on the Site at any time during the planning approval period;
- (d) the maintenance of the existing boundary fencing on the Site at all times during the planning approval period;
- (e) existing trees on the Site shall be maintained in good condition at all times during the planning approval period;
- (f) the submission of drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.5.2019;
- (g) in relation to (f), the implementation of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.8.2019;

- (h) the submission of proposals for water supplies for fire-fighting and fire service installations within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.5.2019;
- (i) in relation to (h) above, the provision of water supplies for fire-fighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.8.2019;
- (j) the submission of proposed traffic management measures within 3 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 22.5.2019;
- (k) in relation to (j) above, the implementation of the traffic management measures identified therein within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 22.8.2019;
- (l) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (f), (g), (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 12

Section 16 Application

[Open Meeting]

A/NE-KTS/466 Proposed Residential Development and Minor Relaxation of Plot Ratio and Building Height Restrictions in “Residential (Group D)” and “Village Type Development” Zones, Lots 344A RP (Part), 402 S.B and 448 RP in D.D. 94 and Adjoining Government Land, Hang Tau Tai Po, Kwu Tung South, Sheung Shui
(RNTPC Paper No. A/NE-KTS/466)

37. The Secretary reported that the application site was located in Kwu Tong South, Sheung Shui. Landes Ltd. (Landes) was one of the consultants of the applicant. The following Members had declared interests on this item:

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

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

38. 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. Since the interest of Dr Lawrence K.C. Li was indirect, the Committee agreed that he could stay in the meeting.

39. The Committee noted that the applicant requested on 1.2.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 13

Section 16 Application

[Open Meeting]

A/YL-SK/248 Temporary Shop and Services (Retail Shop for Hardware Groceries) for a Period of 3 Years in "Residential (Group D)" Zone, Lot 878 (Part) in D.D. 114 and Adjoining Government Land, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-SK/248)

41. The Committee noted that the applicant requested on 12.2.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address comments from the Transport Department. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 14

Section 16 Application

[Open Meeting]

A/YL-KTN/632 Temporary Open Storage of Construction Machinery, Construction Materials and Ancillary Parking of Medium/Heavy Goods Vehicles and Container Trailers/Tractors for a Period of 3 Years in “Other Specified Uses” annotated “Railway Reserve” Zone, Lots 431 (Part), 432 (Part), 433 S.B (Part) and 1739 RP (Part) in D.D. 107 and Adjoining Government Land, Fung Kat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTN/632A)

43. The Committee noted that the applicant requested on 14.2.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address comments from the Transport Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a traffic impact assessment and responses to address departmental comments.

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

further deferment would be granted unless under very special circumstances.

[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 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/640 Temporary Public Vehicle Park (Excluding Container Vehicle) for a
Period of 5 Years in “Village Type Development” Zone, Lot 1198 S.B
(Part) in D.D. 109, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/640)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary public vehicle park (excluding container vehicle) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory public inspection period, twelve objecting public comments had been received from residents of Seasons Monarch and an individual. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the District Lands Officer, Yuen Long, Lands Department advised that no Small House application had been approved or under processing at the Site. According to the applicant, the public vehicle park was to serve the locals and hence it was considered that temporary approval of the application would not frustrate the long-term planning intention of the “V” zone. The proposed temporary public vehicle park was considered not incompatible with the surrounding area. Concerned government departments had no objection to or no adverse comment on the application. To minimize any possible environmental nuisance, approval conditions restricting vehicle type and prohibiting workshop activities were recommended. Regarding the public comments received, the comments of government departments and planning assessments above about were relevant.

46. Members had no question on the application.

Deliberation Session

47. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 22.2.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicles other than private cars 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;
- (b) 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;
- (c) a notice should be posted at a prominent location of the Site to indicate that

only private cars 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;

- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the Site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of 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 22.8.2019;
- (g) in relation to (f) 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 22.11.2019;
- (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 22.8.2019;
- (i) in relation to (h) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.11.2019;
- (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.”

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

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/641 Proposed Temporary Eating Place (Staff Canteen) for a Period of 3 Years in “Village Type Development” Zone, Lot 474 (Part) in D.D. 109, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTN/641)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary eating place (staff canteen) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three objecting public comments were received from individuals. 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 temporary use for a period of three years based on the assessments set out

in paragraph 12 of the Paper. While the proposed temporary eating place (staff canteen) was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) advised that there was no Small House application approved or under processing at the Site hence approval of the application on a temporary basis for three years would not jeopardize the planning intention of the “V” zone. The development was considered not incompatible with the surrounding land uses. In relation to the relevant assessment criteria set out under Town Planning Board Guidelines No. 15A, the proposed use was located at the fringe of the “V” zone. The Site was readily accessible from Kam Tin Road and did not share the same access with the nearby residential developments. Concerned government departments had no objection to or no adverse comment on the application. Approval conditions were recommended to address the technical concerns of relevant government departments. Regarding the public comments received, the comments of government departments and planning assessments above about were relevant.

