

TOWN PLANNING BOARD

Minutes of 640th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 13.12.2019

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 Philip S.L. Kan

Dr Lawrence K.C. Li

Miss Winnie W.M. Ng

Mr K.W. Leung

Dr Jeanne C.Y. Ng

Mr Ricky W.Y. Yu

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

Chief Engineer (Works), Home Affairs Department
Mr Paul Y.K. Au

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 Peter K.T. Yuen

Mr K.K. Cheung

Dr C.H. Hau

Mr Stephen L.H. Liu

Mr L.T. Kwok

In Attendance

Assistant Director of Planning/Board
Ms Lily Y.M. Yam

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

Town Planner/Town Planning Board
Ms Karmin Tong

Agenda Item 1

Confirmation of the Draft Minutes of the 639th RNTPC Meeting held on 29.11.2019

[Open Meeting]

1. The draft minutes of the 639th RNTPC meeting held on 29.11.2019 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Sai Kung and Islands District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/I-LWKS/3 Application for Amendment to the Approved Luk Wu and Keung Shan Outline Zoning Plan S/ I-LWKS/2, To rezone the application site from “Government, Institution or Community (1)” to “Government, Institution or Community (2)”, Lot 724 (part) in D.D. 311, Keung Shan, Lantau Island

(RNTPC Paper No. Y/I-LWKS/3)

3. The Secretary reported that the application was for rezoning the application site to “Government, Institution or Community (2)” for religious institution and ancillary columbarium uses. Ramboll Hong Kong Limited (Ramboll) was one of the consultants of the applicant. The following Members had declared interests on the item :

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| Mr Ivan C.S. Fu | - | being a member of the Private Columbaria Appeal Board, and having current business dealings with Ramboll; |
| Mr H.W. Cheung
(the Vice-chairman) | - | being a member of the Private Columbaria Licensing Board (PCLB); and |
| Mr K.K. Cheung | - | his firm being legal advisor of PCLB. |

4. The Committee noted that the applicant had requested deferment of consideration of the application, and Messrs Ivan C.S. Fu and K.K. Cheung had tendered apologies for being unable to attend 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 the applicant’s representative requested on 27.11.2019 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.

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

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/YL-MP/5 Application for Amendment to the Approved Mai Po & Fairview Park
Outline Zoning Plan No. S/YL-MP/6, To Rezone the Application Site
from "Recreation" to "Government, Institution or Community (1)",
Lots 3010 S.B, 3010 S.C and 3010 S.D in D.D. 104, Geranium Path,
Mai Po, Yuen Long

(RNTPC Paper No. Y/YL-MP/5A)

7. The Secretary reported that the application site was located in Mai Po. Mr K.W. Leung had declared an interest on the item as he owned a property in Mai Po. The Committee noted that the applicant had requested deferment of consideration of the application. As the property of Mr K.W. Leung had no direct view of the application site, the Committee agreed that he could stay in the meeting.

8. The Committee noted that the applicant's representative requested on 26.11.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information 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 further information, including responses to departmental comments, an ecological impact assessment, and revised drainage proposal, environmental assessment, sewerage proposal and traffic impact assessment.

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

[Mr David Y.T. Lui arrived to join the meeting at this point.]

Tuen Mun and Yuen Long West District

Agenda Item 5

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

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” 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/3C)

10. The Secretary reported that the application was submitted by Ling To Monastery and Ling To Tsz Management Limited for rezoning the site for religious institution and columbarium uses with proposed access road. Masterplan Limited (Masterplan), Ramboll Hong Kong Limited (Ramboll) and MVA Hong Kong Limited were three of the consultants of the applicants. The following Members had declared interests on the item:

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|---------------------------------------|---|---|
| Mr K.K. Cheung | - | his firm being legal advisor of Private Columbaria Licensing Board (PCLB), and his firm having current business dealing with Ling To Monastery; |
| Mr Ivan C.S. Fu | - | being a member of the Private Columbaria Appeal Board, and having current business dealings with Masterplan, Ramboll and MVA; and |
| Mr H.W. Cheung
(the Vice-chairman) | - | being a member of PCLB. |

11. The Committee noted that Messrs Ivan C.S. Fu and K.K. Cheung had tendered apologies for being unable to attend 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.

12. The Committee noted that the applicants' letter dated 11.12.2019, which was tabled at the meeting, was to clarify that there were two options put forth for the proposal for Site B of the application site.

13. The following representatives from the Planning Department (PlanD) and the applicants were invited to the meeting at this point :

PlanD's Representatives

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|---------------------|--|
| Mr David Y.M. Ng | - District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW); |
| Ms Bonnie K.C. Lee | - Senior Town Planner/Tuen Mun and Yuen Long West (STP/TMYLW); |
| Mr Ronald C.H. Chan | - Assistant Town Planner/Tuen Mun and Yuen Long West (ATP/TMYLW); |

Applicants' Representatives

Masterplan Limited

Mr Ian Brownlee
Mr Benson Poon
Ms Chin Chin Lam

Fotton Surveyors Limited

Mr Alain Lau
Mr Gemini Yip

Scenic Landscape Studios Limited

Mr Chris Foot
Ms Lam Wing Yi
Ms Yu Pui Yan

Ecosystems Limited

Mr Vincent Lai

Applicants' representatives

Applicants' Representatives

MVA Hong Kong

Mr William Lee

Thomas Chow Architects Limited

Mr Calvin Kwok

} Applicants' representatives

14. The Chairman extended a welcome and explained the procedure of the hearing. He then invited PlanD's representative to brief Members on the background of the application.

Presentation and Question Sessions

15. With the aid of a PowerPoint presentation, Ms Bonnie K.C. Lee, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed amendments to the approved Ha Tsuen Fringe Outline Zoning Plan (OZP) No. S/YL-HTF/12 and approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2 were to rezone Site A (development site) from "Green Belt" ("GB") to "Government, Institution or Community" ("G/IC") to facilitate a proposed temple extension of the Ling To Monastery and columbarium, and Site B (access road) from "GB" to an area shown as 'Road';
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Major departmental comments were summarized as follows :
 - (i) the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) advised that as Site A might involve Tsos/Tongs, the applicant was required to clarify with the relevant authority if land exchange could be materialized. Since it was not the intention of the applicants to include the Tsos' lots and the entire Site B in the

proposed land exchange, the applicants should not be in any position to form an access road on the unleased and unallocated government land (UUGL) and to maintain or manage the UUGL. Also, the applicants' alternative proposal of periodic tenancy for the UUGL was subject to policy support from the relevant bureaux or departments. The applicants were required to clarify how to materialize the proposed right-of-way (ROW) arrangement and the proposed works affecting public road and pavement with agreement on their subsequent management and maintenance responsibilities. The proposal to set up control points for restricted access to the columbarium was contradictory to the proposed non-exclusive ROW;

- (ii) the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD) advised that the information provided by the applicants relating to ROW agreements with the Tsos/Tongs managers did not have any implication that DO(YL) had given consent to the proposed ROW. His office had not received any applications for such consents from managers of the Tsos/Tongs concerned;
- (iii) the Commissioner for Transport (C for T) had no adverse comment from traffic engineering viewpoint. The Transport Department (TD) had no objection in principle to take up the management responsibility of the widened carriageway underneath the Kong Sham Western Highway (KSWH) provided that the Highways Department (HyD) agreed to take up maintenance works and the road works were designed and constructed according to the relevant standards;
- (iv) the Chief Highway Engineer/New Territories West, HyD commented that his office would not be responsible for the maintenance of the proposed new road connecting the site and the public road underneath KSWH; and
- (v) other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication periods, a total of 97 public comments were received. Amongst them, 85 supportive comments in the form of standard letters were from individuals, while the remaining 12 objecting comments were from Alliance for the Concern over Columbarium Policy, Kadoorie Farm and Botanic Garden, World Wide Fund for Nature Hong Kong, Hong Kong Bird Watching Society and individuals. Major views were set out in paragraph 10 of the Paper; and
- (e) the PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The existing Ling To Monastery was located about 100m from the site to the south and not directly adjoining the site. The applicants' proposal was to develop a new temple cum columbarium with a new access road in the "GB" zone. There was no strong justification for piecemeal rezoning of the subject "GB" zone to facilitate the proposed development. Whilst 'Religious Institution' might not be incompatible with the surrounding land uses, the proposed development, comprising columbarium use of not more than 10,332 niches and an access road of about 400m long with 2 roundabouts and lay-bys for coaches and private cars/taxis, would bisect the vegetated land and farmland and might disrupt the integrity of the area's rural character. The applicants had yet to address the concerns of LandsD and HyD on the responsible party to construct and maintain the proposed access road, and the concerns of LandsD and DO(YL) on ROW arrangement. The implementability of the proposed access road was doubtful. Without the proposed access road, the proposed temple and columbarium development could not be materialized. Whilst C for T and the Commissioner for Police accepted in-principle the crowd management proposal, the applicants failed to demonstrate that such proposal was implementable given the proposals of non-exclusive ROW and setting up of control gates were in contradiction. There were no previous or similar applications within the same "GB" zone. Approval of the application on a piecemeal basis might attract similar applications within the "GB" zone and set an undesirable precedent. Regarding the adverse public comments, the

comments of government departments and planning assessments above were relevant.

16. The Chairman then invited the applicants' representatives to elaborate on the application. With the aid of a PowerPoint presentation, Mr Ian Brownlee, Mr Benson Poon and Mr Gemini Yip, the applicants' representatives, made the following main points:

The Proposed Amendments

- (a) the application involved rezoning Site A from "GB" to "G/IC" for the proposed temple and columbarium development, and there were two options for the proposed access road at Site B, namely (i) rezoning the concerned areas from "GB" to an area shown as 'Road'; or (ii) to retain the current "GB" zoning and submit a s.16 planning application in future for the new access road together with the proposed temple and columbarium development following the approval of Site A of the subject rezoning application. Option (ii) was the applicants' preferred option for Site B;

The Suitability and Need for the Proposed Development at Site A

- (b) Ling To Monastery embodied significant cultural and historical significance in the locality. Space was limited in the existing Ling To Monastery and the proposed temple extension would help meet the growing social needs of local residents and enhance its facilities as a community node;
- (c) Site A was considered an appropriate location for the proposed temple extension and columbarium development as it was compatible with the nearby burial grounds setting and located in close proximity to Ling To Monastery. Residential settlements were located far away and separated by the elevated KSWH, and environmental impact was not expected;
- (d) there would be minimal reduction in the subject "GB" zone as Site A only occupied less than 0.5% of the zone, i.e. about 0.4 ha out of the entire "GB"

zone of about 85 ha in land area;

- (e) the proposed temple extension and columbarium would not affect or disrupt the 'fung shui' setting;

The Proposed Access Road at Site B

- (f) the applicants had entered into ROW agreements with all the concerned private lot owners, and all the managers of the five respective Tso/Tongs lots had signed the agreements. The comment of DO(YL), HAD regarding the consent issue was not previously raised;
- (g) the UUGL, which were small in size with no separate access, were incapable of separate alienation. It was common to allocate/lease such government land (GL) to the adjoining occupiers;
- (h) land exchange at Site A would be pursued for implementing the proposed development, and the UUGL involved could be included as the formation area (yellow/brown area) in the land exchange. The proposed access road could be implemented with the GL to be allocated in the government lease together with the right to use the private lots as access road under the proposed ROW arrangements, and no separate land exchange for Site B would be required;
- (i) it was not feasible to widen the existing single-track access road leading to the site as it bordered slopes on GL and burial grounds/graves, and further widening would encroach onto the adjoining "Conservation Area" zone;

Demand for Columbarium Facilities

- (j) the public demand for niches in columbarium was growing. Whilst a site for public columbarium was identified in San Tin, it was subject to feasibility study. There was an overall lack of public columbarium facilities in Yuen Long District in face of the large population influx from

future New Development Areas; and

Technical Feasibility

- (k) the applicants had reasonably demonstrated the technical feasibility of the rezoning proposal. There were no adverse comment from major government departments, including TD, Environmental Protection Department, Agriculture, Fisheries and Conservation Department, and the Police. The issues raised by DLO/YL, LandsD and DO(YL), HAD relating to the access road implementation could be further addressed at the s.16 application stage.

17. As the presentations of the representatives from PlanD and the applicants were completed, the Chairman invited questions from Members.

