

TOWN PLANNING BOARD

**Minutes of 627th Meeting of the
Rural and New Town Planning Committee held at 2:30 p.m. on 31.5.2019**

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Mr Ivan C.S. Fu

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Dr C.H. Hau

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Mr K.W. Leung

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

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

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
Miss Fiona S.Y. Lung

Secretary

Absent with Apologies

Dr Lawrence K.C. Li

Mr L.T. Kwok

Dr Jeanne C.Y. Ng

Mr Ricky W.Y. Yu

In Attendance

Assistant Director of Planning/Board
Ms April K.Y. Kun

Chief Town Planner/Town Planning Board
Mr Kevin C.P. Ng

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

Agenda Item 1

Confirmation of the Draft Minutes of the 626th RNTPC Meeting held on 17.5.2019

[Open Meeting]

1. The draft minutes of the 626th RNTPC meeting held on 17.5.2019 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Sha Tin, Tai Po and North District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/NE-LYT/14 Application for Amendment to the Approved Lung Yeuk Tau & Kwan Tei South Outline Zoning Plan No. S/NE-LYT/17, To Rezone the Application Site from “Recreation” to “Other Specified Uses” annotated “Community/Recreational Facilities and Fanling Bypass with Commercial/Residential Development”, Various Lots in D.D. 51 and Adjoining Government Land, Fanling
(RNTPC Paper No. Y/NE-LYT/14)

3. The Committee noted that the application was rescheduled.

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/ST/41

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

(RNTPC Paper No. Y/ST/41A)

4. The Committee noted that the applicant’s representative requested on 15.5.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare relevant technical assessment and responses to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted the revised visual impact assessment, and new environmental review and geotechnical planning review report for the application.

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

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/TP/27

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

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

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

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

7. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr Ivan C.S. Fu had no involvement in the application, and as the property of Mr H.W. Cheung did not have a direct view on the application site, the Committee agreed that they could stay in the meeting.

8. The Committee noted that the applicant’s representative requested on 15.5.2019 deferment of consideration of the application for a period of two months so as to allow time to address comments raised by the Transport Department. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information, including a revised traffic impact assessment..

9. 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 third deferment and a total of five months had been allowed for preparation of submission of further information, this was the last deferment and no further deferment would be granted.

Sai Kung and Islands District

[Ms Donna Y.P. Tam, District Planning Officer/Sai Kung and Islands (DPO/SKIs), Ms Carol Y.M. Cheuk, Ms Jane W.L. Kwan and Mr Richard Y.L. Siu, Senior Town Planners/Sai Kung and Islands (STPs/SKIs), and Ms Mable M.B. Lok, Town Planner/Sai Kung (TP/SK) were invited to the meeting at this point.]

[Messrs K.K. Cheung and K.W. Leung arrived to join the meeting at this point.]

Agenda Item 6

[Open Meeting]

Proposed Amendments to the

Approved Hebe Haven Outline Zoning Plan No. S/SK-HH/6

(RNTPC Paper No. 4/19)

10. With the aid of a PowerPoint presentation, Ms Donna Y.P. Tam presented the proposed amendments as detailed in the Paper and covered the following main points :

Background

- (a) the proposed amendments to the Approved Hebe Haven Outline Zoning Plan (OZP) No. S/SK-HH/6 were mainly related to two potential housing sites (Amendment Items A and C) in Hebe Haven, Sai Kung for private

residential developments. Opportunity had also been taken to amend the OZP to reflect the existing uses of a carpark and a completed residential development (Amendment Items B and D respectively) and to incorporate an authorized road scheme as well as to revise the Notes to incorporate the latest revisions of the Master Schedule of Notes to Statutory Plans (MSN);

The Proposed Amendments to the OZP

- (b) Amendment Item A - to rezone a site (about 0.47ha) near the junction of Hiram's Highway and Heung Chung Road from "Government, Institution or Community" ("G/IC") to "Residential (Group C)4" ("R(C)4") with a maximum plot ratio (PR) of 1.5 and maximum building height (BH) of 25mPD for private housing development. It was estimated that a total of about 100 flats could be provided assuming an average flat size of 70m²;
- (c) Amendment Item B - to rezone a strip of land (about 0.03ha) at Heung Chung Road from "G/IC" to an area shown as 'Road' to reflect the existing condition as part of the Heung Chung Road carpark;
- (d) Amendment Item C- to rezone a site (about 0.7ha) to the South of Nam Wai from "Green Belt" to "R(C)5" with a maximum PR of 1.3 and BH of 50mPD for private housing development. It was estimated that a total of about 130 flats could be provided assuming an average flat size of 70m²;
- (e) Amendment Item D - to rezone a site (about 0.4ha) from "GB" to "R(C)6" with a maximum PR of 0.35 and BH of 3 storeys to reflect its current use;
- (f) Inclusion of Authorized Road Scheme of "Dualling of Hiram's Highway between Clear Water Bay Road and Marina Cove and Improvement to Local Access to Ho Chung" authorized by the Chief Executive in Council on 4.10.2011 into the OZP for public information;

Technical Assessments

- (g) relevant government departments had no objection to or no adverse comment

on the proposed amendments from traffic , environmental and infrastructure provision points of view. Visual appraisals had also been conducted to assess the possible visual impact of the proposed residential developments at the sites;

- (h) the tree survey reports on the two proposed housing sites had been deposited at the Secretariat for Members' reference;

Provision of Government, Institution or Community (GIC) facilities and Open Space

- (i) the provision for GIC facilities in the area was generally adequate to meet the demand of the overall planned population (including the increase in population from the proposed housing developments) except for primary school and hospital. Hospital beds were assessed on a wider district basis and could be addressed by the provision in the adjoining area. The Education Bureau advised that they would continue to keep in review the latest population projections, the schedule of population intake of major housing developments as well as the supply and demand of school places in Sai Kung District and launch the school building programme as and when appropriate ;
- (j) there was adequate provision of district open space within the area and adequate private open space would be provided within the proposed residential developments to meet the demand generated by the residents; and

Consultation

- (k) the Sai Kung Rural Committee (SKRC), Village Representatives (VRs) and villagers of Nam Wai and Wo Mei Villages and Sai Kung District Council (SKDC) were consulted on 1.3.2019, 8.4.2019 and 7.5.2019 respectively. Their major concerns were related to existing traffic and drainage problems; potential adverse traffic, drainage and environmental impacts and insufficient supporting infrastructure on the surrounding area; retaining Amendment Item A site for government, institution or community use; and availability of land for Small House developments. SKDC passed a motion with support of all members objecting to the proposed OZP amendments and requested further

consultation with the concerned villagers. Their concerns had been taken into account in the proposed rezoning of the two potential housing sites and the relevant considerations were included in the RNTPC paper. Upon gazetting, the SKDC would be further consulted.

11. A Member asked if the Government had road improvement plans to widen the section of the Hiram's Highway from dual one-lane to dual two-lane carriageway and whether there were insurmountable technical difficulties to turn the entire Hiram's Highway into a dual two-lane carriageway. With reference to the layout plan of "Dualling of Hiram's Highway between Clear Water Bay Road and Marina Cove and Improvement to Local Access to Ho Chung" (Stage 1 of the Hiram's Highway Improvement (HHIS Stage 1)), Ms Donna Y.P. Tam, DPO/SKIs, said the widening works of this section of the Hiram's Highway was HHIS Stage 1. Upon completion of the road improvement works scheduled in end 2020, the traffic condition at Kowloon bound from Hebe Haven to Cheng Chek Chee Secondary School was anticipated to be improved. Meanwhile, the section of Hiram's Highway from Marina Cove to the south of Sha Ha at Sai Kung Town would be under Hiram's Highway Improvement Stage 2 (HHIS Stage 2) which was under review by relevant government departments. The project scope and road alignment would be finalized and it was scheduled to gazette the road scheme under the Roads (Works, Use and Compensation) Ordinance (Road Ordinance) (Chapter 370) in 2019.

12. The Chairman requested elaboration on the rationale for the proposed zoning boundary demarcation for the rezoning site under Amendment Item C (Site C). By making reference to the aerial photo, Ms Donna Y.P. Tam responded that Site C though within "GB" zone possessed development potential as it was adjoining existing residential developments and was currently occupied by some temporary structures and vegetation. She further elaborated that to the west of Site C, there was an existing stream running in the north-south direction between Site C and an existing residential development called 'Colour By The River'. With a view to protecting the natural stream, a buffer of about 10m between the stream and the western boundary of the site was proposed to be retained as 'GB'. To its south and north were steep vegetated slopes zoned "Conservation Area" ("CA"). The south-eastern boundary of Site C mainly followed the platform of an existing development which was on private land.

13. In response to a Member's inquiry about the dualling works of Hiram's Highway, Mr Ken K.K. Yip, Chief Traffic Engineer/New Territories East, Transport Department, stated that HHIS Stage 1 works would be completed in 2020 while technical feasibility study for HHIS Stage 2 had commenced. Regarding the implementation plan of HHIS Stage 2, the Highways Department had consulted and obtained support from SKDC in late 2018. The road scheme of HHIS Stage 2 would be gazetted under the Roads Ordinance this year. It was anticipated that the detailed design of HHIS Stage 2 could commence in 2021 subject to completion of relevant statutory procedures. The project scope of Stage 2 mainly involved widening of road sections along Marina Cove and Sai Kung Town (excluding Pak Sha Wan section) of Hiram's Highway from dual one to dual two-lane carriageway. However, due to site constraints, the section at Tai Mong Tsai Road could not be widened. There was no plan for road widening works for the section beyond Clear Water Bay Road at this juncture.

14. After deliberation, the Committee decided to :

- “(a) agree to the proposed amendments to the approved Hebe Haven Outline Zoning Plan (OZP) No. S/SK-HH/6 and that the draft OZP No. S/SK-HH/6A at Appendix II (to be renumbered as S/SK-HH/7 upon exhibition) and its Notes at Appendix III are suitable for public inspection under section 5 of the Ordinance; and
- (b) adopt the revised Explanatory Statement (ES) at Appendix IV for the draft Hebe Haven OZP No. S/SK-HH/6A (to be renumbered as S/SK-HH/7) as an expression of the planning intentions and objectives of the Board for various land use zonings of the OZP and the revised ES will be published together with the OZP.”

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/I-TCV/8 Proposed Temporary Utility Installation for Private Project (Meter Room) for a Period of 5 Years and Excavation of Land in “Green Belt” Zone, Lot 2761 (Part) in D.D.1 TC, Tung Chung Valley, Lantau Island
(RNTPC Paper No. A/I-TCV/8)

15. The Committee noted that further information submitted by the applicant on 29.5.2019 responding to public comments was tabled for Members’ reference.

Presentation and Question Sessions

16. Ms Donna Y.P. Tam, DPO/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary utility installation for private project (meter room) for a period of 5 years and excavation of land;
- (c) departmental comments –departmental comments were set out in paragraph 10 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) did not support the application as approval of the application would encourage similar vegetation removal prior to obtaining planning permission and setting an undesirable precedent to encourage similar applications, resulting in gradual degradation and irreversible change to the green belt. 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, 17 public comments objecting to the application were received from local village representatives (VRs), Kadoorie Farm & Botanic Garden Corporation,

Hong Kong Bird Watching Society, WWF, Alliance for the Concern Over Columbarium Policy and private individuals The major objection grounds were set out in paragraph 11 of the Paper; and

[Messrs Philip S.L. Kan and Stephen L.H. Liu arrived to join the meeting at this point.]

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of five years based on the assessments set out in paragraph 13 of the Paper. Although the proposed temporary utility installation and excavation of land were not totally in line with the planning intention of the “Green Belt” (“GB”) zone, the proposed meter room was a utility installation serving the adjoining eight village houses within the “Village Type Development” (“V”) zone. Whilst CTP/UD&L considered that approval of the application would encourage vegetation removal prior to obtaining planning permission, the application site fell on a paved area. It was generally in line with Town Planning Guidelines PG-No. 10 in that no extensive clearance of existing natural vegetation was involved and. The Director of Agriculture, Fisheries and Conservation had no comment on the application from nature conservation perspective. Relevant government departments had no objection to or no adverse comment on the application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

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

17. In response to a Member's enquiry, Ms Donna Y.P. Tam, DPO/SKIs, said the villages houses to which the proposed meter room would serve had been converted to columbarium use and they had electricity supply currently.

18. Some Members raised the following questions:

- (a) if the existing meter room found at the application site as shown in the site photos of the Paper was an unauthorised use without valid planning

permission;

- (b) what the non-residential use at the eight village houses was;
- (c) justifications for selecting a site in “GB” zone for the proposed meter room which was of relatively small-scale, noting that abundant land was available within the “V” zone; and
- (d) if the site was on government land and if the proposed meter room was an essential utility installation to support Small House development.