50. In response to the Chairman’s enquiry about the target customers, Ms Ivy C.W. Wong, STP/FSYLE, said that according to the applicant, the proposed staff canteen was to serve the workers in the nearby petrol filling station, clinic and other businesses.

51. In response to a Member’s question, Ms Wong said that the “V” zone of the subject application was not a recognised village. According to LandsD, there was no Small House application approved or under processing at the Site.

Deliberation Session

52. Members noted the Director of Food and Environmental Hygiene’s comment on this application that proper licence and/or permit would be required if a general restaurant use was involved. The applicant would be advised that other relevant regulations and legislation should be complied with should the application be approved by the Committee.

53. After deliberation, the Committee decided to approve the application on a

temporary basis for a period of 3 years until 22.2.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 10:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Mondays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the provision of boundary fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 22.8.2019;
- (f) 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 22.8.2019;
- (g) in relation to (f) 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 22.11.2019;
- (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 22.8.2019;
- (i) in relation to (h) above, the implementation of fire service installations

proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.11.2019;

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

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

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/642 Proposed Temporary Animal Boarding Establishment for a Period of 3 Years in “Agriculture” Zone, Lots 946 S.L, 946 S.M, 946 S.N, 946 S.O, 1106, 1118, 1119 S.B, 1119 S.C, 1119 S.D, 1119 S.E and 1119 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/642)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) proposed temporary animal boarding establishment for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the Site 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 periods, three objecting public comments were received from a resident of Fung Kat Heung, a concern group and an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While the proposed temporary animal boarding establishment was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application from agricultural point of view, the proposed animal boarding establishment was temporary in nature, the approval of which would not jeopardize the long-term planning intention of the “AGR” zone. The Director of Environmental Protection and other concerned departments had no objection to the application. Approval conditions were recommended to minimize any possible environmental nuisance and address technical requirements of concerned departments. Given 22 similar applications were approved with conditions by the committee from 2005 and 2019, approval of the current application was in line with the Committee’s previous decisions. Regarding the public comment, the comments of government departments and the planning assessment above were relevant.

56. Members had no question on the application.

57. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.2.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 5:00 p.m. and 10:00 a.m. (except overnight animal boarding establishment), as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) all animals shall be kept inside the enclosed animal boarding establishment on the Site, as proposed by the applicant, at all times during the planning approval period;
- (c) no public announcement system, portable loud speaker, or any form of audio amplification system or whistle blowing is allowed to be used on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of 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 22.8.2019;
- (f) in relation to (e) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.11.2019;
- (g) in relation to (f) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.8.2019;

- (i) in relation to (h) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.11.2019;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/811 Proposed Temporary Vehicle Repair Workshop for a Period of 3 Years in “Agriculture” Zone, Lots 587, 588 (Part), 589 RP (Part), 591 RP (Part) and 593 RP (Part) in D.D. 103, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/811)

59. The Committee noted that two replacement pages (page 7 of the Paper and page 2 of Appendix V) reflecting the latest comments from the Transport Department had been tabled for Members’ reference.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary vehicle repair workshop for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one objecting public comment was received from an individual. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. While the proposed use was not in line with the planning intention of the “Agriculture” (“AGR”) zone, the Director of Agriculture, Fisheries and Conservation (DAFC) had no objection to the application as the potential for agricultural rehabilitation was low. The temporary approval of the application would not frustrate the long-term planning intention of the “AGR” zone. Appropriate approval conditions were recommended to address the concerns of DEP on the possible environmental nuisance generated by the proposed development and technical requirements of concerned departments. There were 12 similar applications for various vehicle repair workshop with/without open storage use within the same “AGR” zone, among them

11 were approved with conditions for 3 years by the Committee from 2000 to 2017. The rejected application was subject to different circumstance as the current application. Approval of the application was consistent with the Committee's previous decisions on the similar applications. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

Deliberation Session

61. Members noted that the Site was subject to six previous planning applications. The previous application (No. A/YL-KTS/131) for temporary open storage of vehicles with ancillary vehicle repair workshop was approved by the Town Planning Board (the Board) on review in 1998, with the consideration that land could be made available for widening of the existing footway leading to the site for vehicular access. The remaining five previous applications were generally related to temporary open storage, cargo handling-related and port back-up uses, and were rejected by the Committee or the Board on review. As compared with the approved application, the five rejected applications involved larger site areas.

62. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.2.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 5:00 p.m. and 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 car washing, paint spraying or dismantling, as proposed by the applicant, shall be carried out on the Site at any time during the planning approval period;
- (d) 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;

- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the provision of boundary fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 22.8.2019;
- (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 22.8.2019;
- (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 22.11.2019;
- (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 22.8.2019;
- (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 22.11.2019;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e) 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 (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.”

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

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/812 Temporary Shop and Services with Ancillary Facilities for a Period of 5 Years in “Residential (Group C)” Zone, Lots 341, 342, 343, 344 (Part) and 348 (Part) in D.D. 109, Kam Sheung Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/812)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary shop and services with ancillary facilities for a period of five years;
- (c) departmental comments – departmental comments were set out in

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

- (d) during the first three weeks of the statutory publication period, six public comments were received from individuals/local residents, with three objecting to the application, one supporting and two provided comments. 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 applications based on the assessments set out in paragraph 11 of the Paper. While the applied use were not entirely in line with the planning intention of the “Residential (Group C)” (“R(C)”) zone, the applicant stated that the shop and services was to serve the local resident. There was no known programme for long-term development at the Site and approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(C)” zone. The applied use was considered not incompatible with the surrounding land uses. Concerned government departments had no adverse comments. Approval conditions were recommended to minimize any potential nuisance to nearby residents and address the technical concerns of various departments. The Site was the subject of two previous applications for various shop and services which were approved by the Committee. A similar application for temporary shop and services (car beauty product) within the same “R(C)” zone was also approved. Approval of the current application was generally in line with the previous decision of the Committee. Regarding the public comment, the comments of government departments and the planning assessment above were relevant.

65. Members had no question on the application.

Deliberation Session

66. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 22.2.2024, 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) 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 public announcement system, portable loud speaker, or any form of audio amplification system is allowed to be used on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) existing trees on the Site shall be maintained at all times during the planning approval period;
- (f) the implementation of the approved modification work proposal of the existing public footpath and associated street furniture at the proposed entrance to the east of the Site within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 22.8.2019;
- (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 22.8.2019;
- (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 22.11.2019;

- (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 22.8.2019;
- (k) in relation to (j) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.11.2019;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e) 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 (f), (g), (h), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) upon the expiry of the planning permission, the reinstatement of the existing public footpath and associated street furniture at the proposed entrance to the east of the Site at the applicant's own cost to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB."

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

Agenda Item 20

Section 16 Application

[Open Meeting]

A/YL-NTM/381 Proposed Temporary Shop and Services (Sales of Building Materials) for a Period of 3 Years in “Residential (Group C)” Zone, Lots 1399, 1485 and 1486 in D.D. 105, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/381)

68. The Committee noted that the applicant had requested on 12.2.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

69. 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 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/382 Proposed Temporary Open Storage of Construction Materials with Ancillary Workshop for a Period of 3 Years in “Comprehensive Development Area” Zone, Lot 956 (Part) in D.D. 104, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/382)

70. The Committee noted that three replacement pages (page 4 of the Paper and Appendix V) with updated text at paragraph 5 of the Paper and Advisory Clauses at Appendix V had been tabled for Members’ reference.

Presentation and Question Sessions

71. 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) proposed temporary open storage of construction 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 in the vicinity of the Site and environmental nuisance was expected. The Director of Agriculture, Fisheries and Conservation (DAFC) had concern on whether the contaminated run-off from the Site would contaminate the nearby fishponds/fish farming activities. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservation on the application as the vegetation cover on the Site had been removed as compared with aerial photo taken in 2012 and landscape

impact had been made. Approval of the application would encourage similar site modification prior to application and encourage more temporary open storage/workshop in the “Comprehensive Development Area” (“CDA”) zone, which would lead to a general deterioration of surrounding rural landscape character;

- (d) during the first three weeks of the statutory publication period, 97 objecting public comments were received from a Yuen Long District Council Member, a Village Representative of Yau Tam Mei Tsuen, Hong Kong Bird Watching Society, 93 Yau Tam Mei residents and a member of the public. Major grounds of objection were set out in paragraph 11 of the Paper; and

- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed temporary use under application was not in line with the planning intention of “CDA” zone. Despite there was no approved development/programme for the “CDA” zone, no strong planning justification had been given in the submission for a departure from the planning intention, even on a temporary basis. The Site fell within Category 3 area under the Town Planning Board Guideline No. 13E (TPB PG-No. 13E). The Site was not the subject of any previous planning approval for open storage use and there were adverse comments from concerned departments including DEP and DAFC. The applicant had failed to demonstrate that the applied use would not have adverse environmental impact on the surrounding areas. Approval of the application would set an undesirable precedent and encourage other applications for similar developments in the area. The cumulative effect of approving the similar applications would result in general degradation of the environment of the area. No approval had ever been given to any application for temporary open storage within the same and adjacent “CDA” zones on the Ngau Tam Mei OZP. A previous application for similar open storage use at the Site was rejected by the Committee in 2003. Rejection of the application was in line with the previous decisions of the Committee on similar applications in the area.

