

TOWN PLANNING BOARD

Minutes of 632nd Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 16.8.2019

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Dr C.H. Hau

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Mr L.T. Kwok

Mr K.W. Leung

Dr Jeanne C.Y. Ng

Chief Traffic Engineer/New Territories West,
Transport Department
Mr B.K. Chow

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

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

Assistant Director/Regional 3,
Lands Department
Mr Alan K.L. Lo

Deputy Director of Planning/District
Miss Fiona S.Y. Lung

Secretary

Absent with Apologies

Mr Ivan C.S. Fu

Mr Ricky W.Y. Yu

In Attendance

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

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

Town Planner/Town Planning Board
Miss Carman C.Y. Cheung

Agenda Item 1

Confirmation of the Draft Minutes of the 631st RNTPC Meeting held on 2.8.2019

[Open Meeting]

1. The draft minutes of the 631st RNTPC meeting held on 2.8.2019 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Tuen Mun and Yuen Long West District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/YL-HTF/3

Application for Amendment to the Approved Ha Tsuen Fringe Outline Zoning Plan No. S/YL-HTF/12 and Approved Hung Shui Kiu and Ha Tsuen Outline Zoning Plan No. S/HSK/2, To Rezone the Application Site from “Green Belt” and an area shown as ‘Road’ to “Government, Institution or Community” and an area shown as ‘Road’, Lots 1363 RP (Part), 1364 (Part), 1365 (Part), 1366 (Part), 1373, 1374, 1375, 1376, 1377, 1378 (Part), 1393 (Part), 1399 S.A (Part), 1399 S.B (Part) and 1401 (Part) in D.D. 125 and Adjoining Government Land, San Wai, Ha Tsuen, Yuen Long
(RNTPC Paper No. Y/YL-HTF/3B)

3. The Secretary reported that the application was for religious institution with ancillary columbarium. Masterplan Limited (Masterplan) and MVA Hong Kong Limited

(MVA) were two of the consultants of the applicants. The following Members had declared interests on this item:

- | | | |
|--|---|---|
| Mr H.W. Cheung
(<i>the Vice-chairman</i>) | - | being a member of the Private Columbaria Licensing Board (PCLB); and |
| Mr Ivan C.S. Fu | - | being a member of the Private Columbaria Appeal Board and having current business dealings with Masterplan and MVA. |

4. The Committee noted that the applicants had requested deferment of consideration of the application and Mr Ivan C.S. Fu had tendered apologies for being unable to join the meeting. As the interest of Mr. H.W. Cheung in relation to PCLB was indirect, the Committee agreed that he could stay in the meeting.

5. The Committee noted that a replacement page (page 2 of the Paper) for rectifying an editorial error in paragraph 3.3 of the Paper was tabled for Member's reference.

6. The Committee noted that the applicants' representative requested on 2.8.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information (FI) to address further departmental comments. It was the third time that the applicants requested deferment of the application. Since the last deferment, the applicants had submitted FI to provide responses to departmental comments.

7. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicants. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the application 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. Since it was the third deferment and a total of six 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

Agenda Item 4

Section 16 Application

[Open Meeting]

A/I-LI/30 Proposed House (Redevelopment), Filling of Land/Excavation of Land and Amenity Planting in “Conservation Area” Zone, Lots 5 and 23 in D.D. 7, Mo Tat, Lamma Island
(RNTPC Paper No. A/I-LI/30A)

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

9. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu had tendered apologies for being unable to join the meeting.

10. The Committee noted that the applicant’s representative requested on 5.8.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information (FI) to address further departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted FIs including responses to comments table and revised/updated technical reports to address departmental comments.

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

applicant that two months were allowed for preparation of the submission of the further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

[Ms Jane W.L. Kwan, Senior Town Planner/Sai Kung and Islands (STP/SKIs), was invited to the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-CWBS/33 Proposed Utility Installation for Private Project (Surface Drainage System) and associated Excavation of Land in “Green Belt” Zone, Government Land in D.D. 225, Sheung Sze Wan, Sai Kung
(RNTPC Paper No. A/SK-CWBS/33)

Presentation and Question Sessions

12. The Secretary reported that the application was located in Clear Water Bay area. Mr David Y.T. Lui had declared interest on the item as he co-owned with his spouse properties in Clear Water Bay. As the properties co-owned by Mr David Y.T. Lui and his spouse had no direct view of the application site, the Committee agreed that he could stay in the meeting.

13. 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 utility installation for private project (surface drainage system) and associated excavation of land;

- (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, two public comments were received from Designing Hong Kong and an individual objecting to and raising concerns on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While the proposed surface drainage system and excavation of land might not be in line with the planning intention of “Green Belt” zone, the drainage channel was considered an essential facility supporting the New Territories Exempted House (NTEH) development at Lots No. 66 and 679 s.A which was approved by the Lands Department with a Building Licence issued on 1.6.2010. As claimed by the applicant, the stormwater was originally proposed to be diverted to the existing drainage system under the submission of site formation works for the NTEH development approved by the Buildings Department. However, since more NTEHs were and would be built in the vicinity of the site, the surface drainage system connecting to an existing stream was proposed as an alternative to discharge stormwater for prevention of overwhelming the existing drainage system. The Chief Engineer/Mainland South, Drainage Services Department had no adverse comments on the application from drainage maintenance viewpoint. Given the small scale of the proposed works, no significant landscape impact was anticipated from the proposal. Concerned government departments had no objection to or no adverse comments on the application. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

14. In response to a Member's enquiry, Ms Jane W.L. Kwan, STP/SKIs, referred to Plans A-2 and A-4 to explain the spatial setting of the site with the nearby settlements and

how the proposed surface drainage channel would be connected to the existing stream.

Deliberation Session

15. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 16.8.2023, 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.

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

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-PK/252 Proposed Excavation and Filling of Land for Permitted Agricultural Use in “Green Belt” Zone, Lots 502 S.C, 502 S.D and 502 S.F in D.D. 221, Fu Tei Hau, Sai Kung
(RNTPC Paper No. A/SK-PK/252)

Presentation and Question Sessions

17. 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 excavation of land and filling of land for permitted agricultural use;
- (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, eight public comments from Sai Kung Rural Committee, a Sai Kung District Council member, Village Representatives of Sha Kok Mei, Designing Hong Kong Limited, Kadoorie Farm & Botanic Garden Corporation, World Wide Fund For Nature Hong Kong and two individuals were received with seven comments objecting to the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The applicant sought planning permission for excavation of land for a proposed agricultural structure of 4.5m in height (which was subject to separate approval by the Lands Department (LandsD) and Agriculture, Fisheries and Conservation Department (AFCD)) and filling of land to improve soil fertility for agricultural use at the site. The agricultural use was always permitted in the “Green Belt” (“GB”) zone on the Outline Zoning Plan. AFCD advised that the site had potential for agricultural rehabilitation and had no strong view against the application. The proposed excavation and filling of land for the permitted agricultural use was considered not incompatible with the surrounding area. It would not cause adverse landscape impacts on the site and the surrounding areas. As the proposed excavation and filling works at the site was for agricultural purpose and concerned departments had no objection to the proposed works, approval of the application would not set an undesirable precedent for similar applications within the “GB” zone. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

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

18. In response to a Member's enquiry, Ms Jane W.L. Kwan, STP/SKIs, said that the

agricultural structure was for storage of agricultural tools, implements, seeds, fertilizer and farm produce as advised by the applicant, and such agricultural structure had an area of 10m² while the rest of the site was for agricultural use.

Deliberation Session

19. While a Member doubted if the proposed height of 4.5m would be relatively high for an agricultural structure, the Committee noted that it would not exceed the limit set by the LandsD under the Letter of Approval which allowed a maximum height of 4.75m for agricultural structure, and that the subject application was for excavation of land and filling of land, not for agricultural structure.

20. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 16.8.2023, 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.

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

[The Chairman thanked Ms Jane W.L. Kwan, STP/SKIs, for her attendance to answer Members' enquiries. She left the meeting at this point.]

Sha Tin, Tai Po and North District

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

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/704 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/704)

Presentation and Question Sessions

22. 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 for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation did not support the application as the site possessed potential for agricultural rehabilitation. Other government departments consulted had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, six public comments from the Chairman of Sheung Shui District Rural Committee, the First Vice-Chairman and the Vice Chairman of Fanling District Rural

Committee and three individuals were received with four comments objecting to the application, one supporting and one with no comment. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with the planning intention of “Agriculture” (“AGR”) zone, given its temporary nature and small in scale, the approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone. The site was the subject of two previously approved applications for the same temporary use submitted by the same applicants. All the approval conditions of the last application (No. A/NE-LYT/598) approved in 2016 had been complied with and such planning permission lapsed on 30.7.2019. Compared with the last approved scheme, the development scheme under the current application was slightly different in terms of site area for provision of two additional private car parking spaces to cater for an increasing parking demand as submitted by the applicants. There were five similar approved applications within the same “AGR” zone. The latest similar application (No. A/NE-LYT/689) located to the immediate south of the site was approved by the Committee in May 2019. There had not been major change in planning circumstances since the approval of the previous and similar applications. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

23. Members had no question on the application.

Deliberation Session

24. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.8.2022, 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 (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on the site at any time during the planning approval period;
- (b) only private car and motorcycle 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 and motorcycle 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 boundary fence on the site should be maintained 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 16.2.2020;
- (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 16.5.2020;
- (h) the submission of proposals for water supplies for fire-fighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.2.2020;
- (i) in relation to (h) above, the provision of water supplies for fire-fighting and

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 16.5.2020;

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

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

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/705 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1850 S.N in D.D. 76, Kan Tau Tsuen, Fanling
(RNTPC Paper No. A/NE-LYT/705)

Presentation and Question Sessions

26. 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 house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The Commissioner for Transport (C for T) had reservation on the application but considered that the application involving construction of one Small House could be tolerated. Other government departments consulted had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments from the Chairman of Sheung Shui District Rural Committee, Designing Hong Kong Limited and an individual were received with two comments objecting to the application and one with no comment. Major grounds of objections 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 Small House development was not in line with the planning intention of the “Agriculture” zone. DAFC did not support the application as the site possessed potential for agricultural rehabilitation. C for T had reservation on the application but considered that the application involving construction of one Small House could be tolerated. Other concerned government departments had no objection to or no adverse comments on the application. Land was still available within the “Village Type Development” zone to meet the number of outstanding Small House applications. Nevertheless, sympathetic consideration might be given to the application as the site was the subject of a previously planning application (No. A/NE-LYT/434) for eight Small Houses approved by the Committee in 2011 submitted by the same applicant as the current application, and the Small House grant was approved in principle pending

execution while the planning permission under No. A/NE-LYT/434 had lapsed. There were also similar approved applications for Small House developments in the vicinity with the latest applications (No. A/NE-LYT/700 to 702) approved in early August 2019. The circumstances of the current application were similar to those approved applications in the vicinity. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

27. In response to the Chairman's enquiry, Mr Tim T.Y. Fung, STP/STN, said that the Small House grants for all eight Small Houses under application No. A/NE-LYT/434 were approved in principle in January 2017, four of them were executed in 2018 while the other four including the current application were pending execution. For the latter four Small House grants pending to be executed, three sites had sought planning permissions for Small House developments under applications No. A/NE-LYT/700 to 702 which were approved in early August 2019.