19. Ms Donna Y.P. Tam made the following responses:

- (a) the existing meter room on the application site was built in 2016, i.e. after the first publication in the Gazette of the notice of the draft Tung Chung Valley (TVC) Development Permission Area (DPA) Plan in 2015, but the site was paved before the publication of the DPA Plan. Therefore, the existing meter room was not regarded as an ‘Existing Use’ under the Town Planning Ordinance;
- (b) there were seven 3-storey and one 2-storey village houses near the application site and they had been converted into columbarium use before the first publication in the draft TCV DPA plan and could thus be regarded as ‘Existing Use’;
- (c) the site was on private land. According to information provided by the applicant, the existing meter room would be replaced by the proposed meter room to redistribute electricity supply to support the eight village houses. The location was selected having regarded to the 2800mm buffer distance requirement recommended by the electricity supply company; and
- (d) the Electrical and Mechanical Services Department advised that the proposed meter room was not a required installation for Small House development but its provision was agreed between the users and the

electricity supplier. The Lands Department also advised that while each lot owner was permitted to construct an electricity box within a specified dimension projecting from each village house, the applicant should well justify the necessity of a meter room to the Board's satisfaction. In this connection, the justification put forth by the applicant was to enhance electricity supply necessary to support the eight village houses.

Deliberation Session

20. A Member shared his knowledge on the technical requirement of meter room and its function in electricity supply. A Member considered the location of the proposed meter room within "GB" zone was not adequately justified in the application as there was land available within the 'V' zone for such meter room. It was also noted that small-scale electricity installation within a specified dimension within "V" zone was a use always permitted to support Small House/New Territories Exempted House developments.

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

" (a) the proposed development is not in line with the planning intention of the "Green Belt" ("GB") zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There are no strong planning grounds and justifications provided in the submission for a departure from the planning intention."

Additional Item 7A

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SLC/154 Proposed Public Utility Installation (Sewage Pumping Station, Underground Sewers and Underground Effluent Pipe) and Excavation of Land for Underground Sewers in “Coastal Protection Area” Zone, Lot 2760 in D.D. 316L, Pui O and Government Land along Chi Ma Wan Road (Pui O and Ham Tin) and near South Lantau Road at San Shek Wan, Lantau Island

(RNTPC Paper No. A/SLC/154A)

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

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

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

23. The Committee agreed that as the interest of Dr Billy C.H. Hau was direct, he should leave the meeting temporarily for the item. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

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

Presentation and Question Sessions

24. Ms Donna Y.P. Tam, DPO/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) proposed public utility installation (sewage pumping station (SPS), underground sewers and underground effluent pipe (UEP)) and excavation of land for underground sewers;
- (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, 13 public comments raising objection to/concerns were received from the On Yip Property Development Company Limited, Designing Hong Kong Limited, World Wild Fund Hong Kong and individuals. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The current application mainly involved a slight revision of the boundary of the proposed SPS compared with the previous application (No. A/SLC/145) approved by the Committee on 14.7.2017. The application site fell within the “Coastal Protection Area” zone, but the proposed SPS and associated underground sewers and the proposed UEP were essential infrastructure facilities for proper collection and conveyance of sewage to the planned San Shek Wan Sewage Treatment Works which would resolve the water pollution problem in the area. The proposed SPS was small in scale and compatible with the surrounding rural character. The Director of Environmental Protection considered that there was no insurmountable environmental concern and had no objection to the application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

25. Members had no question on the application.

Deliberation Session

26. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 31.5.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

“the provision of fire service installations and water supplies for firefighting to the satisfaction of Director of Fire Services or of the TPB.”

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

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

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-CWBN/56 Proposed House (New Territories Exempted House - Small House) in
“Green Belt” Zone, Lot 148 S.A ss.2 in D.D. 225, Sheung Yeung, Sai
Kung
(RNTPC Paper No. A/SK-CWBN/56)

Presentation and Question Sessions

28. Ms Jane W.L. Kwan, STP/SKIs, 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 11 and Appendix IV of the Paper. The Commissioner for Transport had reservation but considered that the application could be tolerated. 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, 6 public comments were received, with two from individuals supporting the application and four objecting to the application from the Kadoorie Farm & Botanic Garden Corporation, Designing Hong Kong Limited, The Hong Kong Bird Watching Society, and an individual. Major objection grounds were set out in paragraph 12 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 13 of the Paper. The proposed Small House development was not in line with the planning intention of the “Green Belt” (“GB”) zone and would result in piecemeal and isolated Small House development within the “GB” zone. It was not in line with the Town Planning Board Guidelines No.10. A previous s.12A rezoning application contained the same proposal and justifications from “GB” to “Village Type Development” (“V”) covering the application site was not agreed by the Committee. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, land available within the “V” zone was sufficient to meet the 36 outstanding Small House applications. A similar s.16 application for development of Small House to the southwest of the site was rejected by the Committee. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

29. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed Small House development is not in line with the planning intention of the “Green Belt” (“GB”) zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There are no strong planning grounds and justifications provided in the submission for a departure from the planning intention;
- (b) land is still available within the “Village Type Development” (“V”) zone of Sheung Yeung Village, which is primarily intended for New Territories Exempted House/Small House development. It is more appropriate to concentrate the village type development within the “V” zone for an orderly development pattern, efficient use of land and provision of infrastructure and services; and
- (c) approval of the application would set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving similar applications will result in encroachment of Green Belt area by development and a general degradation of the natural environment.”

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/306 Proposed Public Utility Installation (Sewage Treatment Plant and Underground Sewers)with Reprovisioning 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/306)

31. The Secretary reported that the application was submitted by the Drainage Services Department (DSD) and Black & Veatch Hong Kong Ltd. (B&V) was the consultant of the applicant. The following Members have declared interests on this item:

- | | |
|--------------------|---|
| Mr K.K. Cheung | - his firm having current business dealings with B&V; and |
| Dr. Billy C.H. Hau | - conducting contract research projects with DSD. |

32. The Committee agreed that as the interest of Dr C.H. Hau was direct, he should leave the meeting temporarily for the item. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

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

Presentation and Question Sessions

33. With the aid of a PowerPoint presentation, Ms Jane W.L. Kwan, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed public utility installation (sewage treatment plant (STP) and underground sewers) with reprovisioning of public vehicle park (excluding container vehicle);
- (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, 6 public comments were received, with one from the residents of Wo Mei Village supporting, and 5 from Designing Hong Kong Limited, residents of Wo

Mei Village and an individual objecting to the application. Major grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed STP was considered not incompatible with the surrounding land uses. The proposed public vehicle park was generally in line with Town Planning Board Guidelines No. 10 as it allowed reprovisioning of the existing car park serving the locality and to facilitate construction of the proposed STP. The proposed mitigation measures in visual, environmental and traffic aspects were acceptable to relevant government departments. Relevant approval conditions had been recommended to address the concerns or technical requirements of government departments and to minimise any possible environmental nuisance. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

34. The Chairman noted that the application site was adjacent to the proposed rezoning of a site from " Government, Institution or Community" to "Residential (Group C)4" under Amendment Item A to the Approved Hebe Haven Outline Zoning Plan No. S/SK-HH/6 considered by the Committee earlier at the meeting, he asked if the Environmental Protection Department (EPD) had any comment on site selection of the proposed STP. Ms Jane W.L. Kwan, STP/SKIs, said the application site was considered the most suitable among three potential sites and EPD had no adverse comment. Ms. Donna Y.P. Tam supplemented that as advised by EPD, the proposed development would not generate adverse impacts on the future residential development adjacent to the application site with the implementation of mitigation measures and Environmental Monitoring and Audit requirements for odour nuisance as recommended in the Preliminary Environmental Review Report conducted by the applicant.

Deliberation Session

35. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission

should be valid until 31.5.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the design and provision of the public vehicle park to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the provision of temporary metered car park spaces to the satisfaction of Commissioner for Transport or of the TPB;
- (c) the provision of fire service installations and water supplies for firefighting for the proposed Sewage Treatment Plant to the satisfaction of the Director of Fire Services or of the TPB;
- (d) the diversion of existing water mains within Site 1 affected by the proposed sewage treatment plant at the cost of the applicant to the satisfaction of the Director of Water Supplies or of the TPB; and
- (e) the submission of a Geotechnical Planning Review Report and implementation of the necessary geotechnical remedial works identified therein, in respect of the slopes adjacent to Site 1 to the satisfaction of the Director of Civil Engineering and Development or of the TPB.”

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

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/I-MWF/30 Proposed Public Utility Installation (Sewage Pumping Station) in
“Recreation” Zone, Government land in D.D.4 MW, Luk Tei Tong,
Mui Wo, Lantau Island
(RNTPC Paper No. A/I-MWF/30)

37. The Secretary reported that the application was submitted by the Drainage Services Department (DSD) and AECOM Asia Co. Ltd. (AECOM) was the consultant of the applicant. The following Members had declared interests on this item:

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

Dr. Billy C.H. Hau - conducting contract research projects with
DSD and having current business
dealings with AECOM.

38. The Committee noted that Dr C.H. Hau had left the meeting temporarily. As Mr Ivan C.S. Fu had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

39. With the aid of a PowerPoint presentation, Mr Richard Y.L. Siu, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed public utility installation (sewage pumping station);

- (c) departmental comments –departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. Whilst the proposed development might not be entirely in line with the planning intention of the "Recreation" zone, it was essential to “PWP Item No. 4353DC- Village Sewerage for Luk Tei Tong and Ma Po Tsuen, Mui Wo” in alleviating the water pollution problem and bringing environmental improvement to the area. The applicant considered that the site was the only suitable site for the proposed SPS due to the technical constraints. The development was considered not incompatible with the surrounding land uses. The proposed mitigation measures in visual and landscape aspects were acceptable to relevant government departments. Other relevant government departments had no objection to or no adverse comment on the application and no public comment was received during the statutory publication period.

40. A Member enquired if any recreational facility was provided or planned at the application site. Mr Richard Y.L. Siu, STP/SKIs, said the application site was currently vacant with no previous application.

Deliberation Session

41. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 31.5.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

“the provision of fire service installations and water supplies for fire-fighting to the satisfaction of the Director of Fire Services or of the TPB.”

42. 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 Donna Y.P. Tam, DPO/SKIs, Ms Carol Y.M. Cheuk, Ms Jane W.L. Kwan and Mr Richard Y.L. Siu, STPS/SKIs, and Ms Mable M.B. Lok, Town Planner/Sai Kung (TP/SK) for their attendance to answer Members' enquiries. They left the meeting at this point.]

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

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 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/971 Shop and Services (Fast Food Shop) in “Industrial” Zone, Unit H4,
G/F, Century Industrial Centre, 33-35 Au Pui Wan Street, Fo Tan, Sha
Tin

(RNTPC Paper No. A/ST/971)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) shop and services (fast food shop);
- (c) departmental comments –departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of five years based on the assessments set out in paragraph 11 of the Paper. The proposed use was small in scale and not incompatible with the industrial and industrial-related uses in the subject industrial building and the surrounding developments. Similar applications for a range of mixed ‘Shop and Services’ uses had been approved for other units on the ground floor of the subject industrial building and its vicinity. The proposed shop and services (fast food shop) use under application generally complied with the relevant considerations set out in the Town Planning Board Guidelines No. 25D including the fire safety and traffic aspects. Relevant government departments, including the Buildings Department and the Transport Department, had no objection to or no adverse comment on the application. There was no change in planning circumstances since the approval of the previous application. A temporary approval of five years was recommended in order not to jeopardise the long term planning intention of industrial use for the premises and to allow the Committee to monitor the supply and demand of industrial floor space in the area. No public comment was received during the statutory publication period.

44. Members had no question on the application.

Deliberation Session

45. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 31.5.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission and implementation of the fire safety measures within 6 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 30.11.2019; and
- (b) if the above planning condition is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/562 Proposed House (New Territories Exempted House - Small House) in “Green Belt” and “Village Type Development” Zones, Lot 981 S.D in D.D. 9, Nam Wa Po, Tai Po
(RNTPC Paper No. A/NE-KLH/562A)

47. The Committee noted that a replacement page (P.1 of Appendix IV) rectifying an editorial error in paragraph 1(g) of Appendix IV had been dispatched to Members before the meeting.

Presentation and Question Sessions

48. 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. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments objecting to the application were received from the Hong Kong Bird Watching Society and an individual. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views –PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed Small House development was not in line with the planning intention of the “Green Belt” (“GB”) zone. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the footprint of the proposed Small House fell within the village ‘environs’ of Nam Wa Po and the proposed development located within water gathering grounds would be able to be connected to the public sewerage system. While land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the future Small House demand, it was capable to meet the 18 outstanding Small House applications. A more cautious approach in approving applications for Small House development had been adopted and more weighting had been put on the number of outstanding Small House applications provided by the Lands Department. In this regard, 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 infrastructures and services. The planning circumstances of the current application were not similar to the approved similar applications within the same “GB” zone. Regarding the

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

49. Members had no question on the application.

Deliberation Session

50. 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 Nam Wa Po which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services.”