18. For clarification purpose, the Chairman asked the applicants' representatives to elaborate on the proposed amendments sought under the current rezoning application, and the details of the letter dated 11.12.2019 which was tabled at the meeting. Mr Ian Brownlee, the applicants' representative, replied that the current proposal involved rezoning Site A from "GB" to "G/IC" for facilitating a proposed temple extension cum columbarium development subject to obtaining s.16 planning permission. As clarified in the letter dated 11.12.2019, two options were put forth for Site B, namely rezoning Site B from "GB" to an area shown as 'Road' for the proposed access road (Option (i)), or retaining the current "GB" zoning for Site B and pursue solely the rezoning proposal for Site A (Option (ii)).

19. The Chairman and some Members had the following questions on the application to the applicants' representatives:

Background of the Applicants

- (a) the background of the applicants and whether they were registered religious organizations;
- (b) the background of the existing Ling To Monastery, including the land/title

ownership and operation of the organization;

The Proposal

- (c) whether the proposed temple and columbarium at Site A was a single development, and whether the proposed access road at Site B would serve exclusively the proposed development at Site A;
- (d) why the immediate area adjoining Ling To Monastery was not identified for the proposed temple extension;
- (e) feasibility of the development at Site A if the proposed access road at Site B could not be materialized;

The Proposed Access Road

- (f) whether there was an existing access leading to Ling To Monastery and whether Site A was still accessible from the main road without the proposed access road at Site B;
- (g) the approximate walking distance from the main public road to Site A and the means of access from Ling To Monastery to Site A;
- (h) the assumptions adopted in the submitted TIA regarding the critical junctions and traffic survey; and
- (i) noting the applicants' claim that all the ROW agreements with the Tsos/Tongs managers had been registered in the Land Registry, why the concerned managers had not submitted applications to DO(YL), HAD for consent to enter into a Deed of Grant of ROW in respect of the lots concerned.

20. In response, Mr Ian Brownlee, Mr Alain Lau, Mr Gemini Yip and Mr William Lee, the applicants' representatives, made the following main points:

Background of the Applicants

- (a) the application was submitted by Ling To Monastery and Ling To Tsz Management Limited, which were not registered as bona fide religious and charitable organizations under section 88 of the Inland Revenue Ordinance. The status of the applicants, registered as charitable organizations or otherwise, only mattered in the consideration of whether policy support would be granted for concessionary land premium. The applicants did not have to be non-profit making organizations to run a privately operated columbarium. From the religious policy point of view, the Secretary for Home Affairs had no objection to the proposed temple development. The Committee should consider the land use issues pertaining to the site such as whether the site was suitable for temple and columbarium use, and the background and nature of the applicants should not be a material consideration;
- (b) the existing Ling To Monastery had a long history of over 1,000 years. The original monastery was demolished and subsequently rebuilt at the present site. As the land survey conducted in the past was hastily done, there were discrepancies in the registration of land ownership. The land on which Ling To Monastery stood today was surveyed as GL, while some of the adjoining lots were surveyed as private land under the ownership of Ling To Monastery;
- (c) according to the available information, Ling To Monastery was originally led by a monk. Although not totally certain, it was gathered that a Tso/Tong manager of Ha Tsuen subsequently took up to run the monastery after the passing away of the monk. Ling To Monastery was not a registered charitable organization, and its main source of income was from general donations. For instance, the funding for the refurbishment of the monastery in 2003 was mainly from Ha Tsuen locals through crowdfunding;

The Proposal

- (d) the proposed temple cum columbarium at Site A was a single compound, and the proposed access road would mainly serve the proposed development at Site A;
- (e) the land in front of the existing Ling To Monastery was part of the 'fung shui lane' and development thereat would affect the fung shui of the temple. Hence, the applicants had resorted to develop the proposed temple extension at Site A;
- (f) a new access road would be necessary to serve the development at Site A. If the current rezoning proposal for Site B from "GB" to an area shown as 'Road' was not agreed to, further information to address the concerns on the proposed new access road could be submitted as part of the s.16 application for the proposed temple cum columbarium development;

The Proposed Access Road

- (g) there was an existing substandard track (about 4.5m-wide) leading to Ling To Monastery from the main road;
- (h) Site A was about 400m from the main road and would take about 5 to 8 minutes' walk. There was a local footpath connecting Site A and the existing Ling To Monastery;
- (i) three critical junctions, namely at the local access road leading to the existing Ling To Monastery, a section of the single-track access road underneath KSWH and Ha Tsuen Road, and Ha Tsuen Interchange, were identified in the TIA. A traffic survey was conducted during Chung Yeung Festival in 2017 and its shadow weekend for assessing the existing traffic conditions of those junctions. The operational performance of the identified junctions were then assessed with the anticipated background traffic growth as well as the traffic generated by the proposed development;

and

- (j) in the course of preparing ROW agreements with Tsos/Tongs, the relevant parties did not mention that DO(YL), HAD's consent was required. Such comment regarding the consent issue had not been raised in the previous rounds of departmental circulation/comment on the application, and the applicants were not aware of such requirement until receipt of the Paper. Nevertheless, the applicants would follow up on the matter with the relevant department upon approval of the rezoning application.

21. Some Members had the following questions on the application to the representatives of PlanD :

- (a) the land status of Site A and the surrounding lots of Ling To Monastery;
- (b) elaboration on the government's policy on columbarium development; and
- (c) any approved applications involving rezoning of "GB" for columbarium use.

22. In response, Mr David Y.M. Ng, DPO/TMYLW, with reference to some PowerPoint slides, made the following main points:

- (a) as shown on Plan Z-2b of the Paper, the land colored pink within Sites A and B were private land owned by the applicants, while the land colored yellow and grey were private land owned by others and GL respectively. The existing Ling To Monastery was situated on GL and was a surveyed squatter structure recorded by the Government before June 1982. According to records, two other private lots, namely Lots 1380 and 1387, located in between Ling To Monastery and Site A were owned by the applicants;
- (b) to cater for the growing demand for niches, the Government had adopted a three-pronged approach. Regarding increasing the supply of public niches,

a total of 24 potential sites had been identified in the 18 districts under the district-based columbarium development scheme, among which 14 sites had already received support or no-objection from relevant District Councils. To make better use of the existing columbarium niches, the Food and Environmental Hygiene Department (FEHD) had removed the cap on the number of sets of ashes that might be placed in a public niche, and similar measures had been adopted at columbaria managed by the Board of Management of the Chinese Permanent Cemeteries. The Private Columbaria Ordinance, which came into effect on 30.6.2017, would regulate the operation of private columbaria through a licensing scheme. According to FEHD's projection, there would be a demand of about 50,000 niches per year. About 230,000 new niches in public columbaria would be available for allocation from 2018 to 2020, among which a large scale columbarium facility in Tuen Mun, providing about 160,000 niches, should provide some immediate respite to the current shortage of public niches; and

- (c) there was no information in hand on similar applications involving rezoning "GB" for columbarium use.

23. Regarding the Chairman's enquiry on the proposed "G/IC" zoning for Site A, Mr Gemini Yip, the applicants' representative, confirmed that 'Columbarium' was a Column 2 use under the proposed "G/IC" zoning and would require s.16 planning application to the Town Planning Board (TPB). In response to the Chairman's further enquiry on whether there was provision for religious institution and columbarium uses under the current "GB" zoning of the extant OZP, Mr David Y.M. Ng, DPO/TMYLW, explained that according to the Notes of the OZP for the "GB" zone, 'Religious Institution' and 'Columbarium (within a Religious Institution or extension of existing Columbarium only)' were Column 2 uses which required planning permission from the TPB. On that aspect, Mr Ian Brownlee, the applicants' representative, supplemented that there was a general presumption against development within the "GB" zone and the existing provision of the Notes for the current "GB" zone required the columbarium use to be within a religious institution. Taking into consideration the proposed uses, the planning intention and relevant TPB guidelines, the proposed "G/IC" zoning was considered more appropriate for facilitating the proposed

development at Site A.

[Mr Philip S.L. Kan arrived to join the meeting during the Q&A session.]

24. As the applicants' representatives had no further points to raise and there was no further question from Members, the Chairman informed the applicants' representatives that the hearing procedure for the application had been completed and the Committee would deliberate on the application in their absence and inform them of the Committee's decision in due course. The Chairman thanked the representatives from PlanD and the applicants for attending the meeting. They left the meeting at this point.

Deliberation Session

25. Members noted that the applicants could submit a s.16 application for the proposed temple cum columbarium development with access road under the "GB" zoning of the extant OZP, but had chosen to submit a s.12A application instead.

26. Members in general considered that there was no strong planning justification to warrant support for the proposed rezoning application. From the land use planning perspective, the Vice-chairman expressed that the proposed development with the proposed access road would inevitably affect the existing natural landscape and rural character of the "GB" zone and set an undesirable precedent for other similar applications or developments in the locality, and the Committee should take into account the cumulative impacts. On a similar note, a Member said that since the rezoning application would involve a reduction of the "GB" zone, the application must be justified with very strong planning grounds with demonstration of planning merits and public gains.

27. Several Members were of the view that many aspects of the application were unclear, including the background of the applicants and the proposed ROW arrangements. Some Members opined that information on the background of the applicants, including the ownership of Ling To Monastery which might have a bearing on their capability to operate a temple cum columbarium development, was a relevant factor of consideration. A Member also considered that there was no strong justification for the need of a new access road as the site could be conveniently accessed by foot within a few minutes' walk as advised by the

applicants' representative.

28. After deliberation, the Committee decided not to agree to the application for the following reasons :

- “(a) the site forms an integral part of the “Green Belt” (“GB”) zone which is a stretch of land lying in between the Kong Sham Western Highway and Hung Shui Kiu New Development Area to its northeast and the “Conservation Area” of natural landscape, Yuen Tau Shan and Tsing Shan Firing Range to its southwest. The “GB” zone mainly comprises vegetated knolls, cultivated agricultural land and the permitted burial ground. The proposal to rezone the site from “GB” to “Government, Institution or Community” and an area shown as ‘Road’ under Option (i) would bisect the vegetated land and farmland and may disrupt the integrity of the area’s rural character. There is no strong planning justification for piecemeal rezoning to facilitate the proposed temple cum columbarium development and the associated access road;
- (b) the applicants fail to demonstrate that the proposed access road is feasible and implementable. There is no strong justification to rezone a long stretch of land in the “GB” zone to an area shown as ‘Road’ as proposed under Option (i); and
- (c) approval of the application would set an undesirable precedent for other similar rezoning applications within the “GB” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

[Mr Ricky W.Y. Yu left the meeting and Dr Jeanne C.Y. Ng arrived to join the meeting at this point.]

Sai Kung and Islands District

[Mr Richard Y.L. Siu and Ms Jane W.L. Kwan, Senior Town Planners/Sai Kung and Islands (STPs/SKIs), were invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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/30B)

29. The Secretary reported that Landes Limited (Landes) was one of the consultants of the applicant. Mr Ivan C.S. Fu had declared an interest on the item for having current business dealings with Landes. The Committee noted that Mr Ivan C.S. Fu had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (redevelopment), filling of land/excavation of land and amenity planting;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Major comments were summarized as follows:
 - (i) the District Lands Officer/Islands, Lands Department (DLO/Is,

LandsD) advised that any proposed New Territories Exempted House (NTEH) redevelopment should be on the building portion of the original lots only, and there was no justification in the submission to demonstrate why the lots could not be individually redeveloped to erect a house on each lot despite the proposed plot ratio did not exceed the permissible plot ratio of 0.4 under the Outline Zoning Plan (OZP). The applicant might need to provide justification on the access arrangement and tree preservation aspects;

- (ii) the Director of Environmental Protection (DEP) did not support the application as the applicant had not demonstrated the environmental acceptability of the proposed redevelopment;
- (iii) the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) objected to the application from landscape planning perspective. The substantial land filling within Site A would likely lead to permanent and irreversible change in landscape character and the proposed footpath improvement works would likely cause further adverse landscape impact on existing trees and landform of the surrounding areas;
- (iv) the Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from nature conservation perspective as the extent of tree felling and vegetation clearance was anticipated to be much higher than those stated in the application and there was insufficient information to justify the proposed redevelopment and demonstrate how the marine access could be made and how the transport of materials using the existing footpath to the sites were feasible without affecting the ecology and existing trees;
- (v) the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) considered that the angular elevation as stated in the submitted Geotechnical Planning Review Report did not reflect the base map information. The

- applicant should review the angular elevation and the area of the natural hillside affecting the sites and recommend the necessity of a Natural Terrain Hazard Study; and
- (vi) other concerned government departments had no objection to or no adverse comment on the application;
 - (d) during the first three weeks of the statutory publication periods, a total of 21 public comments were received. Amongst them, 19 comments from Kadoorie Farm & Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Hong Kong Bird Watching Society, local residents and individuals objected to the application, while the remaining two comments from individuals provided views on the application. Major views were set out in paragraph 9 of the Paper; and
 - (e) the PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. The proposed redevelopment of two NTEHs within Site A was not in line with the planning intention of the “Conservation Area” (“CA”) zone, and there was no strong justification in the submission for a departure from such planning intention. DAFC, CTP/UD&L, PlanD and DEP did not support or objected to the application. The applicant had not demonstrated that the proposed redevelopment would not have adverse environmental, landscape and ecological impacts. DLO/Is, LandsD advised that any proposed NTEH redevelopment should be on the building portion of the two original lots only. Although the proposed development intensities of the proposed redevelopment did not exceed the development restrictions as stipulated under the OZP, there was no justification in the submission to support the proposed redevelopment of two NTEHs at Site A or the transfer of development rights of Site B to Site A. The similar application (No. A/SK-KYS/9) quoted by the applicant involved redevelopment of one site within the village ‘environs’ with no transfer of development rights from separate sites, and should not be regarded as a similar case and precedent for the current application. Regarding the adverse public comments, the

comments of government departments and planning assessment above were relevant.