Deliberation Session

28. 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 16.8.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

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

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

Agenda Item 9

Section 16 Application

[Open Meeting]

A/NE-STK/16 Proposed Temporary Public Vehicle Park (Coaches and Private Cars) for a Period of 3 Years in “Recreation” Zone, Lots 437 RP (Part), 440 (Part), 441 S.B RP (Part), 477 RP (Part) and 478 RP in D.D. 41, Lots 42 RP (Part), 43, 44 S.B (Part), 44 S.C RP and 45 RP (Part) in D.D. 73 and Adjoining Government Land, Sha Tau Kok
(RNTPC Paper No. A/NE-STK/16)

30. The Committee noted that the applicant’s representative requested on 1.8.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address the comments of the Agriculture, Fisheries and Conservation Department and Transport Department. It was the first time that the applicant requested deferment of the application.

31. 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 10

Section 16 Application

[Open Meeting]

A/NE-TKL/621 Temporary Open Storage of Construction Materials for a Period of 3 Years in “Agriculture” Zone, Lots 1504 S.B, 1505, 1506, 1509 RP and 1510 RP in D.D. 76 and adjoining Government Land, Sha Tau Kok Road- Ma Mei Ha, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/621)

32. The Committee noted that the applicants’ representative requested on 6.8.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address the departmental comments. It was the first time that the applicants requested deferment of the application.

33. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicants. If the further information submitted by the applicants 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 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 11

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/567A)

34. The Committee noted that the applicant’s representative requested on 25.7.2019 deferment of consideration of the application for two months so as to allow more time for preparation of further information in response to the Drainage Services Department’s comments. It was the second time that the applicant requested deferment of the application.

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

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/570 Proposed House (New Territories Exempted House – Small House) in
“Agriculture” Zone, Lot 857 RP in D.D. 9, Tai Wo Village, Kau Lung
Hang, Tai Po
(RNTPC Paper No. A/NE-KLH/570)

Presentation and Question Sessions

36. 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 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from MTR Corporation Limited was received on the application. 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 development was not in line with the planning intention of the “Agriculture” zone. Although concerned government departments had no objection to or no adverse comments on the application, the application did not comply with the Interim Criteria for consideration of application for NTHE/Small House in New Territories. There was no

general shortage of land in meeting Small House development in the “Village Type Development” (“V”) zone of the concerned villages, and it was considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern. The site was the subject of three previous applications with the last application (No. A/NE-KLH/543), which was submitted by the same applicant of the current application, rejected by the Town Planning Board (the Board) on review on 14.12.2018 mainly because land was still available within the “V” zone. Compared with the last previous application, there was no change to the footprint and major development parameters of the proposed Small House under the current application. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

37. In response to a Member’s concern on repeated planning applications from the same applicant, the Secretary explained that the Town Planning Ordinance did not restrict the same applicant from re-submitting planning applications to the Board and such application would still be processed for consideration by the Board. Nevertheless, streamlined procedures such as fast-tracking departmental circulation and preparing a simple paper had been adopted in dealing with repeatedly applications made by the same applicant.

Deliberation Session

38. 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”) zone of

Yuen Leng, Kau Lung Hang and Tai Wo 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 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/571 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lots 971 S.A ss.3 and 971 S.C ss.1 in D.D. 7, Wai Tau Tsuen, Kau Lung Hang, Tai Po

(RNTPC Paper No. A/NE-KLH/571)

Presentation and Question Sessions

39. 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 of the Paper. The Director of Agriculture, Fisheries and Conservation (DFAC) did not support the application as there were active agricultural activities in the vicinity, agricultural infrastructure was available and the site possessed potential for agricultural rehabilitation. Other government departments consulted had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, two public comments were received from Designing Hong Kong Limited and an individual objecting to the application. Major grounds of objections 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 Small House development was not in line with the planning intention of the “Agriculture” zone and DAFC did not support the application. Other concerned government departments had no objection to or no adverse comments on the application. Although land was still available within the “Village Type Development” (“V”) zone to meet the number of outstanding Small House applications, the site was the subject of a previously planning application (No. A/NE-KLH/389) for two proposed Small Houses approved by the Committee in 2009. One of the applicants under application No. A/NE-KLH/389 was the same applicant as the current application and the Small House grant application was under processing in the Lands Department. Compared with the previously approved application No. A/NE-KLH/389, there was no change to the proposed Small House footprint and major development parameters, except that the applicant had proposed to connect the proposed Small House to public sewer instead of using septic tank for sewage disposal. Hence, sympathetic consideration could be given to the current application. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

40. Members had no question on the 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 16.8.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the

permission was renewed. The permission was subject to the following conditions :

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

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

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/664 Proposed Temporary Shop and Services (Real Estate Agency) with Ancillary Car Park for a Period of 3 Years in “Agriculture” Zone, Lot 431 RP (Part) in D.D. 10, Lam Kam Road, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/664A)

Presentation and Question Sessions

43. 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 temporary shop and services (real estate agency) with ancillary car park for a period of 3 years;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DFAC) did not support the application as the agricultural infrastructure was available and the site possessed potential for agricultural rehabilitation. The Chief Town Planner/Urban Design & Landscape (CTP/UD&L) of Planning Department (PlanD) had reservation on the application because a patch of marsh at the south-eastern corner of the site had been dumped with filling materials. Other government departments consulted had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from Designing Hong Kong Limited and two individuals objecting to the application. Major grounds of objections were set out in paragraph 10 of the Paper; and
- (e) the PlanD’s views – PlanD considered that the proposed temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. While the proposed development was not in line with the planning intention of “Agriculture” (“AGR”) zone and DAFC did not support the application, the proposed development was intended to provide real estate agency services to serve the needs of the local community. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “AGR” zone. CTP/UD&L of PlanD had reservation on the application because a patch of marsh at the south-eastern corner of the site had been dumped with filling materials. However, the applicant had undertaken to remove the filling materials and reinstate the marsh and approval conditions on submission and implementation of landscape proposal could be imposed. Other concerned government departments had no objection to or no adverse comments on the application. The site was the subject of a previously approved application (No. A/NE-LT/615) for the same use submitted by the same applicant, which was approved in December 2017 mainly on the considerations that approval of the proposed development on a temporary basis would not frustrate the long-term planning intention of the “AGR”

zone and the technical requirements of relevant government departments could be addressed by imposing relevant approval conditions. Subsequently, the planning permission was revoked on 8.12.2018 due to the non-compliance with time-limited approval conditions. The current application was same as the previously approved application in terms of site area/boundary, proposed use, development parameters and site layout. Hence, the subject application could be given sympathetic consideration. Shorter compliance periods were recommended to closely monitor the progress on compliance with the approval conditions. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

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 3 years until 16.8.2022, 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 medium or heavy goods vehicles exceeding 5.5 tonnes including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no reversing of vehicles into or out from the site is allowed at any time during the planning approval period;
- (d) the provision of boundary fencing on the site within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 16.11.2019;

- (e) the submission of a landscape proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 16.11.2019;
- (f) in relation to (e) above, the implementation of the landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 16.2.2020;
- (g) the submission of drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.11.2019;
- (h) in relation to (g) above, the implementation of the 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 16.2.2020;
- (i) the submission of fire service installations and water supplies for fire fighting proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.11.2019;
- (j) in relation to (i) above, the implementation of fire service installations and water supplies for fire fighting proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.2.2020;
- (k) the submission of slope stability assessment within 3 months from the date of planning approval to the satisfaction of the Director of Civil Engineering and Development or of the TPB by 16.11.2019;
- (l) in relation to (k) above, the implementation of mitigation measures identified in the slope stability assessment within 6 months from the date of planning approval to the satisfaction of the Director of Civil Engineering and Development or of the TPB by 16.2.2020;

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

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 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-SLT/2 Proposed Nature Reserve (including Artificial Marsh and Eco-pond) and Associated Filling/Excavation of Land in “Conservation Area” and “Site of Special Scientific Interest” Zones, Various lots in D.D. 31, Sha Lo Tung, Tai Po
(RNTPC Paper No. A/NE-SLT/2B)

Presentation and Question Sessions

47. The Secretary reported that a concern group by Sha Lo Tung Villagers (沙螺洞村民權益會) (the Concern Group) had submitted a letter to the Town Planning Board (the Board) right before the meeting. Since the letter was received after the statutory publication period, it could not be considered as submission made under s.16 (2F) of the Town Planning Ordinance. Members noted and agreed to deal with this letter in the deliberation session.

[Dr Lawrence K.C. Li and Mr Stephen L.H. Liu arrived to join the meeting at this point.]