Agenda Item 13

Section 16 Application

[Open Meeting]

A/NE-KLH/566 Temporary Wholesale Trade within a Permitted Warehouse for Storage of Electronic Goods for a Period of 3 Years in “Open Storage” Zone, Lots 950 S.A, 952 S.A, 953 S.A, 954 S.A, 955, 956, 957, 958 S.A, 959 S.A, 961 S.A (Part), 962 S.A (Part), 964 S.A and 965 S.A (Part) in D.D. 9, Tai Wo Service Road West, Nam Wa Po, Tai Po
(RNTPC Paper No. A/NE-KLH/566)

51. The Committee noted that the applicant's representative requested on 14.5.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare of further information in support of the application. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 14

Section 16 Application

[Open Meeting]

A/NE-KLH/567 Proposed House (New Territories Exempted House - Small House) in "Agriculture" and "Village Type Development" Zones, Lot 9 S.A RP in D.D. 7, Sha Li Yuen, Chung Sum Wai, Tai Hang Village, Tai Po
(RNTPC Paper No. A/NE-KLH/567)

53. The Committee noted that the applicant's representative requested on 17.5.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information in support of the application. It was the first time that the applicant requested deferment of the application.

54. 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 15

Section 16 Application

[Open Meeting]

A/NE-LT/662 Proposed Temporary Educational Institution (Teaching Farm) for a Period of 3 Years and Excavation of Land in "Green Belt" and "Recreation" Zones, Lots 335 S.B (Part), 336 S.A, 336 S.B, 336 S.C, 337 S.B, 338, 339, 340, 341, 345 S.A and 346 in D.D. 16, Wo Tong Pui, Tai Po

(RNTPC Paper No. A/NE-LT/662A)

55. The Secretary reported that the application was submitted by City University of Hong Kong (CityU) and C M Wong & Associates Ltd. (CMW) and Beria Consultants Ltd. (Beria) were two of the consultants of the applicant. The following Members had declared interests on this item:

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

Mr K.K. Cheung - his firm having current business dealings with the CityU and having past business dealings with Beria.

56. The Committee noted that the applicant had requested deferment of consideration of the application. As Messrs Ivan C.S. Fu and K.K. Cheung had no involvement in the

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

57. The Committee noted that the representative of the applicant requested on 21.5.2019 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address the comments from the Lands Department, Civil Engineering and Development Department, Transport Department, Environmental Protection Department and Water Supplies Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had engaged specialist consultants and consulted the village's representative and villagers on the development proposal.

58. 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 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/665 Proposed House (New Territories Exempted House - Small House) in
 "Agriculture" Zone, Lot 1148 S.A in D.D. 19, Lam Tsuen San Tsuen,
 Tai Po
 (RNTPC Paper No. A/NE-LT/665)

Presentation and Question Sessions

59. 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 9 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD also had some reservations on the application in that approval of the application would set an undesirable precedent to encourage removal of vegetation and the cumulative effect would lead to degradation of landscape character. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments objecting to the application were received from World Wide Fund For Nature Hong Kong, The Hong Kong Bird Watching Society and an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House was not in line with the planning intention of the “Agriculture” zone, and DAFC did not support the application as the application site possessed potential for agricultural rehabilitation. CTP/UD&L of PlanD had some reservations as the application would set an undesirable precedent to encourage removal of vegetation and the cumulative effect would cause adverse landscape impact to the area. Regarding the Interim Criteria for Consideration of Application for

NTEH/Small House in New Territories, while land available within the “Village Type Development” (“V”) zones of Lam Tsuen San Tsuen and San Tsuen Lo Wai was insufficient to fully meet the future Small House demand, it was capable to meet the 42 outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. The planning circumstances of the current application were similar to those previously rejected similar applications. Rejection of this application was generally in line with the Committee’s previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

60. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zones of Lam Tsuen San Tsuen and San Tsuen Lo Wai which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/666 Proposed House (New Territories Exempted House - Small House) in
 “Agriculture” Zone, Lot 1525 RP in D.D.19, Tin Liu Ha Village, Lam
 Tsuen, Tai Po

 (RNTPC Paper No. A/NE-LT/666)

Presentation and Question Sessions

62. 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 9 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The Commissioner for Transport had reservation but considered that the application could be tolerated. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, four public comments objecting to the application were received from The Hong Kong Bird Watching Society, Designing Hong Kong Limited, World Wide Fund for Nature Hong Kong and an individual. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House was not in line with the planning intention of the “Agriculture” zone, and DAFC did not support the application as the application site possessed potential for agricultural rehabilitation. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, while land available within the “Village Type Development” (“V”) zones of Sheung Tin Liu Ha was insufficient to fully meet the future Small House demand, it was capable to meet the 11 outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. The planning circumstances of the current application were similar to those previously rejected similar applications. Rejection of this application was generally in line with the Committee's previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

63. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the current submission for a departure from the planning intention; and

- (b) land is still available within the “Village Type Development” (“V”) zone of Ha Tin Liu Ha, Sheung Tin Liu Ha and Ko Tin Hom which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 18

Section 16 Application

[Open Meeting]

A/NE-LT/667 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 882 RP in D.D. 19, She Shan Village, Tai Po
(RNTPC Paper No. A/NE-LT/667)

65. The Committee noted that the applicant’s representative requested on 22.5.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare a sewerage connection proposal to support the application. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/667 Filling of Land (Up to 1.2m in Thickness) for Agricultural Use, On-Farm Domestic Structure and Ancillary Vehicular Access Road in “Coastal Protection Area” Zone and an area shown as ‘Road’, Lot 740 S.A RP in D.D. 23 and Adjoining Government Land, Po Sam Pai Village, Ting Kok Road, Tai Po
(RNTPC Paper No. A/NE-TK/667)

Presentation and Question Sessions

67. 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) filling of land (up to 1.2m in thickness) for agricultural use, on-farm domestic structure and ancillary vehicular access road;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The District Lands Officer/Tai Po, Lands Department and the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) objected to the application from the land administration and landscape planning perspectives respectively while the Commissioner for Transport (C for T) did not support the application as the applicant had failed to demonstrate the compliance of road safety and the proposed land filling works might affect future road works. The Director of Agriculture, Fisheries and Conservation (DAFC) advised that the proposed land filling for the domestic structure and agricultural use might have potential impact on the mangrove stand and associated wildlife in the Ting Kok Site of Special Scientific Interest. 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, seven public comments objecting to the application were received from Po Sam Pai Village Representatives, World Wide Fund for Nature Hong Kong, The Hong Kong Bird Watching Society and individuals. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The applied use was not in line with the planning intention of the “Coastal Protection Area” (“CPA”) zone. CTP/UD&L of PlanD objected to the application as the cumulative effect of approving similar applications would result in degradation of landscape area and affect the integrity of the “CPA” zone. C for T did not support the application as it might affect future road works as well as the absence of necessary document to demonstrate the compliance of road safety. DAFC advised that the proposed land filling for the domestic structure and agricultural use might have potential impact on the mangrove stand and associated wildlife in the Ting Kok Site of Special Scientific Interest. DAFC also raised concern that the approval of the application would set an undesirable precedent encouraging “destroy first, build later” activities. While there was no similar application for land filling within the same “CPA” zone, a similar application for filling of land for agricultural use within the same ‘Road’ zone and an area zoned “AGR” was rejected by the Committee. Approval of the current application would set an undesirable precedent for similar applications within the “CPA” zone. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

68. Members had no question on the application.

Deliberation Session

69. 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 “Coastal Protection Area” (“CPA”) zone which is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion. There is a general presumption against development in this zone. No strong planning justification has been given in the submission for a departure from this planning intention;
- (b) the applicant fails to demonstrate that the filling of land at the application site and the construction of on-farm domestic structure and vehicular access thereon would not cause adverse traffic and landscape impacts on the surrounding area; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the “CPA” zone resulting in disturbance to the existing natural character of the area and the surrounding areas.”

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/664 Proposed House (Redevelopment) in “Green Belt” Zone, Lot 2087 in
D.D. 6, Pun Chun Yuen Road, Tai Po
(RNTPC Paper No. A/TP/664)

70. The Secretary reported that the application site was located in Tai Po and Mr H.W. Cheung had declared an interest on the item as he owned a flat in Tai Po Market. As the property of Mr H.W. Cheung had no direct view on the application site, the Committee agreed that he could stay in the meeting

Presentation and Question Sessions

71. 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 (redevelopment);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment expressing concerns 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. Although the proposed development was not in line with the planning intention of “Green Belt” (“GB”) zone, redevelopment of existing residential development would generally be permitted up to the intensity of the existing development according to the Town Planning Board Guidelines No. 10. As the subject site was a New Grant lot with building entitlement and the application was for house redevelopment with a total gross floor area not exceeding that of the existing houses, the application might be approved under exceptional circumstances. The proposed development was not incompatible with the surrounding environment and concerned departments had no adverse comment on the application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

Deliberation Session

72. Members noted that the previous approved scheme (No. A/TP/516) involved a provision of two 3-storey houses while the current application was to rebuild two existing 3-storey houses into a single 2-storey house. As of the right of way issue, Member noted it would need to be considered by the Building Authority at the building plan submissions stage.

73. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 31.5.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

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

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

Agenda Item 21

Section 16 Application

[Open Meeting]

A/NE-FTA/187 Proposed Temporary Cold Storage for Poultry and Distribution Centre for a Period of 3 Years in “Agriculture” Zone, Lots 471 S.B RP (Part), 472, 473, 474, 475, 476, 482 RP, 483, 484, 486 (Part), 487 RP, 497 S.A RP, 500 S.B RP (Part), 501, 502, 504 S.B, 505 and 506 S.B RP in D.D. 89 and Adjoining Government Land, Man Kam To Road, Sha Ling (RNTPC Paper No. A/NE-FTA/187B)

75. The Secretary reported that Landes Limited (Landes) was one of the consultants of the applicant. Mr Ivan C.S. Fu had declared an interest on the item as he was having current business dealings with Landes.

76. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr Ivan C.S. Fu had no involvement in the application, the Committee agreed that he could stay in the meeting.

77. The Committee noted that the applicant's representative requested on 16.5.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted a responses-to-comments table and revised technical assessments including Traffic Impact Assessment, Sewerage Impact Assessment, Drainage Impact Assessment, Environmental Assessment and a revised Landscape Master plan to address departmental comments.

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

[Mr Ivan C.S. Fu left the meeting at this point]

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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/10A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary public vehicle park (private car) for a period of 3 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. Local views conveyed by the District Officer (North) were set out in paragraph 9.1.11 of the Paper;
- (d) during the first three weeks of the statutory publication period, one supporting comment received from a North District Council member, one objecting comment received from an individual and one indicating no comment was received from the Chairman of Sheung Shui District Rural Committee. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not in line with the planning intention of the “Village Type

Development (“V”) zone, no Small House application relating to the site had been received for the site. The applied use was not incompatible with the surrounding areas and approval of the application on a temporary basis would not frustrate the planning intention of the “V” zone. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

80. Members had no question on the application.

Deliberation Session

81. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 31.5.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (b) only private car as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the Site to indicate that only private car as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (d) no car washing, vehicle repair, dismantling, paint spraying or other workshop activities is allowed on the Site at any time during the planning approval period;

- (e) the provision of boundary fencing on the Site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 30.11.2019;
- (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 30.11.2019;
- (g) in relation to (f) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.2.2020;
- (h) the submission of proposals for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.11.2019;
- (i) in relation to (h) above, the implementation of proposals for fire service installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.2.2020;
- (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.”

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

Agenda Item 23

Section 16 Application

[Open Meeting]

A/NE-LYT/693 Renewal of Planning Approval for Temporary “Public Vehicle Park” for a Period of 3 Years in “Agriculture” Zone, Lots 1571 (Part) and 1572 (Part) in D.D. 83, Lung Yeuk Tau
(RNTPC Paper No. A/NE-LYT/693)

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

Agenda Items 24 and 25

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MUP/141 Proposed House (New Territories Exempted House - Small House) in “Green Belt” Zone, Lot 573 in D.D. 46, Loi Tung, Sha Tau Kok
(RNTPC Paper No. A/NE-MUP/141 and 142)

A/NE-MUP/142 Proposed House (New Territories Exempted House - Small House) in “Green Belt” Zone, Lot 574 in D.D. 46, Loi Tung, Sha Tau Kok
(RNTPC Paper No. A/NE-MUP/141 and 142)

84. The Committee agreed that the two applications for proposed house (New Territories Exempted House (NTEH) – Small House) were similar in nature and the application sites (the sites) were located in close proximity to one another and within the same “Green Belt” (“GB”) zone and could be considered together.