Regarding the adverse public comments, the comments of relevant government departments and the planning assessments above were relevant.

72. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Comprehensive Development Area” (“CDA”) zone, which is primarily for comprehensive development/redevelopment of the area for residential use with commercial, open space and other supporting facilities. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the proposed development is not in line with the Town Planning Board Guidelines No.13E for Application for Open Storage and Port Back-up Uses in that no previous approval for the applied uses has been granted for the Site, there are adverse departmental comments and local objections, and the applicant fails to demonstrate that the proposed development would not generate adverse environmental impact on the surrounding areas; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the “CDA” zone. The cumulative effect of approving such application would result in general degradation of the environment of the area.”

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/537 Temporary Public Vehicle Park for Private Car for a Period of 3 Years
in “Village Type Development” Zone, Lots 3045 RP and 3056 RP in
D.D. 102 and Adjoining Government Land, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/537)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary public vehicle park for 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 objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one objecting public comment was received from an individual. Major grounds of objection 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. As advised by the District Lands Officer/Yuen Long, Lands Department, there was no Small House application received/being processed within the Site. Approval of the application on a temporary basis for a period of three years would not frustrate the long term planning intention of the “Village Type Development” (“V”) zone. The applied use was not incompatible with the rural character of the surroundings. Concerned

government departments had no objection to the application. Approval conditions were recommended to minimize any possible environmental nuisance and address technical requirements of concerned departments. The Site was the subject of eight previous applications approved by the Committee for temporary container tractor/trailer park/ public vehicle park (excluding container vehicle). Since 2009, the Committee had approved a total of 18 applications for similar uses within the same “V” zone. Approval of the current application was in line with the previous decisions of the Committee. Regarding the public comments received, the comments of the government departments and planning assessments above were relevant.

75. Members had no question on the application.

Deliberation Session

76. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.2.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicle other than private car is allowed to access the Site at all times during the planning approval period;
- (b) no car washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the site at any time during the planning approval period;
- (c) no vehicles without valid licenses issued under the Road Traffic Ordinance is 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 only private cars as defined in the Road Traffic Ordinance are allowed to be parked/stored on the site at any time during the planning approval period;

- (e) no vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period;
- (f) the existing trees within the Site shall be maintained in healthy conditions at all times during the planning approval period;
- (g) the submission of as-built drainage plans and photographic records of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.5.2019;
- (h) in relation to (g) above, the existing drainage facilities shall be maintained at all times during the planning approval period;
- (i) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.8.2019;
- (j) in relation to (i) 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 22.11.2019;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (g), (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.”

77. 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 Ivy C.W. Wong and Ms Emily P.W. Tong, STPs/FSYLE, for their attendance to answer Members' enquiries. Ms Wong and Ms Tong left the meeting at this point.]

Tuen Mun and Yuen Long West District

Agenda Item 23

Section 16 Application

[Open Meeting]

A/TM/527 Proposed Columbarium and Religious Institution in “Government, Institution or Community” Zone, Filial Park, 25 Yeung Tsing Road, Tuen Mun
(RNTPC Paper No. A/TM/527B)

78. The Secretary reported that the application was for columbarium use. 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.

79. 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. Since the interest of Mr H.W. Cheung was indirect, the Committee agreed that he could stay in the meeting.

80. The Committee noted that the applicant requested on 1.2.2019 deferment of consideration of the application for two months so as to allow time for preparation of further

information (FI) to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted FI including revised Traffic Impact Assessment in response to departmental comments.

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

[Mr Simon P.H. Chan, Ms Bonnie K.C. Lee 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 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/128	Proposed Temporary Warehouse (Furniture Storage) for a Period of 3 Years in "Residential (Group B) 3" Zone, Lot 2238 S.A RP (Part) in D.D. 124 and Adjoining Government Land, Hung Shui Kiu, Yuen Long (RNTPC Paper No. A/HSK/128)
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Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary warehouse (furniture storage) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 in the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the three weeks of statutory publication period, one objecting comment was received from an individual. Major objection grounds and views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessment set out in paragraph 11 of the Paper. The Site fell within Stage 3 works of the Hung Shui Kiu New Development Area (HSK NDA). While the detailed implementation programme was still being formulated, it was envisaged that the clearance of the Site would not be arranged before the first population intake of the HSK NDA expected in 2024. Although the applied use was not in line with the planning intention of the “Residential (Group B)3” (“R(B)3”) zone, approval of the application on a temporary basis would not jeopardise the planning intention of the “R(B)3” zone. The proposed use and development scale was not incompatible with the surrounding area which were predominately residential use intermixed with a church, vacant land and some workshops/storage use. There was no adverse comment on or objection to the application from concerned departments. Relevant approval conditions were recommended to minimize any possible impacts and nuisance on the surrounding areas and address the technical requirements of concerned departments. Regarding the adverse public comments, the planning considerations and assessments

above were relevant.