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 nature reserve (including artificial marsh and eco-pond) and associated filling/excavation of land;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The District Officer (Tai Po), Home Affairs Department commented that there were persistent disputes among the villagers of Sha Lo Tung Lei Uk and Sha Lo Tung Cheung Uk with the landowner, Sha Lo Tung Development Company Limited (SLTDC). The application might further trigger disputes and strong reaction was expected. Other government departments consulted had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, 15 public comments were received with six supporting comments from Village Representatives of Cheung Uk Village and Lei Uk Village in Sha Lo Tung, the Hong Kong Bird Watching Society and the Conservancy Association, and five objecting comments from World Wide Fund for Nature Hong Kong, the Concern Group, and an individual. Besides, a lawsuit had been launched by a group of Sha Lo Tung villagers against the SLTDC on the ground that SLTDC had not settled with the affected villagers on compensation/relocation as agreed between them in 1979. There was also accusation that SLTDC had submitted fraud information to the Government in support of the land exchange application, and thus any project in the area should not go ahead until the judgement was finalized. The remaining comments were submitted by Kadoorie Farm & Botanic Garden Corporation, Hong Kong Countryside Foundation and an individual expressing their concerns on the application. Major views from public

comments 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 development was part of the “Nature Conservation Management Agreement Scheme - Habitat and Biodiversity Conservation Scheme in Sha Lo Tung 2018-2020” (the SLT MA Project) to protect existing habitats and preserve the natural landscape of Sha Lo Tung through restoration and active management of wetland habitats. The proposal involved building eco-pond and artificial marshes to restore the wetland habitats in “Conservation Area” (“CA”) and “Site of Special Scientific Interest” (“SSSI”) zones. While associated land filling or excavation works would be taken place within the “CA” zone, such works would not be carried out within the “SSSI” zone in order to protect the nearby Ecologically Important Streams. The proposal was considered in line with the planning intentions of the “CA” and “SSSI” zones to support the conservation of the existing natural landscape and features of the area. Both the Director of Environmental Protection and Director of Agriculture, Fisheries and Conservation supported the application. The proposed development was not incompatible with the surrounding environment and significant adverse impact on landscape resources was not anticipated. Adverse environmental, drainage, water supply and traffic impacts arising from the proposed development were not envisaged. Concerned government departments had no objection to or no adverse comment on the application. With respect to the views of the villagers concerning the land disputes between them and the SLTDC and the proposal would hinder village type development, it should be noted that the applicant had obtained consent from the current land owner and hence had complied with the requirements as set out in the Town Planning Board Guidelines No.31A and that the site did not involve any area falling within the “Village Type Development” zone. Regarding the other adverse comments and concerns, comments of concerned departments and the planning assessments above were relevant.

49. In response to a Member's enquiry on the details of the opposing comments from the green group and the nature of the applied use, Ms Kathy C.L. Chan, STP/STN, elaborated on the concerns/questions raised by the green group (i.e. the procedures to be involved in associated works, the equipment to be used in the process, their way to maintain the proposed development for habitat restoration, etc.) which had been addressed by the applicant in the further information submitted and the mitigation measures proposed under the application. Concerned government departments were also consulted and they had no adverse comment on the application. Ms Chan further explained that the SLT MA Project was mainly to restore the wetland habitats in Sha Lo Tung which were important breeding and development grounds for dragonflies in Hong Kong. The proposed eco-pond and artificial marshes and associated works under the conservation project as shown on Plan A-2 of the Paper fell within areas zoned "CA" and "SSSI" on the OZP and hence required planning permission from the Board.

50. A Member questioned whether the applied use could be considered as agricultural use which did not require planning permission from the Board. Ms Kathy C.L. Chan, STP/STN, replied that the application was for proposed 'Nature Reserve' use which was ecology related and located in sensitive areas zoned "CA" and "SSSI" with high conservation values. According to the Notes for "CA" and "SSSI" zones, nature reserve was a Column 2 use which required planning permission from the Board. Moreover, filling of land/pond or excavation of land within "CA" and "SSSI" zones also required planning permission from the Board.

51. In response to a Member's enquiry on the level of restoration, Ms Kathy C.L. Chan, STP/STN, said that the applicant aimed to restore the wetland habitats in Sha Lo Tung which were mainly paddy fields in the past. According to the applicant, baseline surveys had been carried out and reference would be made to the historical aerial photos in the process of restoration works.

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

Deliberation Session

52. With the aid of the visualizer, Members reviewed the letter of objection

submitted by the Concern Group before the meeting. Members also noted that the public comments submitted by the Concern Group during the statutory public inspection periods were attached at Appendix II of the Paper. Members noted that land dispute between landowner and the villagers was normally not relevant to the consideration of the planning application while a Member stressed the importance of engagement with the villagers in order to make the conservation project successful and considered that the applicant should pay more effort on this aspect.

53. Some Members raised concerns on how the applicant would manage the proposed nature reserve to ensure the highest standards and best practices for the habitat restoration/conservation. On the invitation of the Chairman, Mr Terence S.W. Tsang, Assistant Director (Environmental Assessment), Environmental Protection Department (EPD), explained that the proposed development was part of the SLT MA Project, which was funded by the Environment and Conservation Fund (ECF). The applicant had submitted a detailed proposal of the SLT MA Project when seeking funding approval of the ECF, including the proposed measures to be implemented in order to restore the habitat and conserve the project site. Similar to other MA Projects funded by ECF, the applicant had to report to the Secretariat of the ECF (i.e. EPD) on the status, implementation and progress of the project regularly to ensure that it would not deviate from the project objectives. The Agriculture, Fisheries and Conservation Department (AFCD) and the Countryside Conservation Office under EPD would also closely monitor the progress and achievements of the MA project. Members noted that with the restoration of wetland habitats under the SLT MA Project, no fence would be proposed and the setting would be very much similar to the natural environment as the current situation. Based on the project management agreement, the applicant would manage and monitor the project following the plan submitted to the EPD.

54. Referring to the public comments by some green groups, a Member said the applicant should pay attention not to introduce invasive/exotic species to Sha Lo Tung which might adversely affect the local habitat.

55. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 16.8.2023, 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.

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

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

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 16

Section 16 Application

[Open Meeting]

A/YL-SK/259 Temporary Private Vehicle Park (Private Cars Only) for a Period of 3 Years in "Village Type Development" Zone, Lot 721 RP (Part) in D.D. 112, Lin Fa Tei Tsuen, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-SK/259)

57. The Committee noted that the applicant requested on 7.8.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address comments from the Transport Department. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/260 Proposed Utility Installation for Private Project (Electricity Transformer Room) and Excavation of Land (by 1.5m) in “Residential (Group D)” Zone, Lots 300 S.T and 300 S.U in D.D. 112, Lin Fa Tei, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-SK/260)

Presentation and Question Sessions

59. Mr Patrick M.Y. Fung, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed utility installation for private project (electricity transformer room) and excavation of land;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received on the application. Major

views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed electricity transformer room was to supply electricity to serve 35 proposed New Territories Exempted Houses at the eastern side of Lin Fa Tei mainly within the adjoining “Village Type Development” zone. Noting its purpose to serve the neighbourhood with electricity supply, the proposed development was considered not in conflict with the planning intention of the “Residential (Group D)” zone. The proposed electricity transformer room was considered not incompatible with the surrounding area which was in rural character predominated by residential dwellings/structures, open storages yards and unused/vacant land. Taking into account the nature and relatively small scale of the proposed development, it was not expected to cause any significant adverse impact on the surrounding environment. Concerned departments consulted had no objection to/adverse comments on the application. Regarding the public comment, comments of concerned departments and the planning assessments above were relevant.

60. Members had no question on the application.

Deliberation Session

61. 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 16.8.2023, 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 water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB; and

- (b) the submission and implementation of drainage proposal for the development to the satisfaction of the Director of Drainage Services or of the TPB.”

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

Agenda Item 18

Further Consideration of Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/649 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years in “Agriculture” Zone, Lots 1750A4 RP (Part), 1750A5 RP and 1750A6 RP (Part) in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/649A)

Presentation and Question Sessions

63. 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 – during the consideration of the application on 3.5.2019, the Committee decided to defer making a decision on the application as Members generally considered that background information on site including the site history and details of enforcement action(s), Director of Agriculture, Fisheries and Conservation (DAFC)’s advice on the suitability of the soil found on site for farming and clarification from the applicant on the rationale of providing 11 temporary structures to support the proposed maximum number of 30 visitors should be provided to facilitate the Committee’s further consideration of the application;
- (b) enforcement case - an Enforcement Notice (EN) covering the majority part

of the site and requiring discontinuation of unauthorized filling of land was issued on 26.10.2012 and such unauthorized development was then discontinued. Subsequently, a Reinstatement Notice (RN) was issued to the concerned parties on 6.2.2013 requiring reinstatement of the land by removing debris, stones and gravels on land, and grassing the land. The RN was complied with and Compliance Notices were issued on 6.9.2013 and 10.9.2013 respectively. Since 2013, the site had not been involved in any enforcement action;

- (c) further departmental comments – DAFC advised that the site was mainly covered by soil which was considered suitable for cultivation purpose while piles of mixture of sand, large stones and construction waste, and mixture of sand and debris of asphalt were found at the site. As such, the potential of agricultural rehabilitation for the Site would still be high, if these wastes were removed. In response, the applicant advised that such wastes would be removed. DAFC had no further comment and maintained his previous view of no strong view on the application;
- (d) applicant’s clarification - the applicant explained why the number of structures was considered reasonable for its operation and provided further details on the operation of the proposed hobby farm and use of the temporary structures as detailed in paragraph 2.5 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 five years based on the assessments set out in paragraph 3 of the Paper. Previous enforcement action on part of the site had been discontinued and reinstated. DAFC advised that the soil at the site was considered suitable for cultivation purpose and the agricultural rehabilitation potential of the site was still high. Hence, it was considered that the proposed temporary hobby farm for a period of 5 years was generally in line with the planning intention of the “Agriculture” (“AGR”) zone. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone. Taking into account the operation details provided by the applicant

and noting that more than half of the site would be used for farming purpose, it was considered that the number of structures at the site for the proposed temporary hobby farm was not excessive. Although the Chief Town Planner/Urban Design & Landscape, PlanD had reservation on the application, the applied use was considered not incompatible with the surrounding uses and the existing landscape setting and no further landscape impact was anticipated. The site was involved in a previous application (No. A/YL-KTN/394) for temporary field study/education centre and hobby farm which was rejected on review by the Town Planning Board mainly on the grounds that the site was subject to unauthorized land filling and the filling materials were not suitable for cultivation, no detailed information on the design and operation of the proposed development, the applicant failed to demonstrate that the development would not generate adverse landscape and drainage impacts and setting undesirable precedent. However, the current application was subject to different circumstances when compared with the previous rejected application. Besides, since the rejection of the previous application in 2013, 18 similar applications for temporary hobby farm were approved with conditions by the Committee between 2015 and 2019 on the same “AGR” zone, including one to the immediate east of the site. Regarding the adverse public comments as stated in paragraph 10 of Annex F-I, the comments of government departments and planning assessments above were relevant.