31. In response to a Member's questions, Mr Richard S.L. Siu, STP/SKIs, said that according to the Notes of the OZP, 'House (Redevelopment only)' was a Column 2 use under the "CA" zone which required planning permission from the Town Planning Board, and there was no provision for new house development in the "CA" zone. According to the submission, the proposal involved redevelopment of two NTEHs and the applicant claimed that ruins of the houses could be found on the sites. However, based on PlanD's site inspection, ruins were observed in Site B, and some ruins were also found near Site A but they were outside the boundary of the site. The applicant was not the current land owner of the site and was appointed by the registered land owner to submit the subject application on his behalf.

Deliberation Session

32. 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 “Conservation Area” zone which is to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment from the adverse effects of development. There is no strong justification in the submission to warrant a departure from such planning intention; and
- (b) the applicant fails to demonstrate that the proposed development would not have adverse environmental, landscape and ecological impacts on the surrounding areas.”

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

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

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

34. The Committee noted that Messrs Ivan C.S. Fu, K.K. Cheung and Stephen L.H. Liu, and Dr C.H. Hau had tendered apologies for being unable to attend the meeting, and Mr Ricky W.Y. Yu had already left the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed comprehensive residential development;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Executive Secretary (Antiquities and Monuments), Antiquities Monument Office (AMO), Development Bureau commented that the applicants’ suggestion of imposing an approval condition relating to the proposed development in the non-excavation area (NEA) was not in line with the Planning Brief (PB) and the preservation requirement for the NEA. The Project Manager/Major Works, Highways Department (PM/Major Works, HyD) advised that the completion date of the Hiram’s Highway Improvement Stage 2 (HH2) project was still uncertain at the moment and was subject to the progress of Public Works Programme Procedures. The Commissioner for Transport (C for T) commented that if the HH2 project was not taken forward, the fundamental infrastructure assumption and findings of the submitted Traffic Impact Assessment (TIA) would become invalid, and he would not support the application. However, C for T would have no in-principle objection subject to no population intake of the proposed development to be taken place before the completion of HH2 project. Other concerned government departments had no objection to or no adverse comment on the application. Local views conveyed by the District Officer (Sai Kung), Home Affairs Department were set out in paragraph 10.1.14 of the Paper;
- (d) during the first three weeks of the statutory publication periods, a total of 443 public comments were received, including three supportive comments from individuals, two comments with no content or not related to the

application, and 438 objecting comments from the Chairman, members and members (designate) of the Sai Kung District Council, Sai Kung Rural Committee and its member, village representatives, Hong Kong Academy, Sai Kung Planning Concern Front, Friends of Sai Kung, Owners' Committee of the Mediterranean, Hong Kong and China Gas Company Limited, and individuals. Major views were set out in paragraph 11 of the Paper;

- (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 comprehensive residential development generally conformed to the development restrictions of the Outline Zoning Plan (OZP). The applicants proposed to develop the site in phases (i.e. Phase 1 and other phases comprising Sites A to E). The proposed phasing was considered not in line with the Town Planning Board Guidelines No. 17A in that the applicants failed to demonstrate that the comprehensiveness of the proposed development would not be adversely affected, the resultant development would be self-contained in terms of layout design and provision of open space, and the development potential of the unacquired lots would not be absorbed in the early phases of the development. AMO had adverse comment on the application and considered that the application did not comply with the PB requirements related to preservation of archaeological heritage in the NEA. As the completion of the HH2 project was still uncertain at the moment and if there was no HH2 project, C for T commented that the assumption and findings of the submitted TIA would become invalid and he would not support the application. In that regard, the applicants failed to demonstrate that the proposed development would not generate adverse traffic impact on the area. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

36. Noting the proposed phasing of the residential development, a Member enquired how the applicants could ensure that an agreement on the implementation of the other phases by other land owners as proposed could be reached. Ms Jane W.L. Kwan, STP/SKIs, replied that

only the private land under Phase 1 and Site E of other phases were owned by the applicants. There was no information in the submission regarding other land owners' commitment or agreement on the proposed phasing or development scheme for the remaining sites (i.e. Sites A to D) under other phases. Regarding another question from the same Member, Ms Kwan said that the layout of the development for Phase 1 and other phases were not self-contained in terms of provision of separate access to serve different phases.

Deliberation Session

37. The Chairman said that, in general, phased development could be considered for "CDA" sites which were not under single ownership. In formulating the phasing of the development, the applicant(s) should demonstrate, inter alia, that the resultant development on each phase should be self-contained in terms of layout design and provision of appropriate facilities, and the development potential of the unacquired lots within the "CDA" site should not be absorbed in the early phases of the development. For the current application, Members noted that the plot ratios for the different phases were not allocated on a pro-rata basis, and Phase 1 had in effect taken up the development potential of other phases.

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

- “(a) the proposed phasing of the residential development is not in line with Town Planning Board Guidelines No. 17A in that the applicants fail to demonstrate that the comprehensiveness of the proposed development will not be adversely affected; the resultant development would be self-contained in terms of layout design and provision of open space; and the development potential of the unacquired lots would not be absorbed in the early phases of the development;
- (b) the Master Layout Plan for the proposed residential development encroaches onto the non-excavation area (NEA) specified in the Planning Brief, the applicants fail to demonstrate that the proposed house development on top of the NEA is implementable and would not have adverse impacts on the Sha Ha Archaeological Site of Interest; and

- (c) the applicants fail to demonstrate that the proposed development would not generate adverse traffic impact on the surrounding area.”

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-TLS/56 Proposed Minor Relaxation of Site Coverage and Building Height Restrictions for Permitted Residential Redevelopment in “Residential (Group C) 1” Zone, Lot 1109 RP (Part) in D.D. 253, 8 Ka Shue Road, Sai Kung
(RNTPC Paper No. A/SK-TLS/56B)

39. The Secretary reported that the application was submitted by Double One Limited with MVA Hong Kong Limited (MVA) as one of the consultants of the applicant. The following Members had declared interests on the item :

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|-----------------|---|--|
| Mr K.K. Cheung | - | his firm having current business dealings with Double One Limited; and |
| Mr Ivan C.S. Fu | - | having current business dealings with MVA. |

40. The Committee noted that Messrs Ivan C.S. Fu and K.K. Cheung had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed minor relaxation of site coverage (SC) and building height

(BH) restrictions for permitted residential redevelopment;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) advised that the combined effect of the proposed features, including building gap, setback and landscape features at ground and roof-top levels, could to a certain extent soften the building mass and facilitate the creation of a more pleasant and tranquil walking environment. As the proposed minor BH relaxation would not effect a change in absolute BH measured from existing site formation level, the proposed development would bring about negligible to slightly adverse overall visual impact. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, a total of 108 public comments were received. Amongst them, 102 comments from residents of Hillview Court objected to the application, while the remaining six comments from Incorporated Owners of Clear Water Bay Apartments Block E-F and individuals raised concerns on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the PlanD's views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed redevelopment of the site, covering two existing blocks of the Clearwater Bay Apartments, for 'flat' use was in line with the planning intention of the "Residential (Group C)" ("R(C)") zone. Due to the steep slope at Ka Shue Road and the uneven ground level of the site, excavation of 1m below the existing formation level would be necessary to accommodate the ramps and provide sufficient headroom for internal vehicular circulation and to allow E&M facilities and car park in the basement. The new buildings were proposed to be constructed on a site formation level 1m lower than the existing level. Having regard to the site constraints, the proposed minor BH relaxation from 18m to 19m (+1m or 5.6%) was not

unreasonable. Besides, the proposed BH relaxation would not generate additional visual impact as the absolute BH above ground for the proposed redevelopment remained at 18m, which was in line with the restriction of the Outline Zoning Plan (OZP), if measured from the ground floor level. The proposed minor SC relaxation from 30% to 33.911% (+3.911% or 13%) would provide flexibility for redevelopment with more innovative building design to fit in the local character and low-rise, low-density setting. The proposed SC relaxation was necessary to cater for the two-block design with 5m building gap and the duplication of essential facilities in the separate building blocks which were accountable for SC calculation. CTP/UD&L, PlanD advised that the combined effect of the proposed design features could to a certain extent soften the building mass and facilitate the creation of a more pleasant and tranquil walking environment, and the proposed development would bring about negligible to slightly adverse overall visual impact. Other concerned government departments had no objection to or adverse comment on the application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

42. In response to a Member's question, Ms Jane W.L. Kwan, STP/SKIs, said that the site was subject to, amongst other restrictions, a maximum SC of 30% and BH of 18m as stipulated under the OZP. The current application was for minor relaxation of BH and SC restrictions from 18m to 19m, and from 30% to 33.911% respectively.

Deliberation Session

43. Members noted that the proposed buildings were to be constructed on a site formation level 1m lower than the existing level and the absolute BH above ground for the proposed redevelopment would remain at 18m. The SC relaxation sought was also considered minor.

44. 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 13.12.2023, and after the said date, the permission should cease to have

effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

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

45. 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 Richard Y.L. Siu and Ms Jane W.L. Kwan, STPs/SKIs, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Sha Tin, Tai Po and North District

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

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/978 Shop and Services (Fast Food Shop) in “Industrial” Zone, Unit B2(Portion), G/F, Block 2, Kin Ho Industrial Building, 14-24 Au Pui Wan Street, Fo Tan, Sha Tin
(RNTPC Paper No. A/ST/978)

Presentation and Question Sessions

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

- (a) background to the application;

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

47. Members had no question on the application.

Deliberation Session

48. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 13.12.2024, on the terms of the application as

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

- “(a) the submission and implementation of the fire safety measures within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.6.2020; and
- (b) if the above planning condition is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

[Mr Philip S.L. Kan left the meeting temporarily at this point.]

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/669 Proposed House (New Territories Exempted House - Small House) in
“Green Belt” and “Village Type Development” Zones, Lot 947 S.A in
D.D. 26, Wong Yue Tan, Tai Po
(RNTPC Paper No. A/TP/669)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House);

- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V 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 objecting public comments were received from World Wide Fund For Nature Hong Kong, Designing Hong Kong Limited and an individual. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed Small House development was not incompatible with the surrounding area which was predominantly rural in character. The application generally complied with the requirements of the Town Planning Board Guidelines No. 10 in that the proposed development would unlikely cause adverse environmental, traffic, geotechnical, landscape, drainage and sewerage impacts and concerned government departments had no objection to or no adverse comment on the application. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the proposed Small House footprint fell within the village ‘environs’ (‘VE’) of Wong Yue Tan. While land available within the “Village Type Development” (“V”) zone was insufficient to meet the future Small House demand, land was still available within the “V” zone to meet the 51 outstanding Small House applications. Part of the site was the subject of a previously approved application (No. A/TP/449) for the same use submitted by the same applicant. Small House grant application was approved by the Lands Department (LandsD) in 2017, but the land grant document had yet to be executed. As the planning permission had lapsed in August 2018, a new planning application was therefore submitted. As compared with the previously approved application, the proposed Small House footprint had been reduced to exclude the government land portion. The District Lands Officer/Tai Po, LandsD advised that he would process the Small House application by way

of Free Building Licence should the current application be approved. Hence, sympathetic consideration might be given to the application. The planning circumstances of the current application were similar to another approved application (No. A/TP/632) which also involved a previously approved application with Small House grant application under processing by LandsD. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

51. Members had no question on the application.

Deliberation Session

52. 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 13.12.2023, 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 a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-FTA/193 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lots 565 (Part), 567 (Part) and 568 (Part) in D.D. 89 and Adjoining Government Land, Sha Ling, Sheung Shui
(RNTPC Paper No. A/NE-FTA/193)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports or culture (hobby farm) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 9.1.10 of the Paper;
- (d) during the first three weeks of the statutory publication period, 22 public comments were received. Amongst them, the Chairman of Sheung Shui District Rural Committee and the incumbent North District Council member indicated no comment on the application. The Hong Kong Bird Watching Society, Designing Hong Kong Limited, a villager of Sha Ling Village and 15 individuals objected to the application, while the Kadoorie Farm and Botanic Garden Corporation and World Wide Fund for Nature Hong Kong expressed 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 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 generally in line with the planning intention of the “Agriculture” zone and the Director of Agriculture, Fisheries and Conservation had no strong view from the agricultural point of view. The proposed use was not incompatible with the surrounding land uses. Concerned departments had no objection to or no adverse comment on the application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

55. In response to the Chairman's question, Mr Tim T.Y. Fung, STP/STN, said that the site was mostly hard paved with the remaining portions covered by vegetation/weed.