83. Members had no question on the application.

Deliberation Session

84. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.2.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (b) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.8.2019;
- (c) in relation to (b) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.11.2019;
- (d) 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 22.8.2019;
- (e) in relation to (d) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.11.2019;
- (f) in relation to (e) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) if any of the above planning conditions (a) or (f) is not complied with during the approval period, the approval hereby given shall cease to have

effect and shall be revoked immediately without further notice; and

- (h) if any of the above planning conditions (b), (c), (d) or (e) 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.”

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

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/129 Temporary Shop and Services (Convenient Store) for a Period of 3
Years in “Village Type Development” Zone, Lot 650 RP (Part) in
D.D.125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/129)

Presentation and Question Sessions

86. 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) temporary shop and services (convenient store) 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, no public comment was received; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. While the applied development was not in line with the planning intention of the “Village Type Development” (“V”) zone, it could provide shop and services to meet any such demand in the area. The District Lands Officer/Yuen Long, Lands Department advised that there was no Small House application at the Site, and approval of the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. The applied temporary use was not incompatible with the surrounding land use, which was predominately occupied by village houses. There was no adverse comment or objection from the concerned government departments. The technical concerns raised by relevant departments could be addressed by recommending approval conditions. The Site was the subject of a previous application for the same use of convenient store which was lapsed on 22.1.2019. All the approval conditions had been complied with and there had been no major change in planning circumstances of the Site and the surrounding areas since the previous temporary approval. Also, the Committee had approved eight similar applications for temporary shop and services use within the same “V” zone on the OZP since 2005. Approval of the current application was in line with the previous decisions of the Committee.

87. Members had no question on the application.

Deliberation Session

88. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.2.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

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

- (b) the existing trees and landscape plants on the Site shall be maintained at all times during the planning approval period;
- (c) the submission of condition record of existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.5.2019;
- (d) the existing drainage facilities on the Site shall be maintained at all times 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 22.8.2019;
- (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 22.11.2019;
- (g) if any of the above planning conditions (a), (b) 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 (c), (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.”

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/334 Temporary Logistics Centre with Ancillary Canteen and Site Office for a Period of 3 Years in “Residential (Group E)” Zone, Lots 2177 (Part), 2178 (Part), 2193 (Part), 2194 (Part), 2195, 2196, 2197, 2198, 2199 (Part), 2200, 2201 (Part), 2203, 2204 S.A (Part), 2219 RP (Part), 2225 (Part), 2228 S.A (Part), 2228 S.B (Part), 2327 (Part), 2334 (Part), 2336 S.A (Part), 2336 S.B (Part), 2337 (Part), 2338, 2339 S.A (Part), 2340, 2341, 2342, 2343, 2344 S.A (Part), 2344 S.B (Part), 2344 S.C, 2349 (Part), 2350, 2351 (Part), 2352 (Part), 2353 (Part), 2364 (Part), 2365 (Part), 2366 S.A (Part), 2366 RP (Part), 2367, 2368, 2369, 2370, 2371, 2373 S.A, 2373 S.B, 2373 RP (Part), 2374, 2375, 2376 S.A, 2376 S.B (Part), 2376 S.C (Part), 2377, 2378 RP (Part) and 3450 (Part) in D.D. 129, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/334)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary logistic centre with ancillary canteen and site office for a period of three years;
- (c) departmental comments – departmental comments were set out at paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive users in the vicinity of the Site and the applied use involved the use of heavy vehicles, environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment objecting to the application was received. Major grounds of objection were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of “Residential (Group E)” (“R(E)”) zone, there was no known development proposal for the Site and the applied use was temporary in nature which could be tolerated in the interim. The applied use was considered not incompatible with the surrounding land uses which mainly comprised public vehicle parks, workshops, open storage yards and some rural residential dwellings/structures. The applied use was generally in line with the Town Planning Board Guideline No. 13E, where the Site fell within Category 2 areas. Relevant approval conditions could be recommended to address DEP's concern on possible environmental impacts and nuisances on the surrounding development and other technical requirements of the concerned government departments. Given that 20 previous approvals for temporary open storage/logistics centre uses had been granted to the Site and one similar application had been approved within the same “R(E)” zone, approval of the current application was in line with the Committee's previous decisions. As the previous approval for the same use by the same applicant at the Site had been revoked, shorter compliance period was recommended to closely monitor the progress on compliance with approval conditions. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