64. Members had no question on the application.

Deliberation Session

65. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 16.8.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the site at any time during the planning approval period;
- (c) 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 during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.2.2020;
- (f) in relation to (e) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.5.2020;
- (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 16.2.2020;
- (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 16.5.2020;
- (i) 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;
- (j) if any of the above planning conditions (e), (f), (g) or (h) is not complied

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

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

66. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Annex F-IV of the Paper.

Agenda Item 19

Section 16 Application

[Open Meeting]

A/YL-KTN/650 Proposed Temporary Public Vehicle Park (excluding Container Vehicle) for a Period of 5 Years in “Comprehensive Development Area (1)” Zone, Lots 1866 S.A RP (Part), 1866 S.B RP, 1876 S.B (Part) and 1905 RP (Part) in D.D. 107 and Adjoining Government Land, Sha Po, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/650A)

67. The Committee noted that the applicant’s representative requested on 7.8.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information (FI) to address further departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted FI to address departmental comments.

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

applicant that two months were allowed for preparation of the submission of the further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

[Mr H.W. Cheung, the Vice-chairman, left the meeting at this point.]

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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/659A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary animal boarding establishment for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DFAC) did not support the application as the site possessed potential for agricultural rehabilitation. Other government departments consulted had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, four public comments were received from the Hong Kong Bird Watching Society,

Kadoorie Farm and Botanic Garden, Designing Hong Kong Limited and an individual objecting to the application. Major grounds of objections were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the proposed temporary use for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed temporary development was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application, the temporary approval of the application would not jeopardise the long-term planning intention of the “AGR” zone. The development was considered not incompatible with the surrounding land uses. Regarding the concerns of the Director of Environmental Protection (DEP) and DAFC on the adjoining stream to the east, the applicant stated that the site would not encroach upon the stream and a 3m buffer zone would be provided between the structures at the site and the stream. The proposed drainage facilities and septic tank would be provided to meet the requirements of concerned departments. DEP and DAFC had no adverse comments on the application from environmental and nature conservation point of view. Other government departments consulted had no objection to or no adverse comment on the application. There were also similar approved applications within the same “AGR” zone. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

70. In response to a Member's question on the current condition of the site, Ms Ivy C.W. Wong, STP/FSYLE, clarified that the site was vacant and covered by grass and sands as shown in Plans A-4a and A-4b.

Deliberation Session

71. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.8.2022, 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. (except overnight animal boarding), as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) all animals shall be kept inside the enclosed animal boarding establishment on the site between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, during the planning approval period;
- (c) no public announcement system, whistle blowing, portable loud speaker, or any form of audio amplification system, as proposed by the applicant, is allowed to be used on the site during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.2.2020;
- (f) in relation to (e) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.5.2020;
- (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 water supply for fire fighting and fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.2.2020;
- (i) in relation to (h) above, the implementation of water supply for fire fighting and fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of

the TPB by 16.5.2020;

- (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.”

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

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

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/670 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years in “Agriculture” Zone, Lots 913 RP (Part), 925 RP (Part) and 927 (Part) in D.D. 107, Fung Kat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTN/670)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary place of recreation, sports or culture (hobby farm) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from Designing Hong Kong Limited and individuals objecting to the application. Major grounds of objections 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 five years based on the assessments set out in paragraph 11 of the Paper. According to the applicant, about 51% of the site would be used for farming. The proposed use was generally not in conflict with the planning intention of the “Agriculture” (“AGR”) zone. The Director of Agriculture, Fisheries and Conservation had no strong view on the application. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone. The proposed hobby farm was considered not incompatible with the surrounding land areas. In view of the nature of the hobby farm, it would unlikely cause significant adverse environmental, traffic or drainage impacts on the surroundings and relevant departments consulted had no adverse comment on the application. There were similar applications approved within the same “AGR” zone including an approved application to the immediate south of the site. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

74. In response to a Member's enquiry on any overnight accommodation, Ms Ivy

C.W. Wong, STP/FSYLE, said that according to the applicant, no camping and overnight accommodation would be provided within the site.

Deliberation Session

75. Noting that there would be no overnight accommodation proposed, a Member asked what action could be taken if overnight accommodation took place in the caravans at the site after approval of the planning application. The Chairman explained that the planning permission would not cover any accommodation use. If a land use not covered by the planning permission was found at the site that constituted an unauthorized development under the Town Planning Ordinance, the Central Enforcement and Prosecution Section of PlanD could take the necessary enforcement action. Members also noted that the Home Affairs Bureau could also take necessary action if no relevant licence was obtained for overnight accommodation.

76. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 16.8.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 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 public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.2.2020;
- (e) in relation to (d) above, the implementation of drainage proposal within

9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.5.2020;

- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.2.2020;
- (h) in relation to (g) 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 16.5.2020;
- (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;
- (j) if any of the above planning conditions (d), (e), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary public vehicle park for private cars for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was not entirely in line with the planning intention of “Village Type Development” (“V”) zone. However, according to the applicant, the development could satisfy some of the local parking demand of the villagers. Besides, the

District Lands Officer/Yuen Long of Lands Department advised that there was no Small House application approved or under processing within the site. It was considered that a temporary approval would not jeopardise the long-term planning intention of the “V” zone. The proposed public vehicle park was not incompatible with the surrounding areas. Relevant departments consulted had no objection to or adverse comment on the application. There were previously approved applications and similar approved applications for temporary car park within the same “V” zone. Approval of the application was in line with the Committee’s previous decisions. The applicant also stated that he would strictly follow the approval conditions should the application be approved. Hence, sympathetic consideration could be given to the current application. The applicant should be reminded that failure to comply with the approval conditions again would result in the revocation of the planning permission, and sympathetic consideration would not be given by the Committee to any further application. Regarding the adverse public comment, comments of concerned departments and the planning assessments above were relevant.

79. Members had no question on the application.

Deliberation Session

80. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.8.2022, 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. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site at any time during the planning approval period;
- (c) no vehicles other than private cars, as defined in the Road Traffic

Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (d) a notice should be posted at a prominent location of the site to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to be parked on the Site at all times during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse into/from public road at any time during the planning approval period;
- (f) the submission of landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 16.2.2020;
- (g) in relation to (f) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 16.5.2020;
- (h) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.2.2020;
- (i) in relation to (h) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.5.2020;
- (j) in relation to (i) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (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 16.2.2020;
- (l) in relation to (k) 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 16.5.2020;

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

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

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/806 Proposed Temporary Recycling Materials Collection Centre (Garment and Cloth Collection Centre with Ancillary Office) for a Period of 3 Years in “Residential (Group D)” Zone, Lots 64 S.A, 73 S.B ss.4 and 76 S.B RP in D.D. 108 and Adjoining Government Land (formerly known as Lot 77 RP in D.D. 108), Fan Kam Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/806A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary recycling materials collection centre (garment and cloth collection centre with ancillary office) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no known programme for long-term development of the site. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “R(D)” zone. The proposed development was not incompatible with the surrounding area. In view of the nature of the proposed use and that no medium or heavy goods vehicles would be involved, it was unlikely that the proposed use would generate significant adverse traffic and drainage impacts and environmental nuisance to the surrounding area. Relevant departments consulted had no objection to or adverse comment on the application. Relevant approval conditions were recommended to address possible environmental nuisance and fire safety issue. Regarding the adverse public comment, comments of concerned departments and the planning assessments above were relevant.

83. Members had no question on the application.

Deliberation Session

84. While a Member was concerned about the associated hygiene problem if the proposed use would involve recycling clothing from other countries, another Member considered that clothing recycling service was in need for Hong Kong and such facilities should be supported in principle. Members generally agreed and noted that the operation of the temporary recycling centre would also have to follow the relevant environmental and hygiene regulations.

85. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.8.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:30 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 medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways and Commissioner for Transport or of the TPB by 16.2.2020;
- (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 and Commissioner for Transport or of the TPB by

16.5.2020;

- (g) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.2.2020;
- (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 16.5.2020;
- (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 planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.2.2020;
- (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 16.5.2020;
- (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.”

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

Agenda Item 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/814 Temporary Open Storage of Vehicles, Vehicle Parts and Construction Materials for a Period of 3 Years in “Residential (Group D)” Zone, Lots 3017 S.B ss.2, 3017 S.B ss.3 (Part), 3017 S.B ss.4 (Part), 3017 S.B ss.5, 3017 S.B ss.6 (Part), 3017 S.B ss.7 (Part), 3017 S.B ss.8 (Part) in D.D. 111 and Adjoining Government Land, Wang Toi Shan, Pat Heung, Yuen Long

(RNTPC Paper No. A/YL-PH/814)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary open storage of vehicles, vehicle parts and construction materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied 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 line with the planning intention of the “Residential (Group D)”

("R(D)") zone. Nevertheless, there was no known programme for permanent development in this part of the "R(D)" zone. It was considered that approval of the application on a temporary basis would not frustrate the long-term planning intention of the "R(D)" zone. The development was considered not incompatible with the surrounding areas. The application was considered generally in line with the Town Planning Board Guidelines No. 13E in that previous approvals for similar/ same open storage use at the site had been granted and all approval conditions under the last approved application No. A/YL-PH/729 had been complied with. Also, relevant departments consulted had no adverse comment on the application. Compared with the last approved application, the current application submitted by the same applicant was the same in terms of applied use, total floor area, number of structures and building heights, except for a smaller site area. As there was no major change in planning circumstances since the last approval, sympathetic consideration could be given to the current application. There were also similar approved applications for various temporary open storage within the same "R(D)" zone. Approving the current application was in line with the Committee's previous decisions on these similar applications.

88. Members had no question on the application.

Deliberation Session

89. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.8.2022, 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 dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of records of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.11.2019;
- (h) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 27.9.2019;
- (i) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.2.2020;
- (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; and
- (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.”