Deliberation Session

56. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.12.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system and loud speaker, as proposed by the applicant, is allowed to be used on the site during the planning approval period;
- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.6.2020;
- (d) in relation to (c) 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 13.9.2020;

- (e) the submission of proposals for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.6.2020;
- (f) in relation to (e) above, the implementation of proposals for fire service installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.9.2020;
- (g) if any of the above planning conditions (a) or (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;
- (h) if any of the above planning conditions (c), (d), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (i) upon the 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.”

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

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LK/124 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 901 S.A ss.1 in D.D. 81, Sheung Wo Hang
Village, Sha Tau Kok
(RNTPC Paper No. A/NE-LK/124)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from agricultural point of view as the site possessed potential for agricultural rehabilitation. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservations on the application and considered that although no significant sensitive landscape resource was observed within the site, the proposed development, if approved, would set an undesirable precedent and encourage more similar development within the area. The Commissioner for Transport considered that Small House development should be confined within the “Village Type Development” (“V”) zone as far as possible, but the application involving construction of one Small House could be tolerated. Other concerned government departments had no objection to or no adverse comment on the application. Local views conveyed by the District Officer (North), Home

Affairs Department were set out in paragraph 9.1 of the Paper;

- (d) during the first three weeks of the statutory publication period, eight public comments were received. Amongst them, the Chairman of Sheung Shui District Rural Committee supported the application, while a North District Council member indicated no comment on the application. The Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, the Hong Kong Bird Watching Society, Designing Hong Kong Limited and two individuals objected to the application. Major views were set out in paragraph 10 of the Paper; and

- (e) the PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House development was not in line with the planning intention of the “Agriculture” (“AGR”) zone. DAFC did not support the application as the site possessed potential for agricultural rehabilitation. There was no strong justification in the submission to merit a departure from the planning intention. CTP/UD&L, PlanD had some reservations on the application from landscape planning perspective. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, the whole footprint of the proposed Small House fell within the village ‘environs’ (‘VE’) of Sheung Wo Hang Village. While land available within the “V” zone was insufficient to fully meet the future Small House demand, it was capable to meet the 77 outstanding applications. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. The circumstances of the current application were similar to another rejected application in the vicinity within the same “AGR” zone. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

59. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone in the Luk Keng and Wo Hang area which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) land is still available within the “Village Type Development” (“V”) zone of Sheung Wo Hang village for Small House development. It is considered more appropriate to concentrate the proposed Small House within “V” zone for orderly development pattern, efficient use of land and provision of infrastructures and services; and
- (c) the approval of the application would set an undesirable precedent for other similar applications in the area. The cumulative impact of approving such similar applications would lead to further loss of agricultural land and adverse landscape impact on the surrounding area.”

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LK/125 Proposed House (New Territories Exempted House - Small House) in “Recreation” Zone, Lot 2078 S.A in D.D. 39, Yim Tso Ha Tsuen, Sha Tau Kok

(RNTPC Paper No. A/NE-LK/125)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed House (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) commented that the applicant should provide information on how the construction materials would be transported to the site and whether additional area would be cleared as footpath/access to the site. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservations on the application and considered that approval of the application would set an undesirable precedent and encourage more similar development within the area. The Commissioner for Transport considered that Small House development should be confined within the “Village Type Development” (“V”) zone as far as possible, but the application involving construction of one Small House could be tolerated. Other concerned government departments had no objection to or no adverse comment on the application. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 9.1 of the Paper;
- (d) during the first three weeks of the statutory publication period, eight public comments were received. Amongst them, the Chairman of Sheung Shui District Rural Committee supported the application, while a North District Council member indicated no comment on the application. The Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, the Hong Kong Bird Watching Society, Designing Hong Kong Limited and two individuals objected to the application. Major views

were set out in paragraph 10 of the Paper; and

- (e) the PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House development was not in line with the planning intention of the “Recreation” (“REC”) zone. There was no strong justification in the submission to merit a departure from the planning intention. CTP/UD&L, PlanD had some reservations on the application from landscape planning perspective, and DAFC indicated that the applicant should provide information regarding the transportation of construction materials to the site and whether the proposal would involve clearance of additional area for footpath/access to the site. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, the whole footprint of the proposed Small House fell within the village ‘environs’ (‘VE’) of Yim Tso Ha Village. While land available within the “V” zone was insufficient to fully meet the future Small House demand, it was capable to meet the 11 outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. The circumstances of the current application were similar to other rejected applications in the vicinity within the same “REC” zone. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

[Mr Philip S.L. Kan returned to join the meeting at this point.]

- 62. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Recreation” (“REC”) zone in the Luk Keng and Wo Hang area which is primarily for recreational developments for the use of the general public and encourages the development of active and/or passive recreation and tourism/eco-tourism. There is no strong planning justification in the submission for a departure from the planning intention;

- (b) land is still available within the “Village Type Development” (“V”) zone of Yim Tso Ha Village for Small House development. It is considered more appropriate to concentrate the proposed Small House within “V” zone for orderly development pattern, efficient use of land and provision of infrastructures and services; and

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

Agenda Item 14

Section 16 Application

[Open Meeting]

A/NE-LYT/718 Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years in “Agriculture” Zone, Lot 466 (Part) in D.D. 83, Kwan Tei, Fanling
(RNTPC Paper No. A/NE-LYT/718)

64. The Committee noted that the applicant’s representative requested on 4.12.2019 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address the comments of the Agriculture, Fisheries and Conservation Department and Transport Department. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 15

Section 16 Application

[Open Meeting]

A/NE-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/16A)

66. The Committee noted that the applicant's representative requested on 2.12.2019 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address the comments of the Agriculture, Fisheries and Conservation Department and Transport Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information, including responses to comments, revised layout plan and drainage proposal, and a Traffic Impact Assessment to address departmental comments.

67. 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 16

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/621A)

68. The Committee noted that the applicant's representative requested on 11.11.2019 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information, including written justification and plans, to address departmental comments.

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

applicant that two months were allowed for preparation of the submission of the further information. 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 17

Section 16 Application

[Open Meeting]

A/NE-TKL/629 Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years in “Agriculture” Zone, Lot 274 RP (Part) in D.D. 77, Ping Che, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/629)

70. The Committee noted that the applicant’s representative requested on 5.12.2019 deferment of consideration of the application for a period of one month so as to allow time for preparation of further information to address the comments of the Transport Department. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/630 Proposed House (New Territories Exempted House – Small House)
in “Agriculture” Zone, Lot 548 S.E in D.D. 77, Ping Che Village, Ng
Chow South Road, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/630)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from agricultural point of view as the site possessed potential for agricultural rehabilitation. The Commissioner for Transport considered that Small House development should be confined within the “Village Type Development” (“V”) zone as far as possible, but the application involving construction of one Small House could be tolerated. Other concerned government departments had no objection to or no adverse comment on the application. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 9.1 of the Paper;
- (d) during the first three weeks of the statutory publication period, four public comments were received. Amongst them, the Chairman of Sheung Shui District Rural Committee indicated no comment on the application, while a

North District Council member supported the application. Designing Hong Kong Limited and an individual objected 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. While the application was not in line with the planning intention of the “Agriculture” zone and DAFC did not support the application as the site possessed potential for agricultural rehabilitation, the proposed Small House development was not incompatible with the surrounding environment. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the footprint of the proposed Small House fell within the village ‘environs’ (‘VE’) of Ping Che. While land available within the “V” zone was insufficient to meet the future Small House demand, land was still available within the “V” zone to meet the 54 outstanding Small House applications. Although it was considered more appropriate to concentrate the proposed Small House development within the “V” zone after the adoption of a more cautious approach in approving applications for Small House development, the site was the subject of a previously approved planning application submitted by the same applicant and the processing of the Small House grant was already at an advance stage. According to the District Lands Officer/North, Lands Department, the Small House grant application at the site was approved, but had yet to be executed. Moreover, there were already a number of approved planning applications for Small House development in close proximity to the site forming a new village cluster in the locality. In that regard, sympathetic consideration might be given to the application. The planning circumstances of the current application were similar to other applications approved in the vicinity after the adoption of a more cautious approach. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

73. Members had no question on the application.

Deliberation Session

74. 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 13.12.2023, 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 a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

Agenda Item 19

Section 16 Application

[Open Meeting]

A/NE-TKLN/18 Proposed Temporary Vehicle Park (Coach and School Bus Only) for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 389 RP, 395 S.A, 395 RP, 396 S.A, 396 RP and 398 RP in D.D.78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North
(RNTPC Paper No. A/NE-TKLN/18C)

76. The Committee noted that the applicant’s representative requested on 29.11.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the further comments of the Transport Department. It was the fourth time that the applicant requested deferment of the application.

Since the last deferment, the applicant had submitted further information, including responses to comments and revised layout plan, to address departmental comments.

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

Agenda Item 20

Section 16 Application

[Open Meeting]

A/NE-TKLN/27 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) with Ancillary Site Office and Car Park for a Period of 3 Years in "Agriculture" Zone, Lots 921 RP, 940, 941 and 1136 (Part) in D.D. 78, Chuk Yuen Village, Ta Kwu Ling North
(RNTPC Paper No. A/NE-TKLN/27)

78. The Committee noted that the applicant's representative requested on 29.11.2019 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 21

Section 16 Application

[Open Meeting]

A/NE-TKLN/28 Proposed Temporary Private Club and Shop and Services with Ancillary Car Park for a Period of 3 Years in "Recreation" Zone, Lots 1479 S.B ss.1 RP, 1479 S.B ss.3 and 1480 S.B RP in D.D. 78, Kaw Liu Village, Ta Kwu Ling North
(RNTPC Paper No. A/NE-TKLN/28)

80. The Committee noted that the applicant's representative requested on 29.11.2019 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address the comments of the Highways Department, Environmental Protection Department and Drainage Services Department. It was the first time that the applicant requested deferment of the application.

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

circumstances.

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

Fanling, Sheung Shui and Yuen Long East District

[Ms S.H. Lam, 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 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

82. The Secretary reported that the application site was located in Kwu Tung South and Landes Limited (Landes) was one of the consultants of the applicant. The following Members had declared interest on the item:

- | | | |
|---------------------|---|--|
| Mr Ivan C.S. Fu | - | having current business dealings with Landes; and |
| Dr Lawrence K.C. Li | - | being a member of the Hong Kong Golf Club in Kwu Tung South. |

83. The Committee noted that Mr Ivan C.S. Fu had tendered an apology for being unable to attend the meeting. As the interest of Dr Lawrence K.C. Li in relation to Hong Kong Golf Club was indirect, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed residential development (houses) and minor relaxation of plot ratio (PR) and building height (BH) restrictions;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 9.1.11 of the Paper;
- (d) during the first three weeks of the statutory publication periods, a total of 35 public comments were received, including 30 objecting comments from a North District Council member, the Chairman of Sheung Shui Hang Tau Village Residents Welfare Association and local residents/individuals, and five comments indicating no comment. 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 residential development was in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone and compatible with the surrounding environment. The proposed minor relaxation of PR restriction from 0.4 to 0.48 (+20%) would generate an additional GFA of 450m² (about three houses) which could help meet the housing demand and

achieve better utilization of land resources. The proposed relaxation of BH restriction from 9m to 10.5m (+17%) would allow increasing the floor-to-floor height of the proposed houses from 3m to 3.5m. Residential developments with similar BH were found in the vicinity of the site and the proposed development was in harmony with the surrounding environment. Also, the proposed floor-to-floor height of 3.5m was comparable to that of the approved house development in the “Comprehensive Development Area” (“CDA”) site to the north of the site. There were some planning design merits for the proposed minor relaxation of PR and BH restrictions, such as land surrender for public road, provision of public footpath and pedestrian crossing and building separation and building setback. Concerned government departments had no objection to or adverse comment on the application. Relevant approval conditions were recommended to address the technical requirements of concerned departments. A similar application (No. A/NE-KTS/460) for house development within the same “R(D)” zone and another application (No. A/NE-KTS/465) for house development and minor relaxation of PR restriction in the nearby “CDA” zone had been approved by the Committee. The considerations and planning merits of the approved cases were similar to the subject application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant. Regarding the concern on blockage of vehicular access to Serenity Garden, the applicant stated that the residents would be allowed to use the access and internal road of the proposed development.