91. Members had no question on the application.

92. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.2.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no storage of recyclable materials, dismantling, assembling, repairing or other workshop activities, as proposed by the applicant, are allowed on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to public road or reverse onto/from the public road at any time during the planning approval period;
- (e) the submission of a revised drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.5.2019;
- (f) in relation to (e) above, the implementation of the revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.8.2019;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) 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 22.8.2019;

- (i) the submission of fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.5.2019;
- (j) in relation to (i) above, the implementation of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.8.2019;
- (k) the provision of fencing within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 22.5.2019;
- (l) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (e), (f), (h), (i), (j) or (k) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PN/56 Proposed Temporary Religious Institution (Taoist Temple and Place for Taoist Education) for a Period of 5 Years in “Agriculture” and “Green Belt” Zones, Government Land in D.D. 133, Ha Pak Nai, Yuen Long (Former Ha Pak Nai Tsuen Public Primary School)
(RNTPC Paper No. A/YL-PN/56)

94. The applicant of the application was Yuan Fa Guan (Hong Kong) Taoism, and Mr David Y.T. Lui had declared an interest of knowing the Taoist priests of the Temple but he had no involvement in the application. As the interest of Mr David Y.T. Lui was indirect, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary religious institution (Taoist temple and place for Taoist education) for a period of five years;
- (c) departmental comments – departmental comments were set out at paragraph 9 of the paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support this 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, one supporting public comment was received from an individual. 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 12 of the Paper. According to the 'Vacant School Premises Sites Reviewed under the Central Clearing House Mechanism' promulgated by PlanD in July 2018, the Former Ha Pak Nai Tsuen Public Primary School site was recommended to be retained for G/IC uses. As such, the proposed religious institution was considered in line with the recommended long-term use of the Site. The applicant was a charitable organization recognised under section 88 of the Inland Revenue Ordinance and the Home Affairs Bureau had no objection to the application from religious point of view. Concerned government departments had no objection to or adverse comment on the application. While DAFC considered that the Site possessed potential for agricultural rehabilitation, the Site was already developed and significant change to the landscape character arising from the application was not envisaged. Approval conditions were recommended to address the technical concerns of concerned departments.

96. In response to a Member's question, Ms Bonnie K.C. Lee, STP/TMYLW, confirmed that no adverse comment was received from the Commissioner for Transport. No parking space and loading/unloading bay would be provided on-site and it was anticipated that the visitors would go to the temple on foot after getting off from public transport.

97. Another Member enquired if there would be modification to the outlook of the existing structure. In response, Ms Lee said that according to the information from the applicant, the vacant school premises would be renovated to suit the proposed temple and education use. It was not stated in the application that the outlook of the premises would be modified.

Deliberation Session

98. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 22.2.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 5:00 p.m. to 10:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no public announcement system, portal loudspeakers or any form of audio amplification system, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) the existing landscape planting on the Site shall be maintained at all times during the approval period;
- (d) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.8.2019;
- (e) in relation to (d) above, the implementation of the drainage proposals within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.11.2019;
- (f) in relation to (e) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of fire service 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 22.8.2019;
- (h) in relation to (g) above, the implementation of the fire service installations proposal with 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.11.2019;
- (i) if the above planning conditions (a), (b), (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

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

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/579 Renewal of Planning Approval for Temporary Open Storage of New Vehicles (Private Cars, Taxis, Light Goods Vehicles and Light Buses Only) for a Period of 3 Years in “Recreation” and “Village Type Development” Zones, Lots 88 RP(Part), 89(Part), 90, 91 RP(Part), 92 RP, 93 to 105, 106(Part), 107(Part), 108, 109, 110(Part), 111, 112(Part), 113(Part), 233(Part), 234(Part), 235(Part), 236(Part), 295(Part), 296, 297, 298 S.A to S.D, 298 RP, 299, 300, 301(Part), 302(Part), 303 to 305, 306(Part), 312 (Part), 313(Part), 314(Part), 316(Part), 317(Part), 318 and 319(Part) in D.D. 126 and adjoining Government Land near Fung Ka Wai, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/579)