Presentation and Question Sessions

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

- (a) background to the applications;

- (b) proposed house (NTEH- Small House) at each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix III of the Paper. The Chief Town Planner / Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the applications as they would set undesirable precedents of site modification and vegetation clearance prior to planning approval, the landscape character of the “GB” zone would be inevitably altered. The Commissioner for Transport had reservation but considered that the application could be tolerated. Other concerned government departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of the statutory publication period, seven public comments were received for each application. One supporting was received from a North District Council member while one indicating no comment was received from the Chairman of Sheung Shui District Rural Committee. Five objecting comment received from Kadoorie Farm and Botanic Garden, World Wide Fund for Nature Hong Kong, Hong Kong Bird Watching Society, Designing Hong Kong and an individual, Major views were set out in paragraph 11 of the Paper; and
- (e) PlanD’s views – PlanD did not support the applications based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intention of the “GB” zone. Whilst the proposed Small Houses were not incompatible with the surrounding rural environment, CTP/UD&L, PlanD had reservation as the cumulative effect of approving similar applications would result in degradation of landscape quality of the “GB” zone. The applications did not comply with the Town Planning Board Guidelines No. 10 in that the proposed development would affect the existing natural landscape. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, while land available within the “Village Type Development” (“V”) zones of Loi Tung was insufficient to fully meet the future Small House demand,

it was capable to meet the 33 outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. Although there were similar applications approved by the Committee, they were subject to different circumstances from the current application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

86. Members had no question on the applications.

Deliberation Session

87. After deliberation, the Committee decided to reject the applications. The reasons for each of the applications were :

- “(a) the proposed development is not in line with the planning intention of “Green Belt” (“GB”) zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention of the “GB” zone;
- (b) the proposed development does not comply with the Town Planning Board Guidelines No. 10 for Application for Development within “GB” zone under section 16 of the Town Planning Ordinance and the Interim Criteria for consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse landscape impact on the surrounding areas;
- (c) land is still available within the “Village Type Development” zone of Loi Tung where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House

development close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructures and services; and

- (d) the approval of the application would set an undesirable precedent for similar applications in the area. The cumulative effect of approving such applications would result in adverse impacts on the natural environment and landscape character of the area.”

Agenda Items 26 to 28

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/611 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 1085 S.C and 1086 S.C in D.D.82, Tong Fong Village, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/611 to 613)

A/NE-TKL/612 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 1085 S.B, 1086 S.B, 1088 S.A ss18 (Part) and 1088 S.A RP (Part) in D.D.82, Tong Fong Village, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/611 to 613)

A/NE-TKL/613 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 1088 S.A ss11, 1088 S.A ss1 S.G and 1089 S.G in D.D.82, Tong Fong Village, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/611 to 613)

88. The Committee agreed that the three applications for proposed house (New Territories Exempted House (NTEH) – Small House) were similar in nature and the application sites (the sites) were located in close proximity to one another and within the same “Agriculture” (“AGR”) zone and could be considered together.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) proposed house (NTEH- Small House) at each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix III of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the applications and the Commissioner for Transport had reservation but considered that the application could be tolerated. Other concerned government departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of the statutory publication period, four public comments on each application were received. Two indicating no comment were received from the Chairman of Sheung Shui District Rural Committee and a North District Council member while two objecting were received from Designing Hong Kong Limited and 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 applications based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not in line with the planning intention of the “AGR” zone, the proposed developments were not incompatible with the surrounding rural setting. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories, land available within the “Village Type Development” (“V”) zone of Tong Fong could fully meet the outstanding Small House demand. Nevertheless, it was noted that each of the sites were the subject of a previously approved planning application and the processing of the Small House grants was already at an advance stage. Sympathetic consideration might be given to the application. Although DAFC did not support the applications, they were not incompatible with the surrounding

areas. Other concerned government departments had no objection to or no adverse comment on the applications. Similar applications within the same “AGR” zone had been approved by the Committee. Approval of the current applications was in line with the Committee’s previous decisions. Regarding the public comments, comments of the concerned departments and the planning assessments above were relevant.

90. In response to a Member’s enquiry regarding the progress of Small House Grant applications on the application sites, Mr Tim T.Y. Fung, STP/STN, said that according to the information provided by the Lands Department, the Small House Grant applications at the application sites were approved in principle in 2017 but yet to be executed. Since the applicants failed to obtain building licenses for commencement of building works before the permissions of the previous planning applications lapsed, the applicants submitted the current applications.

91. With reference to the aerial photos at Plan A-3 of the Paper, a Member enquired whether the Small Houses grants had been executed for those Small House applications that had already obtained planning permissions in the vicinity noting that these sites had been paved. Mr Tim T.Y. Fung referred to Plan A-2a of the Paper and said that 21 Small House applications on the “AGR” zone had been approved by the Board and executed except for applications No. A/NE-TKL/401, 435, 556 and the subject applications. Among those applications not yet executed, the applicant of application No. A/NE-TKL/401 had deceased; the planning approval of application No. A/NE-TKL/556 was still valid until 13.1.2021; application No. A/NE-TKL/401 was similar to the subject applications and was tentatively scheduled for submission to the Board for consideration in July. Mr Tim T.Y. Fung further pointed out the Small Houses to the north of application sites under applications No. A/NE-TKL/368, 372 and 507 had been constructed.

Deliberation Session

92. The Chairman elaborated that according to the Town Planning Board Guidelines No. 35C, a Small House development would be considered as commenced if the land document permitting the development had been executed. The relevant construction work for the Small House development would not be allowed to commence before a Building

Licence was obtained.

93. A Member said while he had no objection to the subject applications he remarked that the layout of those approved Small Houses in Tong Fong South were in an organized, estate-like setting and suggested that the Committee should be more wary of the potential abuse of the Small House Policy.

94. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 31.5.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. Each of the permissions was subject to the following conditions :

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

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

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKLN/20 Proposed Temporary Recycling Centre for Scrap Metal and Stainless Steel with Ancillary Office for a Period of 3 Years in “Recreation” Zone, Lot 268 S.A in D.D. 80 and Adjoining Government Land, Lin Ma Hang Road, Ta Kwu Ling North
(RNTPC Paper No. A/NE-TKLN/20)

96. The Committee noted that three replacement pages (P.4,5 and 9 of the Main Paper) clarifying the Environmental Protection Department's comments in paragraphs 9.1.3 (a) and 11.2 of the Main Paper had been dispatched to Members before the meeting.

Presentation and Question Sessions

97. 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 recycling centre for scrap metal and stainless steel with ancillary office for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Commissioner for Transport (C for T) did not support the application as the applicant had failed to demonstrate that the proposed development would not generate adverse traffic impact on the surrounding area. Other concerned government departments had no objection to or no adverse comment on the application. Local views conveyed by the District Officer (North) were set out in paragraph 9.1.11 of the Paper;
- (d) during the first three weeks of the statutory publication period, one indicating no comment was received from the Chairman of Sheung Shui District Rural Committee while three public comments from villagers of Heung Yuen Wai Village and an individual opposing to the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Recreation” (“REC”) zone and there was no strong planning justification in the submission for a departure from the planning intention,

even on a temporary basis. C for T did not support the application. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

98. With reference to the aerial photo as shown at Plan A-3 of the Paper, a Member enquired if the applied use had been in operation without valid planning permission at the application site. Mr Tim T.Y. Fung, STP/STN, responded that the site was currently vacant except for a container site office and a temporary structure, and the latter was in existence immediately before the first publication in the Gazette of the notice of the draft Ta Kwu Ling North Development Permission Area Plan (i.e. on 21.8.2015). In response to the Member's further question, Mr Tim T.Y. Fung explained that the subject application was not supported due to both traffic engineering and environmental protection concerns. In this connection, the applicant did not submit a traffic impact assessment to demonstrate the proposed development would not generate adverse traffic impact on the surrounding area.

Deliberation Session

99. 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 “Recreation” zone, which is intended primarily for low-density recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the low-density recreational developments may be permitted subject to planning permission. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the applicant fails to demonstrate in the submission that the proposed development would not cause adverse traffic impact on the surrounding areas; and

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

[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. They left the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

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

Agenda Items 30 and 31

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/FSS/273 Proposed House (New Territories Exempted House - Small House) in
“Green Belt” Zone, Government Land in D.D. 91, Ng Uk Tsuen,
Sheung Shui
(RNTPC Paper No. A/FSS/273)

A/FSS/274 Proposed House (New Territories Exempted House - Small House) in
“Green Belt” Zone, Government Land in D.D. 91, Ng Uk Tsuen,
Sheung Shui
(RNTPC Paper No. A/FSS/274)

100. The Committee agreed that the two section 16 applications for proposed house (New Territories Exempted House (NTEH) – Small House) were similar in nature and the sites were located in close proximity to one another and within the same “Green Belt” zone and could be considered together.

Presentation and Question Sessions

101. Mr Otto K.C. Chan, STP/FSYLE, presented the applications and covered the following aspects as detailed in the Papers :

- (a) background to the applications;
- (b) proposed house (NTEH- Small House) at each of the sites;
- (c) departmental comments were set out in paragraph 10 and Appendix V of the Papers. The Director of Agriculture, Fisheries and Conservation (DAFC) and the Commissioner for Transport had reservation but considered that the applications could be tolerated. Other concerned government departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of the statutory publication period, a total of eight public comments were received, in which one supporting and one submission indicating no comment were submitted by individuals. Six objecting comments were submitted by Designing Hong Kong Limited and individuals on application No. A/FSS/273. As for application No. A/FSS/274, a total of four public comments were received in which one supporting, one submission indicating no comment and two objecting were submitted by individuals. Major views were set out in paragraph 11 of the Papers; and
- (e) the Planning Department (PlanD)'s views –PlanD had no objection to the applications based on the assessments set out in paragraph 12 of the Papers. Although the proposed development was not in line with the planning intention of the “Green Belt” zone, the proposed developments were generally in compliance with the Town Planning Board Guidelines No. 10 in that the proposed NTEH developments were in close proximity to existing villages. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories, land available within the “Village Type Development” (“V”) zone of Ng Uk Tsuen could not fully meet the outstanding Small House demand. Sympathetic consideration might be given to the application. Although DAFC had

reservation on the application, it was not incompatible with the surrounding areas. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments, comments of the concerned departments and the planning assessments above were relevant.

102. A Member asked if Small House applications should only be considered if they were on private land and within village "environs" but not those on Government Land due to the recent Court's judgment on the judicial review in respect of the Small House Policy. The Chairman drew Members' attention to paragraph 12.6 of the Papers which had clarified that the judgment did not affect the Board's functions under the Town Planning Ordinance and the Board should process the application taking into account the relevant planning considerations, regardless of land ownership.

Deliberation Session

103. Members noted that as detailed in paragraph 10 of the Papers, the Lands Department (LandsD) had suspended processing of the subject Small House Grant applications which were in nature Private Treaty Grants involving Government Land. Even if planning permissions were granted by the Board, LandsD would not consider the applicants' Small House Grant applications for the time being.

104. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 31.5.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. Each of the permissions was subject to the following conditions :

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

105. The Committee also agreed to advise the respective applicants to note the advisory clauses as set out at Appendix VI of the Paper.

Agenda Item 32

Section 16 Application

[Open Meeting]

A/YL-SK/255 Proposed Temporary Shop and Services (Metalware) with Ancillary Office and Warehouse for a Period of 5 Years in “Industrial (Group D)” Zone, Lot 657 S.B RP (Part) in D.D. 114, Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/255)

106. The Committee noted that the applicant requested on 24.5.2019 deferment of consideration of the application for a period of 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

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

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/469 Temporary Private Car Park for a Period of 3 Years in “Village Type Development” Zone, Lots 369 (Part), 370 (Part), 371 S.A (Part), 371 S.B (Part), 371 RP (Part), 372 (Part) and 390 S.D (Part) in D.D. 94, Hang Tau Village, Sheung Shui
(RNTPC Paper No. A/NE-KTS/469)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary private car park for a period of 3 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. Local views conveyed by the District Officer (North) were set out in paragraph 9.1.9 of the Paper;
- (d) during the first three weeks of the statutory publication period, one objecting public comment and one indicating no comment were received from individuals. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was not in line with the planning intention of the “Village Type Development” (“V”)

zone. Nevertheless, no Small House application had been involved in the subject lots. The development was considered not incompatible with the surrounding land uses and approval of the application on a temporary basis would not frustrate the planning intention of the “V” zone. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Previous application for a similar use at part of the application site had been approved by the Committee. Approval of the application was in line with the Committee’s previous decisions. Regarding the public comments, comments of concerned departments and the planning assessments above were relevant.