85. In response to a Member’s question regarding the local concern on blockage of the vehicular access of Serenity Garden, Ms S.H. Lam, STP/STN, replied that the District Lands Officer/North, Lands Department advised that there was no record showing a right-of-way at the site in favour of the adjoining New Territories Exempted Houses, namely Serenity Garden. While the applicant had stated in the submission that the residents of Serenity Garden would be allowed to use the access and internal road of the proposed development, it should be noted that there were two existing local access roads currently serving Serenity Garden without having to pass through the application site, namely a local access traversing the adjoining “Village Type Development” zone connecting to Hau Tau

Road, and another local access road along the western boundary of Serenity Garden.

Deliberation Session

86. 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 13.12.2023, 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 of a Noise Impact Assessment and implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (b) the submission of a revised Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (c) in relation to (b) above, the implementation of a sewerage connection proposal identified in the Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the TPB;
- (d) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (e) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (f) the design and provision of vehicular access, car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB; and
- (g) the design and provision of pedestrian crossing at Hang Tau Road outside the application site and a public footpath along the eastern boundary abutting the local road, as proposed by the applicant, to the satisfaction of

the Commissioner for Transport or of the TPB.”

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

Agenda Item 23

Section 16 Application

[Open Meeting]

A/NE-KTS/479 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lots 894 S.L and 894 S.P in D.D. 94, Hang Tau, Sheung Shui
(RNTPC Paper No. A/NE-KTS/479A)

88. The Committee noted that the applicant’s representative requested on 9.12.2019 deferment of the consideration of the application for two months so as to allow time for the applicant to review the location of the Small House. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

89. 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 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/FLN/20 Proposed Temporary Shop and Services (Fast Food Shop) for a Period of 3 Years in “Open Space” and “Government, Institution or Community” Zones, Lots 539 (Part), 541 (Part) and 542 (Part) in D.D. 51, Sheung Shui
(RNTPC Paper No. A/FLN/20)

Presentation and Question Sessions

90. 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) the proposed temporary shop and services (fast food 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. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 9.1.12 of the Paper;
- (d) during the first three weeks of the statutory publication period, 444 public comments were received, including 431 supportive comments from local residents and members of the public, 11 objecting comments from nearby residents and individuals, and two comments from individuals indicating no comment 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 on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed use was not entirely in line with the planning intentions of the “Government, Institution or Community” (“G/IC”) and “Open Space” (“O”) zones, the sites fell within the boundary of Remaining Works Phase of the Kwu Tung North/Fanling North New Development Area with scheduled land resumption and site formation works commencing in 2024 the earliest. As such, approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “G/IC” and “O” zones. The proposed development was small in scale and not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. Relevant approval conditions were recommended to minimize any possible environmental nuisance and to address the technical concerns or requirements of concerned departments. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

91. In response to a Member’s question, Mr Patrick M.Y. Fung, STP/FSYLE, said that the applicant had committed to installing sewage tanks with a total capacity of 7.5m³ for collecting the sewage and wastewater generated by the proposed fast food shops. The wastewater and sewage would be pumped away regularly from the sites by pump trucks. Mr Terence S.W. Tsang, Assistant Director (Environmental Assessment), Environmental Protection Department, supplemented that after considering the applicant’s proposals on the sewage and wastewater disposal aspect, it was considered unnecessary to impose relevant approval conditions to that effect.

Deliberation Session

92. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.12.2022, 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 6:30 a.m., as proposed by the

applicant, is allowed on the sites during the planning approval period;

- (b) 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 13.6.2020;
- (c) in relation to (b) 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 13.9.2020;
- (d) in relation to (c) above, the implemented drainage facilities on the sites shall be maintained at all times during the planning approval period;
- (e) the submission of a proposal for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.6.2020;
- (f) in relation to (e) above, the implementation of the proposal for fire service installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.9.2020;
- (g) if any of the above planning conditions (a) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning conditions (b), (c), (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.”

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

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/269 Temporary Open Storage of Vehicles Prior to Sale or Prior to Export and Temporary Warehouse for Storage of Vehicle Parts for a Period of 3 Years in “Agriculture” Zone, Lot 294 S.B ss.1 in D.D. 112, Kam Sheung Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-SK/269)

Presentation and Question Sessions

94. 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) the temporary open storage of vehicles prior to sale or export and temporary warehouse for storage of vehicle parts for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from agricultural point of view as the site possessed potential for agricultural rehabilitation. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as the proposed development was incompatible with the landscape character of the area and approval of the application would set an undesirable precedent and encourage similar developments encroaching upon the “Agriculture” (“AGR”) zone. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, seven

objecting public comments were received from Hong Kong Bird Watching Society, Kadoorie Farm & Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and three members of the public. Major objection grounds 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. The applied uses were not in line with the planning intention of the “AGR” zone. DAFC did not support the application as the site possessed potential for agricultural rehabilitation. There was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis. CTP/UD&L, PlanD had reservation on the application and considered that the applied uses were incompatible with the surrounding landscape character, and approval of the application would set an undesirable precedent for other similar developments within the “AGR” zone. The site fell within Category 3 areas of the Town Planning Board Guidelines No. 13E (TPB PG-No. 13E). The application did not comply with the TPB PG-No. 13E in that there was no previous approval granted at the site and there were adverse departmental comments and local objections against the application. The previous application covering part of the site and one other similar application within the same “AGR” zone were both rejected by the Committee. The rejection of the current application was in line with the Committee's previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

95. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification has been given in the submission to justify a departure from the planning intention, even on a temporary basis;
- (b) the development is incompatible with the surrounding areas which are predominantly rural in character with active/fallow agricultural land;
- (c) the development does not comply with the Town Planning Board Guidelines No. 13E for ‘Application for Open Storage and Port Back-up Uses’ in that no previous planning approval has been granted to the site and there are adverse departmental comments and local objections against the application; and
- (d) the approval of the application would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such similar applications would result in a general degradation of the rural environment of the area.”

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/270 Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Residential (Group D)” Zone, Lot 878 (Part) in D.D. 114, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-SK/270)

Presentation and Question Sessions

97. 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) the proposed temporary shop and services (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. 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 objecting public comments were received from two indigenous inhabitant representatives and a resident representative of Sheung Tsuen. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed use was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone. The proposed development was small in scale and considered not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. Relevant approval conditions were recommended to minimize any possible environmental nuisance and to address the technical concerns or requirements of concerned departments. There were two similar approved applications for temporary shop and services use within the subject “R(D)” zone. Approval of the current application was in line with the Committee’s previous decisions. Regarding the adverse public comments,

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

98. Members had no question on the application.

Deliberation Session

99. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.12.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no 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 proposal for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.6.2020;
- (f) in relation to (e) above, the implementation of the proposal for fire service installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.9.2020;

- (g) 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 13.6.2020;
- (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) if any of the above planning conditions (a), (b), (c), (d) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning conditions (e), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 27

Section 16 Application

[Open Meeting]

A/YL-SK/271 Proposed Temporary Shop and Services (Metalware Retail Shop) for a Period of 3 Years with Filling of Land in “Residential (Group D)” Zone, Lot 1640 S.A (Part) in D.D. 114, Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/271)

101. The Committee noted that the applicant’s representative requested on 10.12.2019 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

102. 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 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/650 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/650B)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary public vehicle park (excluding container vehicle) for a period of five years;
- (c) departmental comments – departmental comments were set out in

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

- (d) during the first three weeks of the statutory publication periods, a total of four objecting comments were received from a Yuen Long District Council member and three individuals. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of five years based on the assessments set out in paragraph 11 of the Paper. The subject “Comprehensive Development Area (1)” (“CDA(1)”) zone was covered by a proposed comprehensive residential development (No. A/YL-KTN/604) approved by the Committee on 22.3.2019. Whilst the applied use was not in line with the planning intention of the “CDA(1)” zone, the site fell within Phase B of the proposed comprehensive development with no concrete development programme. It was considered that approval of the application on a temporary basis of five years would not jeopardize the implementation of the approved comprehensive residential development. The temporary public vehicle park with a single-storey structure was not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. Relevant approval conditions were recommended to minimize any possible environmental nuisance and to address the technical concerns or requirements of concerned departments. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

104. In response to a Member's question, Ms Ivy C.W. Wong, STP/FSYLE, said that the site fell within the later phase of an approved comprehensive development covering the “CDA(1)” zone, and there was no implementation programme for the concerned part of the said zone at present.

Deliberation Session

105. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 13.12.2024, 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 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;
- (b) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that 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 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 13.6.2020;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.9.2020;
- (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 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 13.6.2020;
- (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 13.9.2020;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 29

Section 16 Application

[Open Meeting]

A/YL-KTN/663 Proposed Flat with Minor Relaxation of Building Height Restriction and Public Vehicle Park (Excluding Container Vehicle) (Proposed Amendments to Approved Master Layout Plan) in “Comprehensive Development Area (1)” and “Comprehensive Development Area” Zones, Lots 1783 (Part), 1784 RP, 1788 RP, 1789 RP, 1790 RP (Part), 1791 RP, 1795 (Part), 1796 (Part), 1797 (Part), 1836 (Part), 1927 S.A and 1927 RP (Part) in D.D. 107 and Adjoining Government Land, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/663A)

107. The Secretary reported that the application was submitted by Bright Strong Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD), AECOM Asia Company Limited (AECOM), Ramboll Hong Kong Limited (Ramboll), Ronald Lu & Partners (HK) Limited (RLP) and Urbis Limited (Urbis) were five of the consultants of the applicant. The following Members had declared interests on the item :

- | | | |
|---------------------|---|--|
| Mr Ivan C.S. Fu | - | having current business dealings with SHK, AECOM, Ramboll and Urbis; |
| Miss Winnie W.M. Ng | - | being a Director of the Kowloon Motor Bus Company (1933) Limited (KMB) and SHK was one of the shareholders of KMB; |
| Dr C.H. Hau | - | having current business dealings with AECOM; |
| Mr K.K. Cheung | - | his firm having current business dealings with SHK and RLP; |
| Mr Stephen L.H. Liu | - | having past business dealings with SHK, LD and RLP; and |
| Mr Ricky W.Y. Yu | - | having past business dealings with LD. |

108. The Committee noted that the applicant had requested deferment of consideration of the application, and Messrs Ivan C.S. Fu, K.K. Cheung and Stephen L.H. Liu, and Dr C.H. Hau had tendered apologies for being unable to attend the meeting, and Mr Ricky W.Y. Yu had already left the meeting. As the interest of Miss Winnie W.M. Ng was direct, the Committee agreed that she could stay in the meeting but should refrain from participating in the discussion.

109. The Committee noted that the applicant's representative requested on 4.12.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information in response to departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information, including revised technical assessments, to address departmental comments.

110. 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 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/672 Proposed Temporary Animal Boarding Establishment (Cattery) for a Period of 3 Years in “Agriculture” Zone, Lot 38 in D.D. 110, Tai Kong Po, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/672A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary animal boarding establishment (cattery) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from agricultural point of view as the site possessed potential for agricultural rehabilitation. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one objecting public comment was received from the Hong Kong Bird Watching Society. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed

development was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application, approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “AGR” zone. The development was considered not incompatible with the surrounding land uses. Regarding the concerns on nuisances generated by the proposed development, the applicant stated that all cats would be kept within enclosed structures with soundproofing materials and provided with mechanical ventilation and air-conditioning system, and no public announcement system would be used. Concerned government departments, including the Director of Environmental Protection, had no objection to or no adverse comment on the application. Relevant approval conditions were recommended to minimize any possible environmental nuisance and to address the technical concerns or requirements of concerned departments. There were similar approved applications within the same “AGR” zone and approval of the current application was in line with the Committee’s previous decisions. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

112. Members had no question on the application.

Deliberation Session

113. A Member cast doubts on the operation of the proposed cattery and queried why such a large site, with an area of 2,300m², was required for a proposed cattery accommodating no more than 30 cats. Members noted that planning enforcement action could be undertaken if unauthorized uses/developments were subsequently found on site.