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

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/272 Renewal of Planning Approval for Temporary Driving School and Ancillary Uses for a Period of 2 Years in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Lot 1347 RP in D.D. 115, Nam Sang Wai, Yuen Long
(RNTPC Paper No. A/YL-NSW/272)

Presentation and Question Sessions

91. The Secretary reported that the application was submitted by HKSM Yuen Long Driving School Limited, which was a subsidiary of Hong Kong School of Motoring Limited (HKSM). Mr K.K. Cheung had declared an interest on the item as his firm was having current business dealings with HKSM. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

92. 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 permission for temporary driving school and ancillary uses for a period of two 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. The Commissioner for Transport strongly supported the renewal application so as to allow continued use of the site for a designated driving school cum Driving Test Centre until a replacement site could be secured, which was essential to avoid service disruption to the appointment service and conduct of driving tests to the general public in Yuen Long and Tuen Mun districts;

- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual raising concerns on the application. Two local comments were also relayed by the District Officer (Yuen Long) of Home Affairs Department objecting to the application. Major views were set out in paragraph 11 and paragraph 10.1.12 of the Paper respectively; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of two years based on the assessments set out in paragraph 12 of the Paper. The temporary driving school use was not in line with the planning intention of the “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” (“OU(CDWRA)”) zone. Nevertheless, as there was no known programme for any development in this part of the “OU(CDWRA)” zone, approval of the application on a temporary basis for 2 years would not frustrate the long term planning intention of the “OU(CDWRA)” zone. The site was located at the northern fringe of the “OU(CDWRA) zone abutting the Kam Tin River. The surrounding area was a mix of village settlement, vehicle parks, open storage of vehicles and unused land. The site was accessible via Chung Yip Road and there was no residential development along the access road. The use was considered not entirely incompatible with the surrounding uses. In response to the Committee’s previous request to identify suitable sites for relocation, the applicant had made considerable effort and actively worked towards the relocation of the driving school and the development of a permanent driving school. The current application generally complied with Town

Planning Board Guidelines No. 34C in that there were no adverse planning implications arising from the renewal of the planning approval and the planning conditions under previous approval had been complied with to the satisfaction of relevant government departments. Concerned departments consulted had no objection to or no adverse comment on the application on relevant aspects. As regarded the local concern over the driving training activities which might have noise impact on the surrounding area, no training of driver of heavy vehicle or articulated vehicles (AV) would be permitted after 9:30 pm and only one AV and one bus for on-street training was allowed from 7:30 pm to 9:30 pm. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

93. Members had no question on the application.

Deliberation Session

94. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 2 years from 6.9.2020 to 5.9.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no training of drivers of heavy vehicles or articulated vehicles is allowed outside the site after 9:30 p.m., as proposed by the applicant, during the planning approval period;
- (b) only one articulated vehicle and one bus are allowed for training of drivers outside the site from 7:30 p.m. to 9:30 p.m. during the planning approval period;
- (c) the existing drainage facilities implemented shall be maintained at all times during the planning approval period;
- (d) the submission of records of the existing drainage facilities on 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 6.12.2020;

- (e) the submission of fire service installations proposal for the site 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 6.3.2021;
- (f) in relation to (e) above, the implementation of fire service installations proposal for the site 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 6.6.2021;
- (g) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (h) if any of the above planning conditions (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; and
- (i) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 26

Section 16 Application

[Open Meeting]

A/YL-NTM/391 Filling of Land and Filling of Pond for Permitted Agricultural Use in “Green Belt” Zone, Lots 232 (Part), 233 (Part), 234 (Part), 235 (Part) and 236 RP (Part) in D.D. 104, and Adjoining Government Land, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/391)

96. The Committee noted that the applicant requested on 1.8.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

[The Chairman thanked Mr Patrick M.Y. Fung, 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.]

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

Tuen Mun and Yuen Long West District

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

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/258 Renewal of Planning Approval for Temporary Shop and Services (Retail Shop) for a Period of 3 Years in “Open Space” Zone, G/F, 1/F & Flat Roof, Lots 4582 S.A (Part) and 4583 RP (Part) in D.D. 116, Tai Kei Leng Road, Yuen Long
(RNTPC Paper No. A/YL/258)

Presentation and Question Sessions

98. Mr Alexander W.Y. Mak, 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 shop and services (retail shop) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not in line with the planning intention of the “Open Space” (“O”) zone, it would provide a shopping facility to serve any such need in the area. The Director of Leisure and Cultural Services also advised that there was no plan to develop the Site into public open space at present. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the subject “O” zone. It was considered that the proposed development was small in scale and not incompatible with the surrounding uses. The application was generally in line with Town Planning Board Guidelines No. 34C in that there had been no material change in planning circumstances since the granting of the previous approval under application No. A/YL/221, the approval conditions had been complied with, and the 3-year approval period sought was reasonable and of the same timeframe as the previous approval. Relevant government departments consulted had no objection to or adverse comment on the application. Significant adverse environmental, traffic, drainage, fire safety and landscape impacts were not anticipated. Relevant approval conditions were recommended to address the technical requirements of concerned government departments or prevent any potential adverse impacts and nuisance on the surrounding areas.

99. Members had no question on the application.

Deliberation Session

100. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 17.8.2019 to 16.8.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the operation hours of the development is restricted from 3:00 p.m. to 8:00 p.m. daily, as proposed by the applicant, during the planning approval

period;

- (b) the existing fire service installations implemented on the site should be maintained in efficient working order at all times; and
- (c) if any of the above planning condition (a) and (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/345 Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years in “Village Type Development” Zone, Lots 2888 RP (Part) and 2889 RP (Part) in D.D. 129, Sha Kong Wai, Yuen Long
(RNTPC Paper No. A/YL-LFS/345)

Presentation and Question Sessions

102. 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 public vehicle park (private car and light goods vehicle) for a period of three years;
- (c) departmental comments – departmental comments were set out in

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

- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD 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 applied use was not entirely in line with the planning intention of “Village Type Development” (“V”) zone. Nonetheless, the District Lands Officer/Yuen Long of Lands Department advised that there was no Small House application approved or under processing within the site at present. As such, temporary approval for 3 years of the application would not jeopardize the long-term planning intention of the “V” zone. The applied use was not incompatible with the surrounding land uses which mainly comprised rural residential dwellings and vacant land. There was no adverse comment from the concerned government departments. Relevant approval conditions were recommended to minimize any possible environmental impacts and nuisance on the surrounding developments, and to address the technical requirements of the concerned government departments. The Committee had granted a previous planning approval to the site (application No. A/YL-LFS/281) for the same use in 2016 and also approved ten similar applications for public vehicle park use within the same “V” zone. Approval of the current application was in line with the previous decisions of the Committee.

103. Members had no question on the application.

Deliberation Session

104. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.8.2022, 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 vehicles without valid licences issued under the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on the site during the planning approval period;
- (c) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) a notice shall be posted at a prominent location of the site to indicate that no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, is allowed to be parked/stored on or enter/exit the site at all times during the planning approval period;
- (e) no vehicle repairing, dismantling, car beauty, car washing and workshop use, as proposed by the applicant, is allowed on the site at any times during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public roads at any times during the planning approval period;
- (g) the existing fencing of the site shall be maintained at all times during the planning approval period;
- (h) the existing trees and landscape planting within the site shall be maintained in good condition at all times during the planning approval period;
- (i) the existing drainage facilities shall be maintained at all times during the planning approval period;

- (j) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.11.2019;
- (k) 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 16.2.2020;
- (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 16.5.2020;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

[Mr B.K. Chow, Chief Traffic Engineer/New Territories West, Transport Department left the meeting at this point.]

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/346 Proposed Temporary Warehouse (Storage of Machinery and Crops),
Open Storage (Wood, Sheet Metal and Excavator) and Agricultural
Use for a Period of 3 Years in “Green Belt” Zone, Lot 418 in D.D. 129,
Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/346)

Presentation and Question Sessions

106. 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 warehouse (storage of machinery and crops), open storage (wood, sheet metal and excavator) and agricultural use for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Commissioner for Transport (C for T) did not support the application as the proposed development would have adverse traffic impact on the area in that it would generate traffic flow involving medium goods vehicles to/from Deep Bay Road which was a one-lane two-way carriageway. Besides, there was insufficient information about the traffic impact on Deep Bay Road as a result of the proposed development. In this regard, the applicants failed to demonstrate that the proposed development would not have any adverse traffic impact. The Chief Town Planner/Urban Design & Landscape (CTP/UD&L) of Planning Department (PlanD) had reservation on the application from landscape planning perspective as the proposed development was incompatible with the surrounding area and its rural landscape character,

which was dominated by woodland, ponds and graves. He also pointed out that the vegetated area had been cleared and construction debris was dumped on site, resulting in landscape impact. Other government departments consulted had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, six public comments were received from the villagers of Mong Tseng Wai, the Kadoorie Farm & Botanic Garden Corporation, the World Wide Fund For Nature Hong Kong, the Hong Kong Bird Watching Society and an individual objecting to the application. Major grounds of objections were set out in paragraph 11 of the Paper; and

- (e) the PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. As the site was located at the centre of the “Green Belt” (“GB”) zone, the proposed development of temporary warehouse and open storage would affect the integrity of the “GB” zone. There was no strong planning justification given in the submission for a departure from such planning intention, even on a temporary basis. The proposed development was not in line with the Town Planning Board Guidelines No. 10 since the proposed development was incompatible with the surrounding area and its rural landscape character and the vegetated area had been cleared. C for T did not support the application as the proposed development would have adverse traffic impact on the area in that it would generate traffic flow involving medium goods vehicles to/from Deep Bay Road which was a one-lane two-way carriageway. The site fell within Category 4 areas under the Town Planning Board Guidelines No. 13E (TPB PG-No. 13E). The proposed development was not in line with TPB PG-No. 13E since there was no previous approval on the site and the applicants had not demonstrated any exceptional circumstances to justify the development. No approval for similar warehouse and/or open storage use had ever been granted by the Committee within the same “GB” zone. Approval of the application would set an undesirable precedent and encourage proliferation of

warehouse and/or open storage use within the same “GB” zone thereby frustrating its planning intention. As such, rejecting the current application was in line with the Committee’s previous decisions. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

107. In response to a Member’s enquiry on the storage use to the immediate north of the site, Ms Bonnie K.C. Lee, STP/TMYLW, said that it was involved in an unauthorized development (UD). Enforcement Notice (EN) was issued to the concerned parties and the UD had been discontinued at that site. She further elaborated that the application site was also the subject of an enforcement case and the UD of storage use had been discontinued on the site inspection conducted on 28.6.2019 after the issuance of EN on 25.4.2019.