109. Members had no question on the application.

Deliberation Session

110. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 31.5.2022, 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 are allowed to be parked/stored on the the application site, as proposed by the applicant, at any time during the planning approval period;
- (b) a notice should be posted at a prominent location of the application site to indicate that no vehicles other than private cars are allowed to be parked/stored on the application site at any time during the planning approval period;
- (c) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the application site at any time during the planning approval period;

- (d) no vehicle is allowed to queue back to or reverse onto/from local track at any time during the planning approval period;
- (e) the existing trees and vegetation within the application site should be maintained in healthy condition at all times 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 30.11.2019;
- (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 29.2.2020;
- (h) the submission of proposal for fire service installations and water supplies for fire fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.11.2019;
- (i) in relation to (h) above, the implementation of proposal for fire service installations and water supplies for fire fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.2.2020;
- (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.”

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

Agenda Items 34 and 35

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/470 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1428 S.A ss.1 in D.D. 100, Tsiu Keng Village,
Sheung Shui
(RNTPC Paper No. A/NE-KTS/470 and 471)

A/NE-KTS/471 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1428 S.A ss.2 in D.D. 100, Tsiu Keng Village,
Sheung Shui
(RNTPC Paper No. A/NE-KTS/470 and 471)

112. The Committee agreed that the two section 16 applications were similar in nature and the sites were located in proximity to each other and falling within the same “ Agriculture” zone and could be considered together.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) proposed house (New Territories Exempted House (NTEH) - Small House) at each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) had no strong view and the

Commissioner for Transport had reservation but considered that the application could be tolerated. Other concerned government departments had no objection to or no adverse comment on the applications;

- (d) during the first three weeks of the statutory publication period, a total of seven public comments were received, in which two submissions indicating no comment and one opposing were submitted from individuals under each applications while a submission from Designing Hong Kong Limited objecting to on both applications. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the applications based on the assessments set out in paragraph 12 of the Paper. The proposed Small Houses were not in line with the planning intention of the “AGR” zone, though DAFC had no strong view on the application. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, the site and the footprint of the proposed Small Houses fell entirely within the village ‘environs’ of Tsiu Keng (Tsiu Keng Chan Uk Po). There was no general shortage of land in meeting the outstanding demand for Small House development in the “Village Type Development” (“V”) zones. 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. Seven similar applications were rejected by the Committee within the subject “AGR” zone. Although there were similar applications approved by the Committee, they were subject to different circumstances from the current application. Rejection of these two applications was in line with the Committee’s previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

114. Members had no question on the applications.

Deliberation Session

115. After deliberation, the Committee decided to reject the applications. The reason for each of the application was :

“land is still available within the “Village Type Development” (“V”) zones of Tsiu Keng Village which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zones for more orderly development pattern, efficient use of land and provision of infrastructures and services.”

Agenda Item 36

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/632B)

116. The Committee noted that the applicant’s representative requested on 23.5.2019 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address the Transport Department’s (TD) comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including responses on traffic arrangement with a revised swept path analysis to address TD’s comments.

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

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

Agenda Item 37

Section 16 Application

[Open Meeting]

A/YL-KTN/657 Proposed Temporary Private Club for a Period of 3 Years in
"Agriculture", "Industrial (Group D)" and "Conservation Area"
Zones, Lots 1284, 1285, 1286, 1287, 1288 (Part) and 1289 (Part) in
D.D. 107 and Adjoining Government Land, Fung Kat Heung, Kam Tin,
Yuen Long
(RNTPC Paper No. A/YL-KTN/657)

118. The Committee noted that the applicant requested on 21.5.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application

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

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

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/658 Renewal of Planning Approval for Temporary “Place of Recreation (including Barbecue Spot, Picnic Area, Children Playground and Handicraft Making Area) with Ancillary Facilities” for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 680 (Part), 681 (Part), 682 (Part), 684 RP (Part) and 1615 (Part) in D.D. 109 and Adjoining Government Land, Shui Mei Tsuen, Kam Tin North, Yuen Long
(RNTPC Paper No. A/YL-KTN/658)

Presentation and Question Sessions

120. 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) renewal of planning approval for temporary “place of recreation (including barbecue spot, picnic area, children playground and handicraft making area) with ancillary facilities” for a period of 3 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) no public comment was received during the first three weeks of the statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The development was considered not incompatible with the surrounding area, no Small House application relating to the site had been approved or being processed and the Director of Agriculture, Fisheries and Conservation had no comment. Approval of the application on a temporary basis would not frustrate the planning intention of the “Village Type Development” and “Agriculture” zones. The application was in line with the Town Planning Board Guidelines No. 34B in that previous approvals for the same applied use were granted. The current application was similar to the last application in terms of site area/boundary, applied use and site layout and there was no major change in planning circumstances since the last approval. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. No public comment was received during the statutory publication period.

121. Members had no question on the application.

Deliberation Session

122. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 11.6.2019 until 10.6.2022, 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. to 10:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation between 6:00 p.m. to 9:00 p.m., on Mondays to Fridays, as proposed by the applicant, is allowed on the Site during the planning approval period;

- (c) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) no pond filling or paving, as proposed by the applicant, is allowed on the Site and the Site shall remain the same as the current situation under which surface runoff of the Site will flow into the existing pond during the planning approval period;
- (f) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of a 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 11.9.2019;
- (h) 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 11.12.2019;
- (i) in relation to (h) above, the provision of fire service installations within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 11.3.2020;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e) 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;

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

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

Agenda Item 39

Section 16 Application

[Open Meeting]

A/YL-KTN/659 Proposed Temporary Animal Boarding Establishment for a Period of 3 Years in “Agriculture” Zone, Lots 1345 (Part) and 1346 (Part) in D.D. 107, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/659)

124. The Committee noted that the applicant requested on 27.5.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application

125. 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 40

Section 16 Application

[Open Meeting]

A/YL-KTS/820 Proposed Temporary Eating Place with Ancillary Facilities for a Period of 5 Years in “Residential (Group C)” Zone, Lot 350 in D.D. 109 and Adjoining Government Land, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/820)

126. The Committee noted that the applicant requested on 22.5.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application

127. 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 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/809 Renewal of Planning Approval for Temporary “Horse Riding School”
for a Period of 3 Years in “Residential (Group D)” Zone, Lots 64 RP,
72 S.B ss.2 and 73 S.B RP in D.D. 108, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/809)

Presentation and Question Sessions

128. 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) renewal of planning approval for temporary “horse riding school” for a period of 3 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 public comment objecting to the application was received from an individual. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The development was not entirely in line with the planning intention of “Residential (Group D)” (“R(D)”) zone but there was no planned residential development at the Site. The development was considered not incompatible with the surrounding land uses and approval of the application on a temporary basis

would not frustrate the planning intention of the “R(D)” zone. The application was in line with the Town Planning Board Guidelines No. 34C in that all approval conditions under the previous application had been complied with and there was no major change in planning circumstances since the last approval. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

129. Members had no question on the application.

Deliberation Session

130. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 25.6.2019 until 24.6.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. to 9:00 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 vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (e) the submission of records 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 25.9.2019;

- (f) 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 25.12.2019;
- (g) the provision of fire service installations within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 25.3.2020;
- (h) if any of the above planning conditions (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning conditions (e), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 42

Section 16 Application

[Open Meeting]

A/YL-PH/810 Temporary Open Storage of Construction Materials and Machineries for a Period of 3 Years in “Residential (Group D)” Zone, Lots 2902 (Part), 2905 (Part), 2909 (Part), 2910 (Part) and 2911 (Part) in D.D. 111, Wing Ning Lei, Wang Toi Shan, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/810)

132. The Committee noted that the applicant requested on 24.5.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare

further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/279 Proposed Temporary Shop and Services (Electronic Goods Showroom)
for a Period of 3 Years in "Recreation" Zone, Lot 2972 (Part) in D.D.
104, Mai Po, Yuen Lon
(RNTPC Paper No. A/YL-MP/279)

134. The Secretary reported that the application site was located in Mai Po. Mr K.W. Leung had declared an interest on this item as he owned a property in Fairview Park, Mai Po. As the property of Mr K.W. Leung had no direct view on the application site, the Committee agreed that he could stay in the meeting

Presentation and Question Sessions

135. 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 shop and services (electronic goods showroom) for a period of 3 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, six objecting public comments were received from a Legislative Council member, two villagers of Yau Mei San Tsuen, two nearby residents and a member of the public. Major objecting views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the proposed use was not in line with the planning intention of the “Recreation” (“REC”) zone, there was no immediate development programme for the application site (the site). The applied use was not incompatible with the surrounding areas and approval of the application on a temporary basis would not frustrate the planning intention of the “REC” zone. The site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No.12C and the Director of Agriculture, Fisheries and Conservation had no comment on the application. Other concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

136. Members had no question on the application.

137. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 31.5.2022, 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 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle is allowed to access the Site at all times during the planning approval period;
- (c) the submission of fire service installations proposal within 6 months to the satisfaction of Director of Fire Services or of the TPB by 30.11.2019;
- (d) in relation to (c) above, the implementation of fire service installations proposal within 9 months to the satisfaction of Director of Fire Services or of the TPB by 29.2.2020;
- (e) the submission of a drainage proposal within 6 months to the satisfaction of Director of Drainage Services or of the TPB by 30.11.2019;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months to the satisfaction of Director of Drainage Services or of the TPB by 29.2.2020;
- (g) in relation to (f) above, the implemented drainage facilities should be maintained at all times during the planning approval period;
- (h) if any of the above planning conditions (a), (b) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning conditions (c), (d), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 44

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/280 Proposed Temporary Shop and Services (Retail Store) for a Period of 3 Years in “Open Space” Zone, Lot 28 RP in D.D.101, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/280)

139. The Secretary reported that the application site was located in Mai Po. Mr K.W. Leung had declared an interest on this item as he owned a property in Fairview Park, Mai Po. As the property of Mr K.W. Leung had no direct view on the application site, the Committee agreed that he could stay in the meeting

Presentation and Question Sessions

140. 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 shop and services (retail store) for a period of 3 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 public comment raising concerns was received from an individual. Major views were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed retail store was not in line with the planning intention of the “Open Space” (“O”) zone, the Director of Leisure and Cultural Services advised that there was no programme for implementation of the proposed open space. It was considered not incompatible with the surrounding land uses and approval of the application on a temporary basis would not frustrate the planning intention of the “O” zone. The site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No.12C and the Director of Agriculture, Fisheries and Conservation had no comment on the application. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Similar applications within the same “O” zone had been approved by the Committee. Approval of the current application was in line with the Committee's previous decision. Regarding the public comment, comments of concerned departments and the planning assessments above were relevant.

141. Members had no question on the application.

Deliberation Session

142. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 31.5.2022, 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 10:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle other than light goods vehicle is allowed to access the Site at all times during the planning approval period;

- (c) no vehicle is allowed to queue back to or reverse onto/from the Site at all times during the planning approval period;
- (d) the maintenance of boundary fencing at all times during the planning approval period;
- (e) the submission of drainage proposal within 6 months to the satisfaction of Director of Drainage Services or of the TPB by 30.11.2019;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months to the satisfaction of Director of Drainage Services or of the TPB by 29.2.2020;
- (g) in relation to (f) above, the implemented drainage facilities should be maintained at all times during the planning approval period;
- (h) the submission of fire service installations proposal within 6 months to the satisfaction of Director of Fire Services or of the TPB by 30.11.2019;
- (i) in relation to (h) above, the implementation of fire service installations proposal within 9 months to the satisfaction of Director of Fire Services or of the TPB by 29.2.2020;
- (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.”

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

Agenda Item 45

Section 16 Application

[Open Meeting]

A/YL-NSW/270 Proposed House cum Wetland Restoration Area (for Aquaculture Research and Teaching), Field Study/Education/Visitor Centre and Excavation of Land with Minor Relaxation of Plot Ratio and Building Height Restrictions (for “Residential (Group D)” Zone only) in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” and “Residential (Group D)” Zones, Lots 3719 S.C RP and 3681 in D.D. 104 and Adjoining Government Land, Kam Pok Road, Nam Sang Wai, Yuen Long
(RNTPC Paper No. A/YL-NSW/270)

144. The Secretary reported that Meta4 Design Forum Ltd. (Meta4), ADI Ltd. (ADI) and Ramboll Hong Kong Ltd. (Ramboll) were three of the consultants of the applicant. Mr Ivan C.S. Fu had declared an interest on the item as he was having current business dealings with Meta4, ADI and Ramboll.

145. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu had left the meeting.

146. The Committee noted that the applicant’s agent requested on 17.5.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 46

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/389 Proposed Temporary Shop and Services (Convenience Store) for a Period of 3 Years in "Open Storage" Zone, Lot 3 in D.D. 98 and Adjoining Government Land, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/389)

Presentation and Question Sessions

148. 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 shop and services (convenience store) for a period of 3 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) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use which was not in conflict with the planning intention of the “Open Storage” (“OS”) zone. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Similar applications within the same “OS” zone had been approved by the Committee. Approval of the current application was in line with the Committee's previous decision. No public comment was received during the statutory publication period.