100. Ms Bonnie K.C. Lee, STP/TMYLW, drew Members’ attention that two replacement pages (page 8 and 14 of the Paper) with revision to paragraph 10.1.4 and 12.6 of the Paper had been dispatched to Members before the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) renewal of planning approval for temporary open storage of new vehicles (private cars, taxis, light goods vehicles and light buses only) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection period, three public comments were received from a member of the Yuen Long District Council and two individuals objecting to the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The Site fell mostly within Category 3 area under the Town Planning Board Guidelines No. 13E (TPB PG-No. 13E). The application was considered in line with TPB PG-No. 13E in that the Site was granted with previous approvals, the applicant had complied with all the approval conditions and the concerns of the government departments and local residents could be addressed through the implementation of approval conditions. The applied use was generally in line with TPB PG-No. 34B in that there had been no material change in planning circumstances since the previous temporary approval was granted, and the 3-year approval period sought was of the same timeframe as that of the previous approval. Concerned government departments had no objection to or no adverse comment on the application, and approval conditions were recommended to address the technical concerns of concerned government departments. The Committee had previously approved eleven applications for similar or same use covering the Site and two similar applications had also been approved in the same “Recreation” zone since the promulgation of TPB PG-No. 13E in 2008. Approval of

the renewal application was in line with the previous decisions of the Committee. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

102. Members had no question on the application.

Deliberation Session

103. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 16.3.2019 to 15.3.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 9:00 p.m. and 9:30 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes as defined in the Road Traffic Ordinance, buses exceeding 16 seats, container vehicles, container tractors and trailers are allowed to be parked/enter on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the delivery route to and from the Site via Tin Wah Road, as proposed by the applicant, should be adhered to at all times during the planning approval period;
- (f) the existing fencing on the Site should be maintained at all times during the planning approval period;

- (g) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of the condition record of the existing drainage facilities on the Site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.6.2019;
- (i) the provision of fire extinguisher(s) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 27.4.2019;
- (j) the submission of fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.9.2019;
- (k) in relation to (j) above, the implementation of fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.12.2019;
- (l) all existing trees and landscape plantings on the Site shall be maintained at all times during the planning approval period;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (l) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

set out at Appendix VIII of the Paper.

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

105. The Committee noted that one replacement page (page 6 of the Paper) incorporated updated comments from the Lands Department had been tabled for Members’ reference.

Presentation and Question Sessions

106. 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) temporary wholesale trade (metal ware) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP)

did not support the application as there were sensitive receivers in the vicinity and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, 110 public comments were received. Amongst them, 85 supportive comments were received from three Yuen Long District Members, the Chairman of Shap Pat Heung Rural Committee, the vice-chairman of Shap Pat Heung District Resident Association, 26 village representatives, 7 representatives of the local storage and logistic industry and 47 members of the public. 24 members of the public and two owners of some land lots within the Site raised objection to the proposed development. 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. While 'wholesale trade' was a Column 2 use in the "Open Storage" ("OS") zone according to the Notes of the OZP, uses similar in nature to the current applied use were always permitted within the "OS" zone. The applied use was not entirely incompatible with the planning intention of the "OS" zone. The proposed development was not incompatible with the surrounding uses and the approval of the application on a temporary basis would not jeopardise the long-term planning intention for the Site. Although the proposed wholesale trade use might induce comparatively more traffic as compared to a warehouse, the Commissioner for Transport did not raise objection to the current application. Approval conditions were recommended to minimize any possible environmental nuisance and address technical requirements of concerned departments. The Site was the subject of eight previous applications. Three of them for similar temporary warehouse uses were previously approved with conditions by the Committee. The Committee had also approved one similar application for wholesale trade in the subject "OS" zone. As such, approval of this application was in line with the Committee's previous decisions.

Regarding the public comments, the comments of government departments and the planning assessment above were relevant.

107. A Member enquired if vegetation clearance had taken place at the Site. In response, Mr Steven Y.H. Siu, STP/TMYLW, said that the Site was currently used for open-air storage and workshop use and there were no vegetation clearance.

Deliberation Session

108. The Committee noted from Plan A-4c of the paper that only some portion of the Site was hard paved and there was no hard paving at the portion currently used for storage use.

109. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.2.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 5:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no manufacturing, retail, car washing, car repairing or other workshop activities, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road, as proposed by the applicant, at any time during the planning approval period;
- (d) no vehicle is allowed to be parked/stored on the Site between 5:00 p.m. and 10:00 a.m., as proposed by the applicant, during the planning approval period;
- (e) the provision of boundary fence on the Site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 22.8.2019;

- (f) the submission of a drainage impact assessment within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.8.2019;
- (g) in relation to (f) above, the implementation of the drainage facilities proposed in the drainage impact assessment within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.11.2019;
- (h) in relation to (g) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (i) the 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 22.8.2019;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.11.2019;
- (k) if any of the above planning conditions (a), (b), (c), (d) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (e), (f), (g), (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.”