Deliberation Session

108. 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” (“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, even on a temporary basis;
- (b) the proposed development is not in line with the Town Planning Board Guidelines No. 10 for Application for Developments within the “GB” Zone in that the proposed development is incompatible with the surrounding areas;
- (c) the proposed development is not in line with the Town Planning Board Guidelines No. 13E for Application for Open Storage and Port Back-up Uses in that the applicants have not provided any strong planning

justification to demonstrate the proposed warehouse and open storage use in Category 4 areas should be treated as an exception under the Guidelines;

- (d) the applicants fail to demonstrate that the proposed development would not generate adverse landscape and traffic impacts on the surrounding areas; and
- (e) approval of the application would set an undesirable precedent for similar warehouse and/or open storage uses in the “GB” zone, the cumulative effect of which would result in a general degradation of the environment of the area.”

Agenda Item 30

Section 16 Application

[Open Meeting]

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

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

- Mr H.W. Cheung - being a member of the Private Columbaria Licensing Board (PCLB); and
(*the Vice-chairman*)
- Mr Ivan C.S. Fu - being a member of the Private Columbaria Appeal Board and having current business dealings with Landes.

110. The Committee noted that the applicant had requested deferment of consideration of the application, Mr Ivan C.S. Fu had tendered apologies for being unable to join the meeting, and Mr. H.W. Cheung had already left the meeting.

111. The Committee noted that the applicant's representative requested on 30.7.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information (FI) to address further comments from the Hong Kong Police Force, Transport Department, Drainage Services Department and the public. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted FIs to address departmental comments.

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

Agenda Item 31

Section 16 Application

[Open Meeting]

A/TM/541 Proposed Columbarium in "Government, Institution or Community" Zone, G/F, Lot 1197 (Part) in D.D.131, Tsing Shan Tsuen, Tuen Mun (RNTPC Paper No. A/TM/541)

113. The Secretary reported that the application was for proposed columbarium use. The following Members had declared interests on this item:

Mr H.W. Cheung (<i>the Vice-chairman</i>)	-	being a member of the Private Columbaria Licensing Board (PCLB); and
Mr Ivan C.S. Fu	-	being a member of the Private Columbaria

Appeal Board.

114. The Committee noted that the applicant had requested deferment of consideration of the application, Mr Ivan C.S. Fu had tendered apologies for being unable to join the meeting, and Mr. H.W. Cheung had already left the meeting.

115. The Committee noted that the applicant's representative requested on 30.7.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information (FI) to address departmental comments and public comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 32

Section 16 Application

[Open Meeting]

A/TM/542

Proposed Commercial Uses including Office cum Shop and Services/
Eating Place/ Place of Recreation, Sports or Culture/ Art Studio/
Audio-visual Recording Studio/ Design and Media Production/
Research, Design and Development Centre (Wholesale Conversion of
an Existing Building) in "Industrial" Zone, Castle Peak Town Lot No.
26, No. 1 Tin Hau Road, Tuen Mun
(RNTPC Paper No. A/TM/542)

117. The Secretary reported that Llewelyn-Davies Hong Kong Limited (LD) and Savills (Hong Kong) Limited (Savills) were two of the consultants of the applicant. The following Members had declared interests on this item:

Mr K.K. Cheung	-	his firm having current business dealings with Savills; and
Mr Stephen L.H. Liu	}	having past business dealings with LD.
Mr Ricky W.Y. Yu		

118. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ricky W.Y. Yu had tendered apologies for being unable to join the meeting. As Messrs K.K. Cheung and Stephen L.H. Liu had no involvement in the application, the Committee agreed that they could stay in the meeting.

119. The Committee noted that the applicant's representative requested on 1.8.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information (FI) to address the departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/543 Proposed Minor Relaxation of Building Height Restriction for Permitted Educational Institution Use (Addition of Mezzanine Floor of the Library) in “Government, Institution or Community” Zone, Main Building (Patrick Lee Wan Keung Academic Building), 8 Castle Peak Road-Lingnan, Tuen Mun

(RNTPC Paper No. A/TM/543)

Presentation and Question Sessions

121. The Secretary reported that the application was submitted by Lingnan University with Spence Robinson Limited (SRL) as one of the consultants of the applicant. Mr K.K. Cheung had declared interest on the item as his firm was having current business dealings with both Lingnan University and SRL. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

122. 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 minor relaxation of building height (BH) restriction for permitted educational institution use (addition of mezzanine floor of the library);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed use of the mezzanine floor of the library was ancillary facility to Lingnan University which was an 'Educational Institution' and thus always permitted within the "Government, Institution or Community" zone. The Secretary for Education advised that policy support was given for the proposed works which were within the project scope of an approved project for renovation of the library with the addition of a mezzanine floor at the site. The proposed works only involved technical amendment and internal layout conversion of the library. The addition of mezzanine floor would not increase the existing BH or massing of the main building. The Chief Architect/Central Management Divisions 2 of Architectural Services Department considered that the proposed development involved no change of massing and BH in mPD and the Chief Town Planner/Urban Design & Landscape of PlanD also opined that the addition of mezzanine floor would not result in any visual impact to the external appearance of the building. The proposed minor relaxation in BH restriction would not create adverse visual, traffic, fire safety, environmental and sewerage impacts on the surrounding areas. Concerned departments had no adverse comment on the application.

123. In response to the Chairman's enquiry, Ms Stella Y. Ng, STP/TMYLW, said that the proposed development would result in a clear headroom of about 2m between 1/F and mezzanine floor as well as mezzanine floor and 2/F respectively. The Buildings Department had no in-principle objection to the application as the headroom of any floor of the building maintained a clearance of not less than 2m.

Deliberation Session

124. A Member suggested to add an advisory clause to avoid setting a precedent for similar application within an existing building while a few Members considered not necessary as the Town Planning Board would consider the individual merit of each application. Members noted that another s.16 planning application would be required for the Committee's consideration if an additional floor was to be included into the subject

building in future.

125. 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 16.8.2023, 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 services installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 34

Section 16 Application

[Open Meeting]

A/TM-LTY Y/374 Proposed Temporary Warehouse (Metalware Goods) for a Period of 3 Years in “Green Belt” and “Residential (Group D)” Zones, Lot 2339 (Part) in D.D. 130, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/374)

127. The Committee noted that the applicant’s representative requested on 26.7.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental and public comments. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 35

Section 16 Application

[Open Meeting]

A/TM-LTYYY/375 Proposed Utility Installation for Private Project (Electricity Transformer Room) in "Village Type Development" Zone, Lots 800 S.H RP, 800 S.I RP and 800 S.V in D.D. 130, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTYYY/375)

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

Agenda Item 36

Section 16 Application

[Open Meeting]

A/YL-PS/565 Proposed Residential Development (Flat and House) in "Comprehensive Development Area" Zone, Various Lots in D.D. 122 and Adjoining Government Land, North of Long Ping Road and Long Tin Road, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/565B)

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

131. The Committee noted the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu had tendered apologies for being unable to join the

meeting.

132. The Committee noted that the applicant's representative requested on 2.8.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information (FI) to address further comments raised by relevant government departments including the Transport Department and Environmental Protection Department. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted FIs to address departmental comments.

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

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/172 Temporary Vehicle Service Centre for a Period of 3 Years in "Open Space" Zone and an area shown as 'Road', Lots 3138 RP (Part), 3139 (Part), 3140, 3141 (Part) and 3143 (Part) in D.D. 129, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/172)

Presentation and Question Sessions

134. Mr Simon P.H. Chan, STP/TMYLW, drew Members' attention that replacement pages (Page 5 of the Main Paper and Page 1 of Appendix V of the Paper) rectifying editorial error were tabled for Member's reference. He then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary vehicle service centre for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity (with the nearest one about 34m to its north). The Project Manager (West), Civil Engineering and Development Department (PM/NTW, CEDD) had no objection to the proposed temporary use. The site fell within sites under Stage 3 and Stage 4 Works stages in the latest programme of the Hung Shui Kiu New Development Area (HSK NDA), and clearance of the site would not be arranged before the first population intake of the HSK NDA expected in 2024. Other government departments consulted had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment 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 considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the development was not in line with the planning intention of the “Open Space” zone, the implementation programme for this part of HSK NDA was still being formulated, and PM/NTW of CEDD had no objection to the applied use on

the site for three years. In this regard, approval of the application on a temporary basis would not jeopardize the long-term development of the site. The applied use was not incompatible with the surrounding uses mainly including vehicle parks and repair workshops, car services centres, logistics centre and open storage yards. The proposed development was in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which was considered suitable for open storage and port back-up uses. The site was the subject of a previously approved application (No. A/YL-HT/1054). Subsequently, the approved application was revoked due to non-compliance with conditions including the provision of fire service installations (FSIs). For the current application, it was submitted by the same applicant for the same use. The Director of Fire Services (D of FS) had no objection to the FSIs proposal submitted by the applicant under the current application. While DEP did not support the application, no substantial environmental complaint pertaining to the site was received in the past three years. In view of the above, sympathetic consideration might be given to this application. Regarding the public comment, comments of concerned departments and the planning assessments above were relevant.

135. In response to a Member's enquiry, Mr Simon P.H. Chan, STP/TMYLW, said that D of FS had no objection to the new FSIs proposal submitted by the applicant under the current application and the previously approved application no. A/YL-HT/1054 was revoked due to the non-compliance with the provision of FSIs. Noting the revocation of previous planning approval, the same Member asked if any more stringent requirements would be imposed under the current application. Mr Simon P.H. Chan, STP/TMYLW, replied that shorter compliance periods for approval conditions were proposed under paragraph 13.2 of the Paper.

136. In response to the Chairman's enquiry, Mr Simon P.H. Chan, STP/TMYLW, clarified that the planning parameter of the proposed development was slightly different from the previously approved application with an increase of 140m² in the total floor area as shown in the table under paragraph 1.4 of the Paper.