149. Members had no question on the application.

Deliberation Session

150. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 31.5.2022, 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) only private cars and light goods vehicles not exceeding 5.5 tonnes as defined in the Road Traffic Ordinance are allowed to be parked on the Site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period;
- (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 30.11.2019;

- (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 29.2.2020;
- (f) in relation to (e), 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 30.11.2019;
- (h) in relation to (g) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.2.2020;
- (i) if any of the above planning conditions (a), (b), (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; 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.”

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

Agenda Item 47

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/543 Temporary Open Storage of General Goods and Public Vehicle Park (Private Cars only) with Ancillary Site Office for a Period of 3 Years in “Undetermined” Zone, Lots 250 S.B RP (Part), 252 RP (Part), 271 (Part), 272, 274, 276 S.B ss.1 and 279 S.B RP (Part) in D.D. 99 and Adjoining Government Land, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/543)

Presentation and Question Sessions

152. 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 open storage of general goods and public vehicle park (private cars only) with ancillary site office for a period of 3 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) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not incompatible with the surrounding land uses predominated by vehicle park and open storage yards etc. The site fell within the Wetland Buffer Area of the Town Planning Board Guidelines (TPB PG) No.12C and the Director

of Agriculture, Fisheries and Conservation had no comment on the application. The application was generally in line with the TPB PG-No. 13E in that the site fell within the Category 1 areas which were considered suitable for open storage and port back up uses. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Previous applications for the same uses at the site and similar applications within the same “Undetermined” zone had been approved by the Committee. Approval of the application was in line with the Committee’s previous decisions. No public comment was received during the statutory publication period.

153. Members had no question on the application.

Deliberation Session

154. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 31.5.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no vehicle other than private car and light goods vehicle are allowed to access the Site at all times during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the Site at all times during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services

or of the TPB by 30.11.2019;

- (f) in relation to (e), 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 29.2.2020;
- (g) in relation to (f), the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.7.2019;
- (i) the submission of fire service installations proposals within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.11.2019;
- (j) in relation to (i), 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 29.2.2020;
- (k) the provision of boundary fencing on the Site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 30.11.2019;
- (l) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (e), (f), (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
and

- (n) upon the expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 48

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/544 Renewal of Planning Approval for Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years in “Green Belt” Zone, Lots 372 S.D RP (Part), 378, 379, 380, 382 (Part), 383 (Part), 385, 389 RP (Part) and 390 in D.D. 99, San Tin, Yuen Long (RNTPC Paper No. A/YL-ST/544)

Presentation and Question Sessions

156. 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) renewal of planning approval for temporary public vehicle park (excluding container vehicle) for a period of 3 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, two public comments objecting to the application were received from Designing Hong

Kong and a member of the public. Major objection grounds 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 further period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not in line with the planning intention of the “Green Belt” (“GB”) zone, it could satisfy some of the local parking demand. The applied use was not incompatible with the surrounding areas and approval of the application on a temporary basis would not frustrate the planning intention of the “GB” zone. The application was in line with the Town Planning Board Guidelines (TPB PG) No. 34C in that all approval conditions under the previous application had been complied with and there was no major change in planning circumstances since the last approval. The application was in line with the TPB PG-No. 13E where suitable sites in San Tin area might be considered for cross-boundary parking facilities based on individual merits. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Previous applications for the same use and similar applications within the same “GB” zone had been approved by the Committee. Approval of the application was in line with the Committee's previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

157. Members had no question on the application.

Deliberation Session

158. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 6.7.2019 until 5.7.2022, 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 cars as defined in the Road Traffic Ordinance is allowed to access the Site at any time during the planning approval period;
- (b) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to access 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 is allowed to access the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period;
- (e) 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;
- (f) the paving and boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of as-built drainage plans and photographic records of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.10.2019;
- (i) 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 6.1.2020;

- (j) in relation to (i) above, the provision of fire service installations within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.4.2020;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning conditions (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (m) upon the expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

159. 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 Otto K.C. Chan, Ms S.H. Lam, Ms Ivy C.W. Wong and Ms Emily P.W. Tong, STPs/FSYLE, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

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

Tuen Mun and Yuen Long West District

[Ms Jessica Y.C. Ho, Ms Stella Y. Ng, Ms Bonnie K.C. Lee, Mr Steven Y.H. Siu, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), and Mr Kris W.K. Leung, Town Planner/Tuen Mun and Yuen Long West (TP/TMYLW), were invited to the meeting at this point.]

Agenda Item 49

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-SKW/101 Temporary Barbecue Area for a Period of 3 Years in “Village Type Development” Zone, Lots 263 S.B (Part) and 268 (Part) in D.D. 385, Tai Lam Chung, Tuen Mun
(RNTPC Paper No. A/TM-SKW/101A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary barbecue area for a period of 3 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) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not in line with the planning intention of the “Village Type Development” (“V”) zone, no Small House application relating to the site had been received. The applied use was not incompatible with the surrounding areas and approval of the application on a temporary basis would not frustrate the planning intention of the “V” zone. Concerned departments had no adverse comment on the application and relevant

approval conditions were recommended to address their technical concerns. Previous applications and similar applications within the same “V” zone had been approved by the Committee. Approval of the application was considered in line with the Committee’s previous decisions. No public comment was received during the statutory publication period.

161. Members had no question on the application.

Deliberation Session

162. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 31.5.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) the paving and boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (c) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (d) the existing trees and landscape plantings on the Site should be maintained at all times during the planning approval period;
- (e) the submission of fire services installation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.11.2019;
- (f) in relation to (e) above, the implementation of fire services installation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.2.2020;

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

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

Agenda Item 50

Section 16 Application

[Open Meeting]

A/TM-SKW/102 Proposed Excavation of Land (for Ground Investigation Works in relation to Natural Terrain Hazard Study) in “Green Belt” Zone, Government Land in Tai Lam Chung, Tuen Mun
(RNTPC Paper No. A/TM-SKW/102)

164. The Secretary reported that Llewelyn-Davies Hong Kong Ltd. (LD) and AECOM Asia Co. Ltd. were two of the consultants of the applicant. The following Members had declared interests on this item:

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

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

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

Mr Ricky W.Y. Yu

his firm having current business dealings
with LD.

165. The Committee noted that the applicant had requested deferral of consideration of the application, Mr Ricky W.Y. Yu had tendered an apology for being unable to join the meeting and Mr Ivan C.S. Fu and Dr. Billy C.H. Hau had already left the meeting. As Stephen L.H. Liu had no involvement in the application, the Committee agreed that he should stay in the meeting.

166. The Committee noted that the applicant's representative requested on 17.5.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application

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

Agenda Items 51 to 53

Section 16 Applications

[Open Meeting]

A/TM-LTY Y/370 Proposed House (New Territories Exempted House - Small House) in
"Residential (Group E)" Zone, Lot 223 S.B in D.D. 130, San Hing
Tsuen, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/370)

A/TM-LTY Y/371 Proposed House (New Territories Exempted House - Small House) in
“Residential (Group E)” Zone, Lot 223 RP in D.D. 130, San Hing
Tsuen, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/371)

A/TM-LTY Y/372 Proposed House (New Territories Exempted House - Small House) in
“Residential (Group E)” Zone, Lot 223 S.C in D.D. 130, San Hing
Tsuen, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/372)

168. The Committee agreed that the three applications for proposed house (New Territories Exempted House (NTEH) – Small House) were similar in nature and the application sites (the sites) were located in close proximity to one another and within the same Residential (Group E)” (“R(E)”) zone and could be considered together.

169. The Committee noted that the applicants’ representative requested on 15.5.2019 deferment of consideration of the applications for a period of two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicants requested deferment of the applications.

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

Agenda Item 54

Section 16 Application

[Open Meeting]

A/TM-LTY Y/373 Proposed Public Utility Installation (Sewage Pumping Station) in “Residential (Group D)” Zone, Government Land in D.D. 130, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/373)

171. The Secretary reported the application was submitted by Drainage Services Department (DSD) and AECOM Asia Co. Ltd. (AECOM) was the consultant of the applicant. The following Members had declared interests on this item:

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

Dr. Billy C.H. Hau - conducting contract research projects with DSD and having current business dealings with AECOM.

172. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu and Dr. Billy C.H. Hau had already left the meeting.

173. The Committee noted that the applicant requested on 16.5.2019 deferment of consideration of the application for a period of two months so as to allow time to resolve departmental comments. It was the first time that the applicant requested deferment of the application

174. 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 55

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/580 Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in "Residential (Group B) 1" Zone, Lots 113 S.B RP (Part), 114 (Part) and 115 RP (Part) in D.D. 121, Ping Pak Lane, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/580A)

Presentation and Question Sessions

175. Ms Stella Y. Ng, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary public vehicle park (private cars and light goods vehicles) for a period of 3 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. The District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD) conveyed a local objection on grounds set out in paragraph 9.1.9 of the Paper;
- (d) during the first three weeks of the statutory publication period, three public comments objecting to the application were received from the villagers of

Tong Fong Tsuen, which was identical to those conveyed by DO(YL), and two individuals. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not in line with the planning intention of the “Residential (Group B) 1” (“R(B)1”) zone, no known development proposal was to be implemented. The applied use was not incompatible with the surrounding areas and approval of the application on a temporary basis would not frustrate the planning intention of the “R(B)1” zone. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Previous applications were rejected under different uses and similar applications within the same “R(B)1” zone had been approved by the Committee. Approval of the current application was generally in line with the Committee’s previous decision. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

176. Members had no question on the application.

Deliberation Session

177. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 31.5.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no medium and heavy goods vehicles exceeding 5.5 tonnes (including container trailer/tractor) as defined in the Road Traffic Ordinance is allowed to enter/be parked on the Site, as proposed by the applicant, at all times during the planning approval period;

- (b) a notice shall be posted at a prominent location of the Site at all times to indicate that only private cars and light goods vehicles (not exceeding 5.5 tonnes) as defined in the Road Traffic Ordinance are allowed to enter/be parked on the Site during the planning approval period;
- (c) no vehicles without valid licences issued under the Road Traffic Ordinance is allowed to be parked/stored on the Site at any time during the planning approval period;
- (d) no vehicle repairing, car beauty, car washing or workshop activity is allowed on the Site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing vegetation within the Site shall be maintained in good condition at all times during the planning approval period;
- (g) 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 30.11.2019;
- (h) the implementation of the accepted drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.2.2020;
- (i) in relation to (h) above, the implemented drainage facilities 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 the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.11.2019;

- (k) in relation to (j) above, the implementation of fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.2.2020;
- (l) the submission of a road connection or 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 30.11.2019;
- (m) in relation to (l) above, the provision of road connection or run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 29.2.2020;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (o) if any of the above planning conditions (g), (h), (j), (k), (l) or (m) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 56

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/588 Temporary Animal Boarding Establishment, Dog Recreation Centre and Shop and Services (Pet Supplies Retail Shop) for a Period of 3 Years in “Village Type Development” and “Other Specified Uses” annotated “Heritage and Cultural Tourism Related Uses” Zones, Lots 377 (Part), 383 (Part) and 384 (Part) in D.D. 122 and Adjoining Government Land, Sheung Cheung Wai, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/588)

Presentation and Question Sessions

179. Ms Stella Y. Ng, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary animal boarding establishment, dog recreation centre and shop and services (pet supplies retail shop);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment expressing concerns. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not in line with the planning intention of the “Village Type Development” (“V”) zone, no Small House application relating to the site

had been received. The applied use was not incompatible with the surrounding areas and approval of the application on a temporary basis would not frustrate the planning intention of the “V” zone. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

180. Members had no question on the application.

Deliberation Session

181. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 31.5.2022, 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 10:00 a.m. (except overnight animal boarding), as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) all animal shall be kept inside the enclosed animal boarding establishment from 6:00 p.m. to 10:00 a.m., as proposed by the applicant, during the planning approval period;
- (c) no public announcement system and whistle blowing, as proposed by the applicant, is allowed to be used on the Site during the planning approval period;
- (d) the existing fencing on the Site shall be maintained at all times during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 30.11.2019;

- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.2.2020;
- (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 the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.11.2019;
- (i) in relation to (h) above, the implementation of fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.2.2020;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 57

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/147 Temporary Open Storage of Containers for a Period of 3 Years in
 “Open Space” Zone and an area shown as ‘Road’, Lot 108 S.B (Part) in
 D.D.124, Ha Tsuen, Yuen Long
 (RNTPC Paper No. A/HSK/147)

Presentation and Question Sessions

183. Mr Kris W.K. Leung, TP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary open storage of containers for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 10 of the Paper. Whilst the applied use was not in line with the planning intention of the “Open Space” (“O”) zone, the Project Manager (New Territories West) of Civil Engineering and Development Department (PM/NTW, CEDD) and the Director of Leisure

and Cultural Services had no objection to the applied use and approval of the application on a temporary basis of 3 years would not jeopardize the long-term development of the application site. The applied use was not incompatible with the surrounding areas. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the application site fell within the Category 1 area which was suitable for open storage and port back-up uses. Though DEP did not support the application, there was no substantiated environmental complaint concerning the site in the past three years. To address the concern of DEP on the possible nuisance generated by the proposed temporary use and the technical requirements of government departments, relevant approval conditions were recommended. Previous applications at the site and similar applications for open storage uses within the same “O” zone had been approved by the Committee. Approval of the application was considered in line with the Committee’s previous decisions. No public comment was received during the statutory publication period.