114. Noting that a number of similar applications for animal boarding establishments use within the subject “AGR” zone had been approved as shown on Plan A-1 of the Paper, the same Member enquired whether the main economic driver behind such applications were to establish interest in the land and related to ex-gratia compensation in case of future land resumption. On the land administration aspect, Mr Alan K.L. Lo, Assistant Director (Regional 3), Lands Department (LandsD) supplemented that LandsD would generally first

terminate the short-term waiver or short-term tenancy, as the case might be, prior to land resumption. The eligibility and amount of compensation normally would vary for different types of structures and would be assessed based on individual circumstances.

115. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.12.2022, 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) all animals shall be kept inside the enclosed animal boarding establishment on the site, as proposed by the applicant, at all times during the planning approval period;
- (c) no public announcement system, portable loudspeaker, or any form of audio amplification system is allowed to be used on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) 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 13.6.2020;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.9.2020;
- (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 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 13.6.2020;

- (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 13.9.2020;
- (j) if any of the above planning condition (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 condition (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.”

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

Agenda Item 31

Section 16 Application

[Open Meeting]

A/YL-KTN/687 Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Village Type Development”, “Agriculture” and “Comprehensive Development Area” Zones, Lots 1632 (Part), 1692, 1693 (Part) in D.D.107 and Adjoining Government Land, Fung Kat Heung, Kam Tin, Yuen Long (RNTPC Paper No. A/YL-KTN/687)

117. The Secretary reported that the application was submitted by Harvest Hill (Hong Kong) Limited (Harvest Hill). Mr. K.K. Cheung had declared an interest on the item as his firm was having current business dealings with Harvest Hill. The Committee noted that Mr K.K. Cheung had tendered an apology for being unable to attend the meeting.

118. The Committee noted that the applicant's representative requested on 27.11.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information in response to departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 32

Section 16 Application

[Open Meeting]

A/YL-KTN/688 Proposed Temporary Shop and Services (Retail of Construction Materials) for a Period of 3 Years in "Agriculture" Zone, Lot 1648 in D.D. 107, Fung Kat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTN/688)

120. The Committee noted that the applicant's representative requested on 26.11.2019 deferment of consideration of the application for two months so as to allow time for

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

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

Agenda Item 33

Section 16 Application

[Open Meeting]

A/YL-KTN/689 Proposed Temporary Shop and Services (Sale of Truck Mounted Crane and Miniature Excavator) for a Period of 3 Years in "Agriculture" Zone, Lots 1640 (Part), 1644 (Part), 1645 S.A (Part), 1645 RP (Part) and 1647 (Part) in D.D.107, Fung Kat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTN/689)

122. The Committee noted that the applicant's representative requested on 26.11.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information in response to departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/833 Proposed Temporary Shop and Services (Landscaping and Gardening Showroom) for a Period of 3 Years and Land Filling in "Agriculture" Zone, Lot 1892 RP in D.D.106 and Adjoining Government Land, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/833)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services (landscaping and gardening showroom) for a period of three years and land filling;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from agricultural point of view as the site possessed potential for agricultural rehabilitation. Other concerned government departments had no objection to or no adverse comment on the application. Local views conveyed by the District

Officer (Yuen Long), Home Affairs Department were set out in paragraph 9.1.11 of the Paper;

- (d) during the first three weeks of the statutory publication period, six objecting public comments were received from the village representative of Yuen Kong Tsuen and Yuen Kong San Tsuen, Hong Kong Bird Watching Society, Kadoorie Farm & Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed temporary use with land filling could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the application was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application, approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “AGR” zone. The proposed landscaping and gardening showroom use was considered not incompatible with the surrounding land uses. It was unlikely that the proposed use would generate significant environmental nuisance to the surrounding area. Concerned government departments had no objection to or no adverse comment on the application. Relevant approval conditions were recommended to minimize any possible environmental nuisance and to address the technical concerns or requirements of concerned departments. There were similar approved applications within the same “AGR” zone and approval of the current application was in line with the Committee's previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

125. Members had no question on the application.

Deliberation Session

126. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.12.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (b) the submission of a 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 13.6.2020;
- (c) in relation to (b) 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 13.9.2020;
- (d) in relation to (c) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.6.2020;
- (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 13.9.2020;
- (g) if any of the above planning conditions (a) 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;
- (h) if any of the above planning conditions (b), (c), (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 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.”

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

[Dr Lawrence K.C. Li left the meeting at this point.]

Agenda Item 35

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/834 Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Agriculture” Zone, Lot 1568 (Part) in D.D.106 and Adjoining Government Land, Yuen Kong, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/834)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary shop and services (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no

objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not in line 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 jeopardize the long-term planning intention of the “AGR” zone. The applied use was not incompatible with its surrounding land uses and would help meet the demand for real estate agency services in the area. Concerned government departments had no objection to or adverse comment on the application. Relevant approval conditions were recommended to minimize any possible environmental nuisance and to address the technical concerns or requirements of concerned departments. Also, the application was generally in line with the Town Planning Board Guidelines No. 34C in that all approval conditions of the last approved application had been complied with and there were no material change in the planning circumstances since the granting of the previous approval. Given that two previous approvals for the same use had been granted to the site and four similar applications had been approved in the same “AGR” zone, approval of the current application was in line with the Committee's previous decisions.

129. Members had no question on the application.

Deliberation Session

130. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 24.12.2019 until 23.12.2022, 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 medium or heavy goods vehicles exceeding 5.5 tonnes including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.3.2020;
- (g) 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;
- (h) if the above planning condition (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 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.

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

Agenda Item 36

Section 16 Application

[Open Meeting]

A/YL-PH/823 Proposed Temporary Car Park for Villagers (Excluding Container Vehicles) - Private Car, Coaches and Light Goods Vehicles Only for a Period of 3 Years in “Agriculture” Zone, Lots 2875 and 2895 in D.D. 111, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/823)

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

Agenda Item 37

Section 16 Application

[Open Meeting]

A/YL-MP/287 Proposed House Development with Minor Relaxation of Building Height Restriction, Filling of Pond/Land, and Excavation of Land in “Residential (Group D)” Zone, Lots 3207 RP, 3209 RP, 3220 RP, 3221 RP, 3224 RP, 3225 S.A RP, 3225 S.C RP, 3225 RP, 3226 S.A RP, 3226 RP, 3228, 3229, 3230 RP, 3250 S.B ss.21 RP, 3250 S.B ss.33 S.B, 3250 S.B ss.40 S.A RP, 3250 S.B ss.40 RP and 4658 RP in D.D. 104 and Adjoining Government Land, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/287)

133. The Secretary reported that the application was submitted by Glory Queen

Limited, which was a subsidiary of Henderson Land Development Company Limited (HLD). Ramboll Hong Kong Limited (Ramboll), Westwood Hong & Associates Limited (WHA) and MVA Hong Kong Limited (MVA) were three of the consultants of the applicant. The following Members had declared interest on the item :

- Mr Ivan C.S. Fu - having current business dealings with HLD, Ramboll, WHA and MVA;
- Mr Peter K.T. Yuen - being a member of the Board of Governors of the Hong Kong Arts Centre which had received a donation from an Executive Director of HLD before;
- Mr K.K. Cheung - his firm having current business dealings with HLD and the Hong Kong and China Gas Company Limited which was a subsidiary of HLD;
- Dr C.H. Hau - being an employee of the University of Hong Kong which had received a donation from a family member of the Chairman of HLD before;
- Dr Lawrence K.C. Li - being the Deputy Chairman of the Council of the Hong Kong Polytechnic University which had obtained sponsorship from HLD before; and
- Mr Stephen L.H. Liu - having past business dealings with HLD.

134. The Committee noted that the applicant had requested deferment of consideration of the application. The Committee also noted that Messrs Ivan C.S. Fu, Peter K.T. Yuen, K.K. Cheung and Stephen L.H. Liu, and Dr C.H. Hau had tendered apologies for being unable to attend the meeting, and Dr Lawrence K.C. Li had already left the meeting.

135. The Committee noted that the applicant's representative requested on 2.12.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information in response to departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/288 Temporary Car Trading Use for a Period of 3 Years in
“Commercial/Residential” and “Residential (Group D)” Zones, Lot
3250 S.B ss.44 (Part) in D.D. 104, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/288)

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary car trading use for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one objecting public comment was received from the San Tin Rural Committee. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not entirely in line with the planning intentions of the “Residential (Group D)” (“R(D)”) and “Commercial/Residential” (“C/R”) zones, there was known development proposal for that part of the zones. Approval of the application on a temporary basis would not jeopardize the long-term planning intentions of the said zones. The applied use was not incompatible with its surrounding land uses and would serve the residential neighbourhood and local community. Also, the application was generally in line with the Town Planning Board Guideline No. 13E. Concerned government departments had no objection to or adverse comment on the application. Relevant approval conditions were recommended to minimize any possible environmental nuisance and to address the technical concerns or requirements of concerned departments. Given six previous approvals for the same use had been granted to the site, approval of the current application was in line with the Committee’s previous decisions. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

139. Members had no question on the application.

Deliberation Session

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

temporary basis for a period of 3 years until 13.12.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation from 9:00 a.m. to 10:00 a.m. and from 5:00 p.m. to 7:00 p.m. on Sundays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no operation on public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) no medium or heavy goods vehicles (i.e. exceeding 5.5 tonnes), including container trailers/tractors, as defined in the Road Traffic Ordinance are allowed to be parked/stored on the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from the site to the public road at any time during the planning approval period;
- (f) the maintenance of paving and boundary fencing on the site at all times during the planning approval period;
- (g) the maintenance of landscape planting on the site at all times during the planning approval period;
- (h) the maintenance of existing drainage facilities on the site at all times during the planning approval period;
- (i) 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 13.3.2020;

- (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 13.6.2020;
- (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 13.9.2020;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 39

Section 16 Application

[Open Meeting]

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

142. The Secretary reported that Meta4 Design Forum Limited (Meta4), ADI Limited (ADI) and Ramboll Hong Kong Limited (Ramboll) were three of the consultants of the applicant. Mr Ivan C.S. Fu had declared an interest on the item for having current business dealings with Meta4, ADI and Ramboll. The Committee noted that Mr Ivan C.S. Fu had tendered an apology for being unable to attend the meeting.

143. The Committee noted that the applicant's representative requested on 26.11.2019 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 second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information, including revised environmental assessment, drainage impact assessment, revised ecological impact assessment, revised wetland restoration proposal, revised visual impact assessment and revised section plan, to address departmental comments.

144. 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 40

Section 16 Application

[Open Meeting]

A/YL-ST/553 Temporary Container Vehicle Park with Ancillary Site Office and Storage Uses for a Period of 3 Years in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Lot 769 RP (Part) in D.D. 99, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/553A)

145. The Committee noted that the applicant’s representative requested on 28.11.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information 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 further information, including responses to departmental comments and a traffic impact assessment.

146. 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 circumstance.

Agenda Item 41

Section 16 Application

[Open Meeting]

A/YL-ST/554 Temporary Container Vehicle Park and Open Storage of Construction Materials with Ancillary Tyre Repair Area, Site Office and Storage Uses for a Period of 3 Years in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Lot 769 RP (Part) in D.D. 99, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/554A)

147. The Committee noted that the applicant’s representative requested on 28.11.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information 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 further information, including responses to departmental comments and a traffic impact assessment.

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

Agenda Item 42

Section 16 Application

[Open Meeting]

A/YL-ST/558 Temporary Container and Goods Vehicle Park with Ancillary Site Office, Vehicle Repair Area, Staff Canteen and Storage Uses for a Period of 3 Years in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Lot 769 RP (Part) in D.D. 99, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/558A)

149. The Committee noted that the applicant’s representative requested on 28.11.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information 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 further information, including responses to departmental comments and a traffic impact assessment.

150. 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 circumstance.

[The Chairman thanked Mr Patrick M.Y. Fung, Ms S.H. Lam, Ms Ivy C.W. Wong and Ms Emily P.W. Tong, STPs/FSYLE, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Tuen Mun and Yuen Long West District

Agenda Item 43

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)

151. The Secretary reported that the application was for proposed columbarium use and the application site was located in Tuen Mun. The following Members had declared interests on the item :

- | | | |
|---------------------------------------|---|--|
| Mr H.W. Cheung
(the Vice-chairman) | - | being a member of the Private Columbaria Licensing Board (PCLB); |
| Mr Ivan C.S. Fu | - | being a member of the Private Columbaria Appeal Board; |
| Mr K.K. Cheung | - | his firm being legal advisor of PCLB; and |
| Dr Jeanne C.Y. Ng | - | co-owning with spouse a flat in Tuen Mun. |

152. The Committee noted that the applicant had requested deferment of consideration of the application, and Messrs Ivan C.S. Fu and K.K. Cheung had tendered apologies for being unable to attend the meeting. As the interest of Mr H.W. Cheung in relation to PCLB was indirect and the flat co-owned by Dr Jeanne C.Y. Ng and her spouse had no direct view of the application site, the Committee agreed that they could stay in the meeting.