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

Agenda Item 30

Section 16 Application

[Open Meeting]

A/YL-TYST/885 Proposed Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years in “Village Type Development” Zone, Lot 1562 RP (Part) in D.D. 121, Shan Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/885B)

111. The Committee noted that the applicant’s representative requested on 12.2.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information (FI) to address comments from the Transport Department (TD). This was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted FI to address comments from TD.

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

Agenda Item 31

Section 16 Application

[Open Meeting]

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

113. The Committee noted that the applicant’s representative requested on 12.2.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information (FI) to address departmental comments. This was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted FI to address comments from the Transport Department.

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

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/939 Temporary Shop and Services (Convenience Store) for a Period of 3 Years in “Comprehensive Development Area” Zone, Lot 388 RP in D.D. 121 and Adjoining Government Land, Fui Sha Wai South Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/939)

Presentation and Question Sessions

115. 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) temporary shop and services (convenience store) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication periods, four public comments were received, with three objecting comments received from a Yuen Long District Council Member and an individual, and another individual expressing concern. 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 applied use was piecemeal and not entirely in line with the planning intention of the “Comprehensive Development Area” (“CDA”) zone which was primarily for comprehensive development/redevelopment,

there was currently no known programme for long-term development on the Site. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “CDA” zone on the OZP. The proposed development was small in scale and considered not incompatible with the surrounding uses. No adverse comment was received from concerned government department and approval conditions were recommended to minimize potential environmental nuisances or to address the technical requirements of concerned government departments. The Site was the subject of an approved application for temporary shop and services (real estate agency), but was revoked due to non-compliance with the time-limited approval conditions. Nonetheless, for the current application submitted by the same applicant, landscape, drainage and fire services installations proposals were submitted and were considered acceptable by the concerned departments. As such, sympathetic consideration could be given to this application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

116. Members had no question on the application.

Deliberation Session

117. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.2.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) all existing trees within the Site shall be maintained at all times during the planning approval period;

- (d) the submission of a run-in/out proposal within 3 months from the date of planning approval to the satisfaction of the satisfaction of the Director of Highways or of the TPB by 22.5.2019;
- (e) in relation to (d) above, the implementation of the run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 22.8.2019;
- (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 22.8.2019;
- (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 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 22.8.2019;
- (i) if any of the above planning conditions (a), (b), (c) 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;
- (j) if any of the above planning conditions (d), (e), (f) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon expiry of the planning permission, the reinstatement of the existing u-channel and adjoining public road pavement to its original state to the satisfaction of the Director of Highways or of the TPB.”

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

set out at Appendix IV of the Paper.

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/944 Renewal of Planning Approval for Temporary Open Storage of Construction Machinery for a Period of 3 Years in “Undetermined” Zone, Lots 1231 S.A ss. 1 (Part) and 1231 S.B RP (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/944)

Presentation and Question Sessions

119. 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) renewal of planning approval for temporary Open Storage of Construction Machinery 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 did not support the application as there were sensitive receivers in the vicinity and environmental nuisance was expected. Other concerned government department had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, no public comment were received; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a further period of three years based

on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone which was generally intended for open storage use but was designated with this zoning mainly due to concerns of the capacity of Kung Um Road. In this regard, the Commissioner for Transport had no adverse comment on the application. While the Site fell within an area zoned as “R2c” on the Recommended Outline Development Plan of Yuen Long South, approval of the application on a temporary basis would not jeopardise the long-term development of the area. The development was not incompatible with the surrounding uses in the subject “U” zone. The Site fell within Category 1 areas under Town Planning Board Guidelines No. 13E, which were considered suitable for open storage and port back-up uses and approval conditions were recommended to minimize potential environmental nuisances or to address the technical requirements of concerned government departments. Since six previous approvals for the same applied use had been granted to the site and 33 similar application had been approved in this part of “U” zone, approval of the current application was in line with the Committee’s previous decisions.

120. Members had no question on the application.

Deliberation Session

121. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 2.3.2019 to 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., as proposed by the applicants, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicants, is allowed on the Site during the planning approval period;

- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site, at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road, as proposed by the applicants, at any time during the planning approval period;
- (e) no repairing, dismantling, maintenance, cleaning or any other workshop activities are allowed on the Site at any time during the planning approval period;
- (f) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (g) all existing trees 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 submission of a condition record of the existing drainage facilities on the Site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 2.6.2019;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if the above planning condition (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.”

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

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

Agenda Item 34

Any Other Business

123. There being no other business, the meeting closed at 3:45 p.m..