184. Members had no question on the application.

Deliberation Session

185. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 31.5.2022, 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 cleaning, repairing, oil spraying and workshop activities, as proposed by the applicant, is allowed on the Site during the planning approval period;

- (d) the stacking height of containers stored within 5m of the periphery of the Site shall not exceed the height of the boundary fence, as proposed by the applicant, during the planning approval period;
- (e) the stacking height of containers stored on the Site shall not exceed 7 units, as proposed by the applicant, during the planning approval period;
- (f) no material is allowed to be stored/dumped within 1m of any tree on the Site at any time during the planning approval period;
- (g) the existing fencing on the Site should be maintained at all times during the planning approval period;
- (h) no vehicle is allowed to queue back to or reverse onto/from the public road at all times during the planning approval period;
- (i) all existing trees and landscape plants on the Site shall be maintained at all times during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 31.8.2019;
- (k) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (l) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.7.2019;
- (m) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.11.2019;

- (n) in relation to (m) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.2.2020;
- (o) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h), (i) or (k) 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
- (p) if any of the above planning conditions (j), (l), (m) or (n) 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.”

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

Agenda Item 58

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/148 Renewal of Planning Approval for Temporary “Centre for Inspection of New Vehicles, Car Repair Workshop and Open Storage of Vehicles Prior to Sale (Including Coach, Tractor and Lorry) with Ancillary Warehouse for Storage of Parts and Accessories and Site Office” for a Period of 3 Years in “Other Specified Uses” annotated “Logistics Facility” Zone, Lots 4 (Part), 5 (Part), 6 (Part) and 7 S.A (Part) in D.D. 124, Lot 1498 S.B RP (Part) in D.D. 125, and Adjoining Government Land, Ha Tsuen, Yuen Long

(RNTPC Paper No. A/HSK/148)

Presentation and Question Sessions

187. Mr Kris W.K. Leung, TP/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 “centre for inspection of new vehicles, car repair workshop and open storage of vehicles prior to sale (including coach, tractor and lorry) with ancillary warehouse for storage of parts and accessories and site office” for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the application site (the site) and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 10 of the Paper. Whilst the applied use was not in line with the planning intentions of the “Open Space” (“O”) and "Government, Institution or Community" (“G/IC”) zones, the Project Manager (New Territories West) of Civil Engineering and Development Department (PM/NTW, CEDD) and the Director of Leisure and Cultural Services had no objection to the applied use and approval of the application on a temporary basis of 3 years would not jeopardize the long-term development of the application site. The applied use was not incompatible with the surrounding areas. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within the Category 1 areas and there was no adverse departmental comment, except DEP. There was no substantiated environmental complaint concerning the site in the past three years. To address the concern of DEP on the possible nuisance generated by the proposed temporary use and technical requirements of concerned departments,

relevant approval conditions were recommended. Previous applications at the site and similar applications for open storage uses within the same “O” and “G/IC” zones had been approved by the Committee. Approval of the application was in line with the Committee’s previous decisions. No public comment was received during the statutory publication period.

188. Members had no question on the application.

Deliberation Session

189. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 25.6.2019 until 24.6.2022, 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 operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from the public road at all times during the planning approval period;
- (d) the existing boundary fencing on the site should be maintained at all times during the planning approval period;
- (e) all existing trees and landscape plants on the Site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities shall be maintained at all times during the planning approval period;

- (g) the existing fire services installations shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities within 3 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.9.2019;
- (i) if any of the above planning conditions (a), (b), (c), (d), (e), (f) 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
- (j) if any of the above planning condition (h) 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.”

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

Agenda Item 59

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/150 Temporary Open Storage of Metal Ware for a Period of 3 Years in “Government, Institution or Community” Zone and an area shown as ‘Road’, Lots 37 (Part), 41 (Part), 42 (Part), 43 (Part), 44 (Part), 45 (Part), 46 (Part), 47 (Part), 49 (Part), 50 (Part) and 51 (Part) in D.D.128, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/150)

191. The Committee noted that two replacement pages (P.12-13 of the Main Paper) rectifying an editorial error in paragraph 12.1 of the Main Paper had been dispatched to

Members before the meeting.

Presentation and Question Sessions

192. Mr Kris W.K. Leung, TP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary open storage of metal ware for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 10 of the Paper. Whilst the applied use was not in line with the planning intentions of the "Open Space" ("O") and "Government, Institution or Community" ("G/IC") zones, the Project Manager (New Territories West) of Civil Engineering and Development Department (PM/NTW, CEDD) and the Director of Leisure and Cultural Services had no objection to the applied use and approval of the application on a temporary basis of 3 years would not jeopardize the long-term development of the application site. The applied use was not incompatible with the surrounding areas. The application was generally in line with the Town Planning Board Guidelines No. 13E in that majority of the site fell within the Category 1 area and there was no adverse

departmental comment, except DEP. There was no substantiated environmental complaint concerning the site in the past three years. To address the concern of DEP on the possible nuisance generated by the proposed temporary use and technical requirements of other concerned departments, relevant approval conditions were recommended. Previous applications at the site and similar applications for open storage uses within the same “O” and “G/IC” zones had been approved by the Committee. Approval of the application was in line with the Committee’s previous decisions. No public comment was received during the statutory publication period.

193. Members had no question on the application.

Deliberation Session

194. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 31.5.2022, 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. to 7:00 a.m., as proposed by the applicant, is allowed on the Site during the approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no cutting, cleaning, melting, dismantling and workshop activity, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public roads at any time during the planning approval period;
- (e) the existing trees and landscape plants on the Site shall be maintained at all times during the approval period;

- (f) the existing fencing on the Site shall be maintained at all times during the approval period;
- (g) the submission of the condition record of the existing drainage facilities on the Site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 31.8.2019;
- (h) the existing drainage facilities on the Site shall be maintained at all times during the approval period;
- (i) the provision of the fire extinguisher(s) and the submission of a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.7.2019;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 30.11.2019;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 29.2.2020;
- (l) if any of the above planning conditions (a), (b), (c), (d) (e), (f) or (h) 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 (g), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 60

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/151 Temporary Open Storage of Metal Ware for a Period of 3 Years in
“Government, Institution or Community” and “Open Space” Zones,
Lots 43 (Part), 192 S.A ss.1 (Part), 192 S.A RP (Part), 192 S.B ss.1
(Part) and 192 S.B RP (Part) in D.D.128 and Adjoining Government
Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/151)

196. The Committee noted that two replacement pages (P.12-13 of the Main Paper) rectifying an editorial error in paragraph 12.1 of the Main Paper had been dispatched to Members before the meeting.

Presentation and Question Sessions

197. Mr Kris W.K. Leung, TP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary open storage of metal ware for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not in line with the planning intentions of the Open Space” (“O”) and "Government, Institution or Community" (“G/IC”) zones, the implementation programme for this part of New Development Area was still being formulated. Project Manager (New Territories West) of Civil Engineering and Development Department (PM/NTW, CEDD) and the Director of Leisure and Cultural Services had no objection to the applied use and approval of the application on a temporary basis of 3 years would not jeopardize the long-term development of the application site. The applied use was not incompatible with the surrounding areas. Though DEP did not support the application, there was no substantiated environmental complaint concerning the site in the past three years. To address the concern of DEP on the possible nuisance generated by the proposed temporary use and technical requirements of other concerned departments, relevant approval conditions were recommended. Previous applications at the site and similar applications for open storage uses within the same “O” and “G/IC” zones had been approved by the Committee. Approval of the application was in line with the Committee’s previous decisions. No public comment was received during the statutory publication period.

198. Members had no question on the application.

Deliberation Session

199. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 31.5.2022, 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. to 7:00 a.m., as proposed by the applicant, is allowed on the Site during the approval period;

- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no cutting, cleaning, melting, dismantling and workshop activity, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public roads at any time during the planning approval period;
- (e) the existing trees and landscape plants on the Site shall be maintained at all times during the approval period;
- (f) the existing fencing on the Site shall be maintained at all times during the approval period;
- (g) the submission of the condition record of the existing drainage facilities on the Site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 31.8.2019;
- (h) the existing drainage facilities on the Site shall be maintained at all times during the approval period;
- (i) the provision of the fire extinguisher(s) and the submission of a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.7.2019;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 30.11.2019;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the

satisfaction of Director of Fire Services or of the TPB by 29.2.2020;

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

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

Agenda Item 61

Section 16 Application

[Open Meeting]

A/TSW/72 Proposed 'Flat' and Permitted Commercial Development with Minor Relaxation of Gross Floor Area Restriction in “Commercial” Zone, Tin Shui Wai Town Lot No.4
(RNTPC Paper No. A/TSW/72)

201. The Secretary reported that the application was submitted by Harbour Plaza Resort City Ltd. (HPRC), which was a subsidiary of CK Hutchison Holdings Ltd. (CKHH). Westwood Hong & Associates Ltd. (Westwood) was one of the consultants of the applicant. The following Members had declared interests on this item:

- Mr Ivan C.S. Fu - having current business dealings with CKHH and Westwood;
- Mr K.K. Cheung - his firm having current business dealing with CKHH; and

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

202. The Committee noted that the applicant had requested deferral of consideration of the application and Mr. Ivan C.S. Fu had already left the meeting. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay at the meeting. The Committee also agreed that Mr Stephen L.H. Liu could stay in the meeting as his interest were indirect.

203. The Committee noted that the applicant requested on 22.5.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

204. 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 62

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/340 Temporary Shop and Services (Convenience Store) for a Period of 3 Years in "Residential (Group D)" Zone, Lot 20 RP (Part) in D.D. 128, Lots 2393 RP (Part) and 2394 RP (Part) in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/340)

Presentation and Question Sessions

205. 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 shop and services (convenience store) for a period of 3 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) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessment set out in paragraph 11 of the Paper. Whilst the proposed development was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, approval of the application on a temporary basis would not jeopardize the long-term planning intention of the area. The proposed development was considered not incompatible with the surrounding land uses. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Previous approvals for the same use had been granted and approval of the current application was in line with the Committee’s previous decisions. No public comment was received during the statutory publication period.

206. Members had no question on the application.

Deliberation Session

207. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 31.5.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 10:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) only private cars, as proposed by the applicant, as defined in the Road Traffic Ordinance, are allowed to enter the Site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public roads at any time during the planning approval period;
- (d) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (e) the submission of a condition record of the existing drainage facilities on the Site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 31.8.2019;
- (f) the submission of 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 30.11.2019;
- (g) in relation to (f) above, the provision of run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 29.2.2020;
- (h) all the existing trees within the Site shall be maintained in good condition 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 30.11.2019;
- (j) in relation to (i) 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 29.2.2020;
- (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 above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 63

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/341 Proposed Temporary Public Vehicle Park for Private Cars for a Period 3 Years in “Green Belt” and “Open Space (1)” Zones, Lots 2750, 2751, 2762 RP, 2764 RP (Part), 2765 RP (Part), 2766 RP (Part), 2768 (Part) and 2771 in D.D. 129, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/341)

Presentation and Question Sessions

209. 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 public vehicle park for private cars for a period 3 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, two public comments objecting to the application were received from the village representatives of Sha Kong Wai and an individual. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Whilst the proposed development was not entirely in line with the planning intention of the “Green Belt” (“GB”) zone, the application site did not involve clearance of vegetation and the Director of Agriculture, Fisheries and Conservation had no strong view on the application from nature conservation point of view. The proposed public vehicle park was in line with the Town Planning Board Guidelines No. 10 in that the proposed development was compatible with the surrounding land uses. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Previous applications for similar uses at the site and similar applications for public vehicle park within the same “GB” zone had been approved by the Committee. Although there were similar applications rejected by the Committee, they were subject to different circumstances from the current application. Approval of the application was in line with the Committee’s previous decisions. Regarding the adverse public comments, the

comments of government departments and planning assessments above were relevant.