Deliberation Session

137. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.8.2022, 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 8:00 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 vehicle spraying activities, as proposed by the applicant, is allowed on the site at all times 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 run in/out proposal within 3 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 16.11.2019;
- (f) in relation to (e) above, the implementation of the run in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 16.2.2020;
- (g) 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 16.11.2019;
- (h) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.11.2019;

- (i) in relation to (h) above, the implementation of the 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 16.2.2020;
- (j) if the above planning conditions (a), (b), (c) or (d) is not complied with at any time during the 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 above 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 V of the Paper.

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/173 Renewal of Planning Approval for Temporary Logistics Centre for a Period of 3 Years in “Government, Institution or Community” Zone and an area shown as ‘Road’, Lots 3167 S.A (Part), 3167 S.B (Part), 3168 (Part), 3169 (Part), 3170 (Part), 3171 RP (Part), 3172 RP (Part), 3177 (Part), 3302 (Part), 3305 RP (Part), 3306 (Part), 3313 (Part), 3314 (Part), 3315 S.A, 3315 RP (Part) in D.D. 129 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/173)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) renewal of planning approval for temporary logistics centre for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application because there were sensitive receivers of residential use in the vicinity (the closest residential dwelling to the west was about 68m away) and along Ping Ha Road. The Project Manager (West), Civil Engineering and Development Department had no objection to the proposed temporary use. The site fell within a site under Stage 3 Works stage in the latest programme of the Hung Shui Kiu New Development Area (HSK NDA), and clearance of the site would not be arranged before the first population intake of the HSK NDA expected in 2024. Other government departments consulted had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The current application was for renewal of the planning permission under previously approved application No. A/YL-HT/1043. Other than the site had been rezoned from “Comprehensive Development Area” on the then Ha Tsuen Outline Zoning Plan (OZP) to the “Government, Institution or Community” and areas shown as ‘Road’ on the current OZP, there had been no material change in planning circumstances of the site and the surrounding areas since the granting of the previous approval under application No. A/YL-HT/1043. Compared with the last approved application, the current application was submitted by the same applicant and the approval conditions under previous approval had been complied with. The applied

use for logistics centre was not incompatible with the surrounding areas of the site. While DEP did not support the application, no substantial environmental complaint pertaining to the site was received in the past three years. The 3-year approval period sought was reasonable and of the same timeframe as the previous approval. In view of the above, the renewal application was generally in line with Town Planning Board Guidelines No. 34C.

140. Members had no question on the application.

Deliberation Session

141. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 15.9.2019 to 14.9.2022, 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) 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 any 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 implemented drainage facilities shall be maintained at all times during the planning approval period;

- (g) no repairing, recycling, cleaning, dismantling or workshop activities, as proposed by the applicant, are allowed at any time 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 15.12.2019;
- (i) the submission of fire service installations proposal within 6 months from the date of commencement of the renewal planning approval to the satisfaction of Director of Fire Services or of the TPB by 15.3.2020;
- (j) in relation to (i) above, the implementation of fire service installations proposal within 9 months from the date of commencement of the renewal planning approval to the satisfaction of Director of Fire Services or of the TPB by 15.6.2020;
- (k) 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
- (l) if any of the above planning condition (h), (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.”

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

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/174 Temporary Open Storage of Recycling Materials (Plastic) with Ancillary Workshops and Site Offices for a Period of 3 Years in “Other Specified Uses” annotated “Logistics Facility” and “Other Specified Uses” annotated “Petrol Filling Station” and “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses” Zones and an area shown as ‘Road’, Various Lots in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/174)

Presentation and Question Sessions

143. Mr Simon P.H. Chan, STP/TMYLW, drew Members’ attention that replacement pages (Page 6 of the Main Paper and Page 1 of Appendix VII of the Paper) rectifying editorial error were tabled for Member’s 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 of recycling materials (plastic) with ancillary workshops and site offices for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application because there were sensitive uses in the vicinity (the nearest residential dwelling being about 68m away). The Project Manager (West), Civil Engineering and Development Department (PM/NTW, CEDD) had no objection to the proposed temporary use. The site fell within sites under Stage 1, 2 and 3 Works stages in the latest programme of the Hung Shui Kiu New Development Area (HSK NDA), and clearance of the site would not be arranged before the first population

intake of the HSK NDA expected in 2024. Other government departments consulted had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, two public comments objecting the application were received from a Yuen Long District Councillor and an individual. Major grounds of objections were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary uses could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The implementation programme for this part of HSK NDA was still being formulated and PM/NTW of CEDD had no objection to the proposed temporary use for a period of three years on the site. In this regard, approval of the application on a temporary basis would not jeopardize the long-term development of the site. The proposed development was not incompatible with the surrounding land uses. The proposed development was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 2 areas and there was no adverse comment from concerned government departments, except DEP. While DEP did not support the application, no substantial environmental complaint pertaining to the site was received in the past three years. Relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances raised by DEP or the technical requirements of the other concerned Government departments. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

144. Noting that the current application, as compared with the previously approved application, involved a larger total floor area for sub-dividing into ten open storage areas, a Member asked if it was the intention of the applicant to sublet the application site to different operators and whether the implications of which had been duly considered in the planning assessment. In response, Mr Simon P.H. Chan, STP/TMYLW, said that the applicant did

not mention if sub-divided areas would be taken up by different tenants and did not state what types of activities would be carried out in the ancillary workshops. Sub-tenancy was not directly relevant, but any adverse impacts arising from the sub-division were assessed and covered in the Paper. The Chairman asked and Mr Simon P.H. Chan replied that the site was now used for storing recycling materials, and the ancillary workshops and site offices were used for packing and loading/unloading the materials with forklifts. With reference to Drawing A-1 of the Paper, there were more structures within the site compared to the previously approved scheme.

145. In response to a Member's question, Mr Simon P.H. Chan, STP/TMYLW, said that no plastic recycling processing was found during site inspection.

Deliberation Session

146. Noting the proposed storage of plastic related recycling materials also involved operations of ancillary workshops, a Member considered that the applicant should clearly state the type of activities to be carried out in the ancillary workshops and suggested to defer the consideration of the application for the applicant to provide additional information.

147. Another Member was also concerned about the hygiene issue arising from the workshop operation in handling the plastic bottles. On the invitation of the Chairman, Mr Terence S.W. Tsang, Assistant Director (Environmental Assessment) (AD(EA)), Environmental Protection Department (EPD), explained that there might be noise and waste water pollution resulted from this type of recycling operation. However, noise nuisance could be minimized by installing appropriate noise mitigation measures in the form of noise barriers or acoustic louvers, or by locating the plants in enclosed setting, while waste water could be collected and diverted to the sewerage system if applicable. EPD would take enforcement action against any improper waste water discharge under the relevant Ordinances.

148. In relation to the potential environmental impacts, a Member questioned if EPD had already assessed the impacts of plastic recycling operation in addition to open storage of recycling material. Mr Terence S.W. Tsang, AD(EA), EPD said that as the applicant did not submit any Environmental Assessment report nor any specific operation plan with details,

EPD was not able to provide detailed comments on this application while environmental nuisance in association with the applied use was expected in view of the close proximity of sensitive receivers and EPD did not support the application.

149. As the operation of the ancillary workshops and their potential adverse environmental impact were uncertain due to the lack of information, Members generally agreed to defer a decision on the current application pending the applicant's submission of additional information for the Committee's further consideration of the application.

150. After deliberation, the Committee decided to defer a decision on the application pending applicant's clarification on the nature of the ancillary workshop use.

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/176 Temporary Open Storage of Construction Material and Metal Ware for a Period of 3 Years in "Government, Institution or Community" and "Residential (Group D)" Zones and an area shown as 'Road', Lots 48 S.A (Part), 48 S.B (Part) and 49 (Part) in D.D. 128 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/176)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary open storage of construction material and metal ware for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application because there were sensitive users nearby (the nearest was about 34m away) and along Kai Pak Ling Road and Fung Kong Tsuen Road. The Project Manager (West), Civil Engineering and Development Department (PM/NTW, CEDD) had no objection to the proposed temporary use. The site fell within a site under Stage 4 Works stage in the latest programme of the Hung Shui Kiu New Development Area (HSK NDA), and clearance of the site would not be arranged before the first population intake of the HSK NDA expected in 2024. Other government departments consulted had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual. Major concerns were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the development was not in line with the planning intentions of the “Government, Institution or Community” and “Residential (Group D)” zones, the implementation programme for the HSK NDA was still being formulated, and PM/NTW of CEDD had no objection to the proposed temporary use on the site for three years. In this regard, approval of the application on a temporary basis would not jeopardize the long-term development of the site. The proposed open storage of containers was not incompatible with the surroundings which were predominantly open storage, warehouse and workshop uses. The proposed development was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which was considered suitable for open storage and port back-up uses. The site was the subject of 7 previously approved applications. The latest approved application (No. A/YL-HT/1070) was revoked due to non-compliance with conditions regarding the

implementation of drainage proposal. The current application was submitted by the same applicant for the same use. The Drainage Services Department had no objection to the drainage proposal submitted under the current application. While DEP did not support the application, no substantial environmental complaint pertaining to the site was received in the past three years. In view of the above, sympathetic consideration might be given to this application. Regarding the public comment, comments of concerned departments and the planning assessments above were relevant.

152. Members had no question on the application.

Deliberation Session

153. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.8.2022, 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) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no workshop activity, as proposed by the applicant, is allowed at any times on the site during the planning approval period;
- (d) no vehicle exceeding 24 tonnes, including container trailer/tractor, as defined in the Roads (Traffic) Ordinance, as proposed by the applicant, is allowed to enter/ exit or to be parked/stored on the site at any time 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 implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.2.2020;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) 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 27.9.2019;
- (i) the submission of a fire service installations proposal within 3 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.11.2019;
- (j) in relation to (i) above, the implementation of the 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 16.2.2020;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) 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
- (l) if any of the above planning conditions (f), (h), (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.”