153. The Committee noted that the applicant’s representative requested on 25.11.2019 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 second time that the applicant requested deferment of the application. Since the last

deferment, the applicant had submitted further information, including an estimation of visitors, design details of the proposed eco-furnace and responses to departmental and public comments.

154. 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 circumstance.

Agenda Item 44

Section 16 Application

[Open Meeting]

A/TM-SKW/103 Temporary Private Vehicle Park for Private Cars and Light Goods Vehicles (Excluding Container Vehicles) for a Period of 3 Years in "Village Type Development" Zone, Lot 241 in D.D. 385, So Kwun Wat, Tuen Mun

(RNTPC Paper No. A/TM-SKW/103B)

155. The Committee noted that the applicant's representative requested on 27.11.2019 and 29.11.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address further departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information, including responses to departmental comments and a revised drainage proposal.

156. 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.

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

Agenda Item 45

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1099 Temporary Recyclable Collection Centre for Garment, Cloth and Waste Paper for a Period of 3 Years in "Residential (Group D)" Zone, Lots 142 (Part), 143 (Part), 158 (Part) and 160 (Part) in D.D.128, Fung Kong Tsuen, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HTF/1099)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) the temporary recyclable collection centre for garment, cloth and waste paper 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) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no known development for the site in the subject zone. 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 areas. Concerned government departments had no objection to or adverse comment on the application. Relevant approval conditions were recommended to minimize any possible environmental nuisance and to address the technical concerns or requirements of concerned departments. As the proposed layout and development parameters of the subject application were the same as those of the last approved application, approval of the current application was in line with the Committee’s previous decision. Whilst the previous application (No. A/YL-HTF/1085) was revoked due to non-compliance with approval conditions on drainage, fire safety and landscape aspects, the applicant explained that he was not informed by the consultant of the previous application regarding compliance with approval conditions and had submitted revised drainage and landscape proposals under the current application. In that regard, sympathetic consideration might be given to the current application. Shorter compliance periods were recommended to closely monitor the progress on compliance with the associated approval conditions.

158. In response to a Member's enquiry, Ms Bonnie K.C. Lee, STP/TMYLW, said that the relevant government departments consulted, including the Director of Environmental Protection (DEP), had no adverse comment on the application. The applicant would be advised to follow the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by DEP to minimize potential environmental nuisance to the surrounding area.

Deliberation Session

159. A Member shared that many unprocessed wastes, especially plastics, might be contaminated by other rubbish. Noting that the temporary recyclable collection centre under application involved handling of recyclable goods, including second-hand garment and textile, the Member opined that those recycled goods might contain contaminants if they were previously not properly treated. The processing and handling of those high-risk goods might create hygiene problem and render the surrounding areas susceptible to environmental pollution.

160. Mr Terence S.W. Tsang, Assistant Director (Environmental Assessment), Environmental Protection Department (EPD), supplemented that there was control over the import and export of waste in Hong Kong. EPD would work in collaboration with the Customs and Excise Department and other relevant departments on matters relating to waste import and export activities.

161. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.12.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 6:00 p.m. to 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 vehicle exceeding 5.5 tonnes is allowed to enter/exit or to be parked/stored on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the submission of a revised drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.3.2020;
- (f) in relation to (e) above, the implementation of the revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.6.2020;
- (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 existing trees within the site shall be maintained in good condition at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 13.3.2020;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 13.6.2020;
- (k) if any of the above planning conditions (a), (b), (c), (d), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

- (l) if any of the above planning conditions (e), (f), (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.”

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

Agenda Item 46

Section 16 Application

[Open Meeting]

A/YL-LFS/351 Proposed Temporary Vehicle Park and Open Storage (Dump Truck and Skip Truck) for a period of 3 years in “Recreation” Zone, Lots 1796, 1798, 1802, 1803, 1804, 1805 and 1806 in D.D. 129, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/351)

163. The Committee noted that the applicant’s representative requested on 25.11.2019 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.

164. 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 47

Section 16 Application

[Open Meeting]

A/YL-LFS/352 Temporary Religious Institution (Kwun Yum Temple) for a period of 3 years in “Green Belt” and “Open Space (1)” Zones, Lots 1613 (Part), 1614 (Part), 1615 (Part), 1616 (Part), 1619 (Part), 1628 (Part), 1629 (Part), 1630, 1631, 1632 (Part) and 1635 (Part) in D.D. 129 and adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/352)

165. The Committee noted that the applicant’s representative requested on 22.11.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address the issue relating to the overlapping of the application site with another site under approved planning application No. A/YL-LFS/304. It was the first time that the applicant requested deferment of the application.

166. 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 48

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/598 Proposed Filling of Pond for a Permitted House (New Territories Exempted House - Small House) in “Village Type Development” Zone, Lot 178 S.A ss.4 S.B in D.D. 123, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/598)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed filling of pond for a permitted house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from nature conservation point of view as the site fell within the Wetland Buffer Area (WBA) and was in close proximity to the Wetland Conservation Area which was intended to conserve the ecological value of the fish pond forming part of the wetland ecosystem in the Deep Bay area. Approving the subject application might cause undesirable precedent on encouraging other similar development within the WBA and further degrade the ecological value of the fishpond/wetland in Deep Bay area. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed pond filling to facilitate Small House development, which was always permitted within “Village Type Development” (“V”) zone, was considered in line with the planning intention of the “V” zone. Whilst not supporting the application, DAFC noted that the site was zoned “V” and under private ownership of villagers. The application was considered not in contravention with the Town Planning Board Guidelines No. 12C, in which Small House development was exempted from the requirement for Ecological Impact Assessment. Other concerned government departments had no objection to or no adverse comment on the application. Relevant approval conditions were recommended to address the technical concerns or requirements of concerned departments. There were eight similar approved applications for land or pond filling for NTEHs in the vicinity of the site within the same “V” zone. Approval of the application was in line with the Committee's previous decisions.

168. Members had no question on the application.

Deliberation Session

169. Members noted that the applicant had clarified that no vehicular access to the site would be provided and the approval condition prohibiting vehicles from entering the site was imposed to reflect the applicant's proposal.

170. 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 13.12.2023, 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) no vehicle is allowed to enter the site at any time during the planning approval period;

- (b) the submission of a drainage proposal, including drainage mitigation measures, before the issue of any certificate of exemption by the Lands Department to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) in relation to (b) above, the implementation of the drainage proposal, including drainage mitigation measures identified therein, upon completion of the pond filling works to the satisfaction of the Director of Drainage Services or of the TPB; and
- (d) if any of the above planning conditions (a), (b) or (c) is not complied with, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

Agenda Item 49

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

(RNTPC Paper No. A/YL/253D)

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

- Mr Ivan C.S. Fu - having current business dealings with Landes;
and
- Mr K.K. Cheung - his firm having current business dealings with
T.K. Tsui & Associates Limited.

173. The Committee noted that Messrs Ivan C.S. Fu and K.K. Cheung had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed office cum public car park with ground floor (G/F) and first floor (1/F) retail shops and minor relaxation of plot ratio (PR) restriction;
- (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 periods, a total of three public comments were received from members of the general public expressing views/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. Although the proposed office and 1/F retail shop were not entirely in line with the planning intention of the “Other Specified Uses” (“OU”) annotated “Public Car Park with Ground Floor Retail Shops (1)” zone, the extent of the proposed office use had been reduced as compared with the previously approved scheme under application No. A/YL/226 and some retail shop

element would be placed in part of 1/F in order to achieve the previously approved commercial (office and retail shop) floor space. Also, the applicant had claimed that more space was necessary to accommodate the additional public parking spaces for heavy goods vehicle (HGV), essential E&M facilities on the G/F arising from the larger public car park and the building setback and additional at-grade landscaping. The proposed development was considered not incompatible with the surrounding uses and developments, and conformed to the building height restriction of the subject zone. The proposed minor relaxation of PR by 15%, resulting in an additional non-domestic gross floor area of 2,329.5m², was purely for public parking use and would allow for the provision of an additional 104 private car parking spaces, 20 motorcycle parking spaces, and one HGV parking space. The proposed development would help alleviate the local demand and acute shortage of parking spaces in the area. The proposed design features, such as the provision of full height setback with at-grade feature paving, communal sky garden and more than 20% site coverage of greenery, had potential to improve the townscape, streetscape and amenity of the locality, and generally met the criteria for considering application for minor relaxation of PR restriction. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

175. Members had no question on the application.

Deliberation Session

176. 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 13.12.2023, 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 of a consolidated Traffic Impact Assessment to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the design and provision of vehicular access and car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the design and provision of public vehicle parking facilities in the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the submission of a Sewerage Impact Assessment (SIA) and implementation of the sewerage proposal identified in the SIA to the satisfaction of the Director of Environmental Protection and the Director of Drainage Services or of the TPB; and
- (e) the submission and implementation of a water supplies for firefighting and fire service installations proposal to the satisfaction of the Director of Fire Services or of the TPB.”

177. 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 50

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/994 Temporary Open Storage of Construction Materials and Recycled Materials (Metal) for a Period of 3 Years in “Undetermined” Zone, Lot 1662 RP (Part) in D.D. 121, Shan Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/994)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage of construction materials and recycled materials (metal) 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 and the applied use would involve heavy vehicles traffic, environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one comment was received from a village representative of Shan Ha Tsuen raising concerns on the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone. Whilst the site fell within areas zoned “Local Open Space”, “Residential – Zone 6”, “Special Residential – Public Rental Housing (with Commercial)” and an area shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD and Project Manager (West), Civil Engineering and Development Department had no objection to the

temporary use. Approval of the application on a temporary basis would not jeopardize the long-term development of the area. The applied use was not incompatible with the surrounding uses in the subject “U” zone. Also, the application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within the Category 1 areas which were considered suitable for open storage and port back-up uses. Concerned government departments had no objection to or adverse comment on the application. Relevant approval conditions were recommended to minimize any possible environmental nuisance and to address the technical concerns or requirements of concerned departments. Given that four previous approvals for similar uses had been granted to the site and 140 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 comment, the comments of government departments and planning assessments above were relevant.

179. Members had no question on the application.

Deliberation Session

180. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.12.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no repairing, cleaning, dismantling, other workshop activities and handling/storage of computer parts (including cathode-ray tubes) and electronic wastes, as proposed by the applicant, are allowed on the site at

any time during the planning approval period;

- (d) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (e) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (f) all existing trees within the site shall be maintained at all times, as proposed by the applicant, during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) 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 13.3.2020;
- (j) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.1.2020;
- (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 13.6.2020;
- (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 13.9.2020;

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

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

Agenda Item 51

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/995 Temporary Open Storage of Vehicle Parts for a Period of 3 Years in “Undetermined” Zone, Lots 1438 S.B RP (Part), 1438 S.C RP (Part), 1438 S.D (Part), 1439 (Part), 1440 S.A (Part), 1440 S.B (Part) and 1441 RP (Part) in D.D. 119 and Adjoining Government Land, Shan Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/995)

Presentation and Question Sessions

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

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

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one comment was received from a local raising concerns on the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone. Whilst the site fell within areas zoned “Special Residential – Public Rental Housing (with Commercial)”, “Local Open Space” and an area shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD and Project Manager (West), Civil Engineering and Development Department had no objection to the temporary use. Approval of the application on a temporary basis would not jeopardize the long-term development of the area. The applied use was not incompatible with the surrounding uses in the subject “U” zone. Also, the application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within the Category 1 areas which were considered suitable for open storage and port back-up uses. Concerned government departments had no objection to or adverse comment on the application. Relevant approval conditions were recommended to minimize any possible environmental nuisance and to address the technical concerns or requirements of concerned departments. Given that six previous approvals for open storage uses had been granted to the site and 139 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 comment, the comments of government departments and planning assessments above were relevant.

183. Members had no question on the application.

Deliberation Session

184. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.12.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no repairing, dismantling, spraying, cleaning and other 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) all existing trees within the site shall be maintained at all times, as proposed by the applicant, during the planning approval period;
- (g) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;

- (i) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.3.2020;
- (j) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.1.2020;
- (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 13.6.2020;
- (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 13.9.2020;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Items 52 and 53

Section 16 Applications

[Open Meeting]

A/TM-LTY Y/377 Proposed House (New Territories Exempted House - Small House) in “Residential (Group E)” Zone, Lot 225 S.B in D.D. 130, San Hing Tsuen, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/377A and 378A)

A/TM-LTY Y/378 Proposed House (New Territories Exempted House - Small House) in “Residential (Group E)” Zone, Lot 225 S.C in D.D. 130, San Hing Tsuen, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/377A and 378A)

186. The Committee noted that the applicants’ representative requested on 27.11.2019 deferment of consideration of the applications for a period of two months so as to allow time for preparation of further information to address the comments of the Environmental Protection Department. It was the second time that the applicants requested deferment of the applications. Since the last deferment, the applicants had submitted further information, including responses to departmental comments.