210. Members had no question on the application.

Deliberation Session

211. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 31.5.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no light goods vehicle, medium goods vehicle and heavy goods vehicle, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to enter the Site at any time during the planning approval period;
- (c) no vehicle without valid licence issued under the Road Traffic Ordinance, is allowed to be parked/stored on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public roads at any time during the planning approval period;
- (e) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 30.11.2019;
- (f) in relation to (e) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.2.2020;

- (g) the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) all the existing trees within the Site shall be maintained in good condition 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 30.11.2019;
- (j) in relation to (i) 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 29.2.2020;
- (k) if any of the above planning conditions (a), (b), (c), (d), (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;
- (l) if any of the above planning conditions (e), (f), (i) or (j) 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; and
- (m) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 64

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/464 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lot 3078 S.B
in D.D.120, Tin Liu Tsuen, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/464)

Presentation and Question Sessions

213. 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) 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 Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the application 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, 18 public comments were received with 16 comments from the Chairman of Shap Pat Heung Rural Committee, three local village representatives and 12 individuals supporting the application, and two comments from Designing Hong Kong Limited and an individual raising objection/concerns. Major views were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed Small House was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, the site and the footprint of the proposed Small House fell entirely outside the village ‘environs’ of Tin Liu Tsuen. There was no general shortage of land in meeting the demand for Small House development in the “Village Type Development” (“V”) zones of Tin Liu Tsuen and Sham Chung Tsuen. 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. Three similar applications were rejected by the Committee within the subject “AGR” and “V” zones. Although there were similar applications approved by the Committee, they were subject to different circumstances from the current application. Rejection of this application was generally in line with the Committee’s previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

214. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification

provided in the submission to justify a departure from the planning intention; and

- (b) land is still available within the “Village Type Development” (“V”) zones of Tin Liu Tsuen and Sham Chung Tsuen which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zones for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 65

Section 16 Application

[Open Meeting]

A/YL-TT/465 Temporary Animal Boarding Establishment for a Period of 5 Years in “Recreation” Zone, Lot 2030 in D.D. 117 and Adjoining Government Land, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/465)

216. The Committee noted that the applicant’s representative requested on 23.5.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application

217. 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.

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

Agenda Item 66

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/466 Proposed Temporary Shop and Services (Motor-vehicle Showroom) with Ancillary Office for a Period of 3 Years in “Open Storage” and “Other Specified Uses” annotated “Rural Use” Zones, Lot 1207 RP (Part) in D.D. 118, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/466)

Presentation and Question Sessions

218. 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) proposed temporary shop and services (motor-vehicle showroom) with ancillary office for a period of 3 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 public comment was received from an individual raising concerns on the traffic impact of the development to Tai Shu Ha Road West;

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not entirely in line with the planning intentions of the " Other Specified Uses" annotated "Rural Use" ("OU(RU)") and "Open Storage" zones, approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the area. The application site was considered not incompatible with the surrounding uses. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Similar applications within the same "OU(RU)" zone had been approved by the Committee. Approval of the current application was in line with the Committee's previous decisions. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

219. Members had no question on the application.

Deliberation Session

220. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 31.5.2022, 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 10:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle repairing, car washing or any other workshop activities, as proposed by the applicant, are allowed on the Site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site, as proposed by the

applicant, at any time during the planning approval period;

- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a 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 30.11.2019;
- (f) in relation to (e) above, the implementation of run in/out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 29.2.2020;
- (g) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 30.11.2019;
- (h) in relation to (g) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.2.2020;
- (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 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 30.11.2019;
- (k) in relation to (j) 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 29.2.2020;
- (l) if any of the above planning conditions (a), (b), (c), (d) or (i) is not complied with during the planning approval period, the approval hereby

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

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

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

Agenda Item 67

Section 16 Application

[Open Meeting]

A/YL-TT/467 Proposed Temporary Shop and Services (Grocery Store) with Ancillary Storage of Goods for Sale for a Period of 5 Years in “Open Space” Zone, Lot 4219 (Part) in D.D. 116, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/467)

222. The Committee noted that the applicant’s representative requested on 21.5.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

223. 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 68

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/962 Temporary Open Storage and Warehouse for Storage of Exhibition Materials for a Period of 3 Years in “Undetermined” Zone, Lots 2387 RP (Part) and 2388 (Part) in D.D. 120, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/962)

Presentation and Question Sessions

224. Mr Steven Y.H. Siu, STP/TMYLW, drew Members’ attention that two replacement pages (P.7 of the Main Paper and P.1 of Appendix VI) for rectifying editorial errors of the Paper were tabled for Members’ reference. He then presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) temporary open storage and warehouse for storage of exhibition materials for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. The Project Manager (West) of Civil Engineering and Development Department (PM(W), CEDD) objected to the proposed temporary use unless the period of the proposed development was granted till September 2021 only. Other concerned government departments had no objection to or no adverse

comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined”(“U”) zone which was generally intended for open storage use but was designated with this zoning mainly due to concerns on road capacity. In this regard, the Commissioner for Transport had no adverse comment on the application. The Site fell within an area zoned as “ Local Open Space” and an area shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South promulgated on 8.8.2017, the Chief Engineer/Cross-Boundary Infrastructure and Development (CE/CID), PlanD did not raise objection to the application while PM(W), CEDD objected to the proposed temporary use unless the period of the proposed development was granted till September 2021 only. Approval of the application on a temporary basis would not jeopardise the long-term development of the area. The application was in line with the Town Planning Board Guidelines No. 13E in that the site fell within the Category 1 areas which were considered suitable for open storage and port back-up uses. Relevant government departments consulted had no adverse comment on the application except DEP and PM(W), CEDD. To address the concern of DEP and technical requirements of other concerned departments, relevant approval conditions were recommended. Previous applications for the similar uses at the site and similar applications within the same “U” zone had been approved by the Committee. Approval of the application was in line with the Committee’s previous decisions. No public comment was received during the statutory publication period.

225. Members had no question on the application.

Deliberation Session

226. Whilst the Committee agreed that the applied use could be tolerated on a temporary basis on the application site, some Members had reservations to grant approval beyond the commencement of Yuen Long South (YLS) Development in Q3 of 2021 as advised by the CEDD. The Committee was advised that procedure on land clearance would normally not be affected by the temporary approval but agreed to shorten the approval permission to two years to ensure that the applied use would not frustrate the implementation schedule of YLS Development.

227. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 2 years, instead of 3 years sought, until 31.5.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) no repairing, dismantling, spraying, cleaning or any other workshop activities, as proposed by the applicant, are allowed 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 planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 31.8.2019;
- (j) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.7.2019;
- (k) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.11.2019;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.2.2020;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

228. The Committee also agreed to advise the applicant to note the following additional advisory clause and those as set out at Appendix VI of the Paper.

“to note that a shorter approval period of two years is approved by the Rural and New Town Planning Committee (instead of three years sought) in view of the Civil Engineering and Development Department’s advice in respect of the Yuen Long South Development.”

[Mr Edwin W.K. Chan left the meeting at this point.]

Agenda Item 69

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/963 Renewal of Planning Approval for Temporary “Open Storage of Construction Machinery” for a Period of 3 Years in “Undetermined” Zone, Lots 2815 RP (Part) and 2816 RP (Part) in D.D. 120, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/963)

Presentation and Question Sessions

229. 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 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. The Project

Manager (West) of Civil Engineering and Development Department (PM(W), CEDD) objected to the proposed temporary use unless the period of the proposed development was granted till September 2021 only. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views - PlanD considered that the temporary use could be tolerated for a 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 on road capacity. In this regard, the Commissioner for Transport had no adverse comment on the application. The Site fell within an area zoned as "District Open Space" and "Other Specified Use" annotated "Refuse Collection Point and Sewage Pumping Station", as well as an area shown as 'Road' on the Recommended Outline Development Plan of Yuen Long South promulgated on 8.8.2017, the Chief Engineer/Cross-Boundary Infrastructure and Development (CE/CID), PlanD did not raise objection to the application while PM(W), CEDD objected to the proposed temporary use unless the period of the proposed development was granted till September 2021 only. Approval of the application on a temporary basis would not jeopardise the long-term development of the area. The application was in line with the Town Planning Board Guidelines (TPB PG) No. 13E in that the site fell within the Category 1 areas which were considered suitable for open storage and port back-up uses. The renewal of planning approval was in line with the TPB PG-No. 34C in that since the last approval, there had been no major change in planning circumstances, the approval conditions under the previous approval had been complied with and relevant government departments consulted had no adverse comment on the application except DEP and PM(W), CEDD. To address

the concern of DEP and technical requirements of other concerned departments, relevant approval conditions were recommended. No public comment was received during the statutory publication period.

230. In response to a Member's enquiry on the similarities between the subject application and application No. A/YL-TYST/962, which was considered by the Committee at the same meeting, Mr Steven Y.H. Siu, STP/TMYLW, with reference to Plan A-1a, indicated the locations of the two application sites where both fell within the same "U" zone in close proximity. In addition, comments from CEDD on both applications were the same.

Deliberation Session

231. Similar to application No. A/YL-TYST/962, whilst the Committee agreed that the applied use could be tolerated on a temporary basis on the application site, some Members had reservations to grant approval beyond the commencement of Yuen Long South (YLS) Development in Q3 of 2021 as advised by the CEDD. The Committee was advised that procedure on land clearance would normally not be affected by the temporary approval but agreed to shorten the approval permission to two years to ensure that the applied use would not frustrate the implementation schedule of YLS Development.

232. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 2 years, instead of 3 years sought, and be renewed, from 11.6.2019 to 10.6.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste, as proposed by the applicant, is allowed on

the Site at any time during the planning approval period;

- (d) no cleansing, repairing, dismantling or any other workshop activities, as proposed by the applicant, are allowed on the Site at any time during the planning approval period;
- (e) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road, as proposed by the applicant, at any time during the planning approval period;
- (g) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (h) all existing trees within the Site shall be maintained at all times during the planning approval period;
- (i) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities 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 10.9.2019;
- (k) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.7.2019;

- (l) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.12.2019;
- (m) in relation to (l) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.3.2020;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (o) if the above planning conditions (j), (k), (l) or (m) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

233. The Committee also agreed to advise the applicant to note the following additional advisory clause and those as set out at Appendix VII of the Paper.

“to note that a shorter approval period of two years is approved by the Rural and New Town Planning Committee (instead of three years sought) in view of the Civil Engineering and Development Department’s advice in respect of the Yuen Long South Development.”

Agenda Item 70

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/964 Renewal of Planning Approval for Temporary “Open Storage of Construction Material and Recyclable Material with Ancillary Workshop and Office” for a Period of 3 Years in “Undetermined” Zone, Lots 771 (Part), 772 (Part), 773 (Part), 775 (Part) and 776 (Part) in D.D. 117, Lots 1131 (Part) and 1132 (Part) in D.D. 119 and Adjoining Government Land, Pak Sha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/964)

Presentation and Question Sessions

234. 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 material and recyclable material with ancillary workshop and office” for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the application site (the site) and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a 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 on road capacity. In this regard, the Commissioner for Transport had no adverse comment on the application. While the Site falls within an area zoned as “Other Specified Use” annotated “Sewage Treatment Works” on the Recommended Outline Development Plan of Yuen Long South promulgated on 8.8.2017, the Chief Engineer/Cross-Boundary Infrastructure and Development (CE/CID), PlanD did not raise objection to the application and the Project Manager (West) of Civil Engineering and Development Department (PM(W), CEDD) had no objection to the proposed temporary use for three years. Approval of the application on a temporary basis would not jeopardise the long-term development of the area. The application was in line with the Town Planning Board Guidelines (TPB PG) No. 13E in that the site fell within the Category 1 areas which were considered suitable for open storage and port back-up uses. The renewal of planning approval was in line with the TPB PG-No. 34C in that since the last approval, there had been no major change in planning circumstances, the approval conditions under the previous approval had been complied with and relevant government departments consulted had no adverse comment on the application except DEP. To address the concern of DEP on the possible nuisance generated by the proposed temporary use and technical requirements of other concerned departments, relevant approval conditions were recommended. No public comment was received during the statutory publication period.

235. Members had no question on the application.

Deliberation Session

236. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 11.6.2019 to 10.6.2022, on the terms of the

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

- “(a) no operation between 9:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (d) no cleansing, dismantling and repairing activities, and no workshop activities except in Structures No. 7, 8, 9 and 10, as proposed by the applicant, are allowed on the Site at any time during the planning approval period;
- (e) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (h) all existing trees within the Site shall be maintained at all times during the planning approval period;

- (i) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities 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 10.9.2019;
- (k) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.7.2019;
- (l) the implementation of the accepted 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 10.12.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

237. 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 Ms Jessica Y.C. Ho, Ms Stella Y. Ng, Ms Bonnie K.C. Lee, Mr Steven Y.H. Siu, STPS/TMYLW, and Mr Kris W.K. Leung, TP/TMYLW, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Agenda Item 71

Any Other Business

238. There being no other business, the meeting closed at 5:30 p.m..