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

Agenda Item 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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/465A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary animal boarding establishment for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from the Shap Pat Heung Rural Committee and an individual objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views –PlanD had no objection to the temporary use for a period of five years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Recreation” (“REC”) zone, there was no known programme for long-term development on the site. Approval of the current application on a temporary basis would not jeopardise the long-term planning intention of the “REC” zone. There

were residential structures nearby (with the nearest one located about 25m to its north), however, the proposed animal boarding establishment would be fully enclosed and no adverse environmental impact on the surrounding area was envisaged. The proposed development was not entirely incompatible with the surrounding area which comprised mainly open storage yards intermixed with some scattered residential structures, food factory, parking of vehicles, agricultural land, and vacant land. Relevant government departments consulted had no adverse comment on the application. No substantiated environmental complaints pertaining to the site was received by the Director of Environmental Protection in the past three years. Relevant approval conditions were recommended to address the technical requirements of concerned government departments and public concerns. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

156. In response to a Member's query on the background of the application, Mr Steven Y.H. Siu, STP/TMYLW, said that the site was held under a lease for agricultural purpose as mentioned in paragraph 9.1.1 of the Paper. According to the applicant, the overnight accommodation was for 1-2 volunteers who might stay on the site overnight to tend to any emergencies. With reference to Drawing A-1 and Plan A-2, the portion of the site with government land was mainly used for car parking by volunteers or dog transporting and the rest of the site was built with existing structures. Based on the available information, the development had been in operation for over a year and according to the Agriculture, Fisheries and Conservation Department (AFCD), the organization was on the List of Organisations with Exemption from Holding an Animal Trader Licence, but was delisted in January 2019.

157. In response to the Chairman's enquiry, Mr Steven Y.H. Siu, STP/TMYLW, replied that Enforcement Notice (EN) was issued to the concerned parties on 14.12.2018 requiring discontinuation of the unauthorized development (UD) on the site under the Town Planning Ordinance while the Buildings Department would take enforcement action against any unauthorized building works on the site.

158. Noting that there was treatment/operation room as shown on Drawing A-4 of the Paper, a Member asked if the proposed use would also include medical treatment and surgery

of the dogs. In response, Mr Steven Y.H. Siu, STP/TMYLW, said that according to the applicant, the place was to provide medical treatments and shelter for stray dogs.

Deliberation Session

159. A Member pointed out that the applicant had failed to comply with the licensing requirement and other regulations. However, another Member considered that favourable consideration could be given to the application in view of the contribution of the proposed temporary shelter for stray/abandoned dogs, while the applicant should be reminded to observe the licensing requirement and other regulations.

160. A Member considered that approval of this application would be helpful to regulate the unauthorized use. However, another Member pointed out that the applicant had been operating without license and planning permission and was concerned whether approval of the application would set an undesirable precedent. With reference to the comments provided by AFCD, the Chairman explained that planning permission was not a prerequisite for applying relevant licences from AFCD.

161. Some Members considered that the subject application could be approved as long as the planning permission would not pre-empt actions of other government departments in enforcement of regulations under their purview. Members noted that in the standard approval letter, the applicant would be reminded that the planning permission by the Town Planning Board should not be taken to indicate that any other government approval which might be needed in connection with the development would be given.

162. In response to a Member's enquiry on the EN issued, the Chairman explained that enforcement/prosecution action could be taken if there was sufficient evidence to prove that the UD had not been discontinued on the specified date as required under the EN. Another Member pointed out that the application was not considered as a "Destroy First, Build Later" case, and the site did not fall within an ecological or environmentally sensitive zone.

163. A Member enquired whether the applicant would be reminded to obtain relevant licensing from other departments. The Secretary said that relevant advisory clauses were

proposed in Appendix IV of the Paper.

164. A Member suggested to shorten the approval period from five years to three years such that the development could be more closely monitored. However, some other Members considered that there would be not much difference between the 3-year and 5-year approval period while the applicant would have to comply with the approval conditions and obtain relevant licenses.

165. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 16.8.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation (except overnight animal boarding) is allowed on the site between 10:00 p.m. and 10:00 a.m. daily, and 8:00 p.m. and 10:00 a.m. from Mondays to Fridays, as proposed by the applicant, during the planning approval period;
- (b) all animals shall be kept inside the enclosed animal boarding establishment on the site between 10:00 p.m. and 10:00 a.m. daily and 8:00 p.m. and 10:00 a.m. from Mondays to Fridays, 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 on the site at any time during the planning approval period;
- (d) only private cars, 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;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of 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 16.2.2020;

- (g) in relation to (f) 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 16.5.2020;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.2.2020;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.5.2020;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/475 Temporary Shop and Services (Real Estate Agency) for a Period of 3
Years in “Village Type Development” Zone, Lot 1293 RP (Part) in
D.D. 117, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/475)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary shop and services (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, four supporting public comments were received from the village representative of Tai Tong Tsuen, two Yuen Long District Councillors and the vice-chairman of the Shap Pat Heung 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 temporary use for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the proposed use was intended to serve the local community and could meet any such demand in the area. As advised by the District Lands

Officer/Yuen Long, Lands Department, no Small House applications had been received or under processing within the site. As such, approval of the application on a temporary basis would not frustrate the long-term planning intention of the area. The site abutted the major public road of Kiu Hing Road and was generally not incompatible with the surrounding uses which were predominantly rural residential in nature intermixed with scattered parking of vehicles, eating places and open storage yards, etc. There was no adverse comment on the application from concerned government departments. Relevant approval conditions were recommended to address the technical requirements of the concerned departments. Given that two previous applications and one similar application for the same shop and services (real estate agency) use had been approved within the same “V” zone, approval of the subject application was considered in line with the Committee’s previous decisions.

168. Members had no question on the application.

Deliberation Session

169. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.8.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) 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 16.11.2019;

- (e) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.2.2020;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.5.2020;
- (g) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning conditions (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.”

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

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/960 Temporary Warehouse for Storage of General Goods for a Period of 3 Years in “Undetermined” Zone, Lots 1195 (Part), 1197 S.A (Part), 1198 S.C (Part) and 1198 S.F (Part) in D.D. 119, Pak Sha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/960A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary warehouse for storage of general goods for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, four public comments from individuals were received objecting to the application. Major grounds of objections 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 conflict with the planning intention of the “Undetermined” (“U”) zone on the Outline Zoning Plan and the “Other Specified Uses” annotated “Mixed Use” zone on the Recommended Outline Development Plan of Yuen Long South Study. Approval of the application on a temporary basis would not jeopardise the long-term development of the area. The development was generally not incompatible with the surrounding areas which comprised mainly warehouses intermixed with storage/open storage yards, scattered residential structures, a workshop, parking of vehicles and some vacant land/structures. Relevant government departments had no adverse comment on the proposed development. Furthermore, relevant approval conditions were recommended to minimise any potential environmental nuisances or to address the technical requirements of other concerned government departments and public concerns. Given that 108 similar applications had

been approved in that part of the “U” zone, approval of the current application was in line with the Committee’s previous decisions. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

172. Members had no question on the application.

Deliberation Session

173. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.8.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 4:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no open storage or workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, 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 boundary fence on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a drainage proposal within 6 months from the date of

planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.2.2020;

- (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 16.5.2020;
- (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 16.2.2020;
- (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 16.5.2020;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (g), (h), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 44

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/973 Temporary Shop and Services (Retail Shop for Hardware Accessories) for a Period of 3 Years in “Residential (Group B) 1” Zone, Lots 1816 (Part) and 1820 (Part) in D.D. 121, Tong Yan San Tsuen, Yuen Long (RNTPC Paper No. A/YL-TYST/973)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary shop and services (retail shop for hardware accessories) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, seven public comments (including six comments from local residents made on a standard letter and one from the Tong Yan San Tsuen Concern Group) were received objecting to the application. Major grounds of objections were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the temporary use for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Residential (Group B) 1” (“R(B)1”) zone on the Outline Zoning Plan and “District Open Space (1)” with an

area shown as 'Road' on the Recommended Outline Development Plan of Yuen Long South Study, the proposal was intended to serve the neighbourhood and could meet any such demand in the area. Approval of the application on a temporary basis would not jeopardise the long-term development of the area. Even though there were residences nearby (with the nearest one to the immediate north and south of the site), given that the proposed retail activities would be conducted within enclosed structures, significant adverse environmental impact was not envisaged. The development was considered not incompatible with the existing uses in the surrounding areas which were predominantly residential developments/structures intermixed with open storage/storage yards, a logistics centre, and a warehouse, etc. Whilst there had been three substantiated complaints on loading/unloading noise as well as pollution effluent discharge and chemical waste concerning the site, site inspections conducted by Director of Environmental Protection found that the loading/unloading noise was not excessive and there was no sign of pollution effluent discharge and chemical waste. There was no adverse comment on the application from concerned government departments. Furthermore, relevant approval conditions were recommended to minimise any potential environmental nuisances or to address the public concern and technical requirements of other concerned government departments. Given that one previous approval for the same applied use had been granted to the site and nine similar applications had also been approved in the same "R(B)1" zone, approval of the current application was in line with the Committee's previous decisions. Regarding the adverse public comments, comments of concerned departments and the 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 16.8.2022, on the terms of the application as

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

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no open storage and workshop activities, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (c) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, is allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) all existing trees within the site shall be maintained at all times 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 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 16.11.2019;
- (h) 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 16.2.2020;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.5.2020;

- (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; and
- (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.”

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

Agenda Item 45

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/974 Proposed Temporary Shop and Services (Convenience Store) for a Period of 3 Years in “Village Type Development” Zone, Lot 1562 RP (Part) in D.D. 121, Shan Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/974)

Presentation and Question Sessions

179. 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 (convenience stores) for a period of three years;
- (c) departmental comments – departmental comments were set out in

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

- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the temporary use for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the proposal was intended to serve the local residents and could meet any such demand in the area. Given that there was currently no Small House application approved/under processing at the site, approval of the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. The proposed development was not incompatible with the surrounding uses which comprised mainly village houses and residential structures intermixed with some open storage/storage yards, warehouses, and a vehicle repair workshop, etc. There was no adverse comment on the application from concerned government departments. Furthermore, relevant approval conditions were recommended to minimise any potential environmental nuisances or to address the public concern and technical requirements of other concerned government departments. Given that two similar applications had been approved in the same “V” zone, approval of the current application was in line with the Committee's previous decisions. Regarding the adverse public comment, comments of concerned departments and the 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 16.8.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractor/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;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the 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 16.2.2020;
- (d) in relation to (c) 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 16.5.2020;
- (e) in relation to (d) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.2.2020;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.5.2020;
- (h) if any of the above planning conditions (a), (b) 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

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

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

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

Agenda Item 46

Any Other Business

183. There being no other business, the meeting closed at 5:50 p.m..