187. After deliberation, the Committee decided to defer a decision on the applications as requested by the applicants pending the submission of further information from the applicants. The Committee agreed that the applications should be submitted for its consideration within two months from the date of receipt of further information from the applicants. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the applications could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicants that two months were allowed for preparation of the submission of the further information. 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 54

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/379 Temporary Public Vehicle Park (Private Cars Only) with Ancillary Office for a Period of 3 Years in “Residential (Group C)” Zone, Lots 1156 RP (Part), 1157 (Part) and 1158 (Part) in D.D.130 and Adjoining Government Land, Wong Kong Wai Road, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/379A)

Presentation and Question Sessions

188. 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) the temporary public vehicle park (private cars only) 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, five public comments were received. Amongst them, a Tuen Mun District Council member and two individuals supported the application, while a group of Lam Tei residents and an individual objected 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 on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not entirely in line with the planning intention of the “Residential

(Group C)” (“R(C)”) zone, there was currently no development proposal to implement the zoned use of the site. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “R(C)” zone. The applied use could provide car parking spaces to serve any such demand in the area and was considered not incompatible with the surrounding land uses. Concerned government departments had no objection to or adverse comment on the application. Relevant approval conditions were recommended to minimize any possible environmental nuisance and to address the technical concerns or requirements of concerned departments. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

189. In response to a Member’s enquiry, Ms Stella Y. Ng, STP/TMYLW, with reference to Plan A-2 of the Paper, said that the Lam Tei Pet Garden was located to the northwest of the site across Wong Kong Wai Road underneath the Kong Sham Western Highway, which was not far away.

Deliberation Session

190. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.12.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) only private cars as defined in the Road Traffic Ordinance and its subsidiary regulations, as proposed by the applicant, are allowed to enter/be parked on the site at all times during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site at all times to indicate that only private cars as defined in the Road Traffic Ordinance and its subsidiary regulations are allowed to enter/be parked on the site during

the planning approval period;

- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (e) the submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 13.6.2020;
- (f) in relation to (e) above, the implementation of the run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 13.9.2020;
- (g) the submission of a drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.6.2020;
- (h) in relation to (g) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.9.2020;
- (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 the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.6.2020;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.9.2020;

- (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.”

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

Agenda Item 55

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/380 Proposed Temporary Shop and Services (Pet Supplies and Food Shop) for a Period of 3 Years in “Residential (Group C)” Zone, Lots 1156 RP (Part) and 1157 (Part) in D.D.130 and Adjoining Government Land, Wong Kong Wai Road, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/380A)

Presentation and Question Sessions

192. 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) the proposed temporary shop and services (pet supplies and food 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, one supportive public comment was received from a Tuen Mun District Council member, but no specific reason for support was given; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed use was not entirely in line with the planning intention of the “Residential (Group C)” (“R(C)”) zone, there was currently no development proposal to implement the zoned use of the site. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “R(C)” zone. The proposed use could provide shop and services to serve any such demand in the area and was considered not incompatible with the surrounding land uses. Concerned government departments had no objection to or adverse comment on the application. Relevant approval conditions were recommended to minimize any possible environmental nuisance and to address the technical concerns or requirements of concerned departments.

193. Members had no question on the application.

Deliberation Session

194. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.12.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

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

- (b) the submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 13.6.2020;
- (c) in relation to (b) above, the implementation of the run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 13.9.2020;
- (d) the submission of a drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.6.2020;
- (e) in relation to (d) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.9.2020;
- (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 a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.6.2020;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.9.2020;
- (i) if any of the above planning conditions (a) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning conditions (b), (c), (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.”

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

Agenda Item 56

Section 16 Application

[Open Meeting]

A/TM-LTY Y/388 Proposed Temporary Shop and Services (Metalware) for a Period of 3 Years in “Residential (Group D)” Zone, Lot 1038 S.B (Part) in D.D. 130 and Adjoining Government Land, Fuk Hang Tsuen, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/388)

196. The Committee noted that the applicant’s representative requested on 3.12.2019 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address departmental and public comments. It was the first time that the applicant requested deferment of the application.

197. 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 57

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/389 Proposed Temporary Office for a Period of 3 Years in “Residential (Group E)” Zone, Lots 449 S.B RP and 449 S.C RP (Part) in D.D. 130, San Hing Tsuen, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/389)

Presentation and Question Sessions

198. 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) the proposed temporary 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 objecting public comment was received from a group of villagers of San Hing Tsuen. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was not entirely in line with the planning intention of the “Residential (Group E)” (“R(E)”) zone. The Chief Engineer/Housing Project 2, Civil Engineering and Development Department advised that the site encroached on the proposed Phase 2 public housing development site at San Hing Road,

and considered that the land resumption programme should follow the project programme notwithstanding the validity period of the planning permission to be granted. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “R(E)” zone. The proposed use was considered not incompatible with the surrounding land uses. Concerned government departments had no objection to or adverse comment on the application. Relevant approval conditions were recommended to minimize any possible environmental nuisance and to address the technical concerns or requirements of concerned departments. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

199. Members had no question on the application.

Deliberation Session

200. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.12.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:30 p.m. and 9:30 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 13.6.2020;
- (c) in relation to (b) above, the implementation of the run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 13.9.2020;
- (d) the submission of a drainage proposal within 6 months from the date of the

planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.6.2020;

- (e) in relation to (d) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.9.2020;
- (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 a sewerage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.6.2020;
- (h) in relation to (g) above, the implementation of the sewerage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.9.2020;
- (i) in relation to (h) above, the implemented sewerage facilities 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 the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.6.2020;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.9.2020;
- (l) if any of the above planning conditions (a), (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 (b), (c), (d), (e), (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.”

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

Agenda Item 58

Section 16 Application

[Open Meeting]

A/TM-LTY Y/390 Proposed Temporary Shop and Services (Retail of Family Goods) with Ancillary Office for a Period of 3 Years in “Village Type Development” Zone, Lots 3835 S.A and 3836 in D.D. 124, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/390)

202. The Committee noted that the applicant’s representative requested on 2.12.2019 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address departmental and public comments. It was the first time that the applicant requested deferment of the application.

203. 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 59

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/565C)

204. The Secretary reported that Landes Limited (Landes) was one of the consultants of the applicant. Mr Ivan C.S. Fu had declared an interest on the item for having current business dealings with Landes. The Committee noted that Mr Ivan C.S. Fu had tendered an apology for being unable to attend the meeting.

205. The Committee noted that the applicant’s representative requested on 29.11.2019 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address the further comments of the Transport Department. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted a number of further information to address departmental comments.

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

Agenda Item 60

Further Consideration of 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/174A)

Presentation and Question Sessions

207. 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 – during the consideration of the application on 16.8.2019, Members raised queries on whether the site would be sublet to different operators, the type of activities to be carried out at the ancillary workshops and their possible environmental impacts. As the operation of the ancillary workshops and their potential environmental impact were uncertain due to lack of information, the Committee decided to defer making a decision on the application pending further information (FI) to be provided by the applicant on those aspects;
- (b) on 25.10.2019, the applicant submitted FI in response to the Committee’s concerns. Details of the applicant’s FI were set out in paragraph 2 of the Paper;
- (c) departmental comments – departmental comments on the application and

the FI dated 25.10.2019 were set out in paragraph 10 of Annex F-1 and paragraph 3.2 of the Paper. The Director of Environmental Protection (DEP) did not support the application as environmental nuisance was expected given the applied use involved the use of heavy vehicles and there were sensitive receivers in the vicinity of the site, with the nearest one located about 68m to the north. Also, the measures proposed by the applicant could only address the environmental issues due to the workshop activities and did not address the issue on the use of heavy vehicles. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) the Planning Department (PlanD)'s views – PlanD maintained its previous view that the temporary application could be tolerated for a period of three years based on the assessments set out in paragraph 4 of the Paper. The site fell within the boundary of the Hung Shui Kiu New Development Area (HSK NDA). The implementation programme for that part of HSK NDA was still being formulated and Project Manager/West, Civil Engineering and Development Department had no objection to the proposed temporary use for a period of three years on the site. In that 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 land uses. The development was also 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, and the said nearest residential dwelling was in fact located within the “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses” zone which was primarily to cater for port back-up facilities. Relevant approval conditions were recommended to address the concerns on the possible environmental nuisances raised by DEP or the technical requirements of the other concerned government departments. Given that three previous approvals for open storage use had been granted to the site and 12 similar applications

had been approved in the concerned zones, approval of the current application was in line with the Committee's previous decisions. Also, since all the approval conditions of the last planning application (No. A/YL-HT/1042) had been complied with, sympathetic consideration might be given to the current application. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

208. In response to a Member's enquiry about the wastewater generation, Mr Simon P.H. Chan, STP/TMYLW, said that the applicant had clarified in the FI dated 25.10.2019 that no wastewater would be generated during the process and no wastewater discharge was observed during PlanD's site inspection.

209. In response to the Chairman's enquiry, Mr Simon P.H. Chan, STP/TMYLW, said that DEP had been further consulted on the application and maintained its previous stance of not supporting the application as the applied use involved the use of heavy vehicles and there were sensitive receivers in the vicinity of the site, and environmental nuisance was expected. Mr Simon P.H. Chan supplemented that the ancillary workshop activities were mainly carried out under the semi-enclosed structures as shown on the photos on Plan FA-4b of the Paper.

210. Regarding another Member's question, Mr Simon P.H. Chan replied that whilst the applicant had not provided information on the type of equipment used for cutting the recycled plastic, ordinary industrial cutting machines were observed on the site during PlanD's site inspection.

Deliberation Session

211. Several Members raised general concerns over the potential environmental impacts that might be generated by similar recycling operations and the fragmented recycling industry, inadequacies of the existing recycling policies and lack of effective publicity strategies on clean recycling in Hong Kong. They opined that the government should proactively explore various initiatives and strategies, including enhancing the quality of recyclables and stepping up efforts in supporting the recycling industry in various aspects to enhance their capability and efficiency, thereby adding value to the industry. Some of the

Members also had the following views:

- (a) recycling was not a commercially sustainable business as the recycling industry was structured on marginal costs and relied on subsidies from the government. With the small local recyclable feedstock, some recyclers would resort to widening the recyclable feedstock through importation of foreign domestic wastes to create economic incentives for recycling and to enhance commercial profitability. However, if separation of waste at source was not done properly, it would increase the chance of recyclables being contaminated or mixed with large amount of materials that were not suitable for recycling. Such contaminants would add difficulty to the recycling process and would pose potential hygiene problem and cause adverse environmental and public health impacts; and
- (b) there was very limited proper recycling infrastructure in Hong Kong. The government should provide guidance to local recyclers on acquiring proper recycling machinery and sorting equipment, as well as upgrading the recycling facilities and operations so that they could keep up with the global and national requirements.

212. On the environmental aspect, Mr Terence S.W. Tsang, Assistant Director (Environmental Assessment), Environmental Protection Department (EPD), said that the mode of operation varied amongst different types of recycling operations/businesses. In considering cases of that nature, EPD would normally take into consideration the current condition of the recycling operation as well as the record of environmental complaints received in the past. Any discharge of wastewater or effluent arising from such operations should comply with the requirements stipulated under the Water Pollution Control Ordinance. Mr Tsang supplemented that EPD would continue to liaise with the industry and take forward more initiatives to support the recycling industry in its upgrading and transformation. The Chairman suggested that arrangement could be made to invite representatives of EPD to share with Members the existing policy and initiatives on waste management and recycling industry in Hong Kong.

213. Some Members discussed whether subdivision and subletting of the site was a

material consideration for the subject application. Whilst some Members opined that it would pose more difficulty in ensuring tidy operation of the entire site and compliance with relevant approval conditions and regulations, a Member held a different view and considered that there was an existing mechanism to revoke the planning approval should there be non-compliance with any of the approval conditions, and subletting should not be a reason for rejecting the application. The Chairman supplemented that as planning permission was granted in respect of the land, the status of the user of land or operator would not affect the permission granted.

214. Whilst noting that some Members had legitimate reasons for having concerns over the long-term recycling policy and the environmental aspects of recycling undertakings in Hong Kong, the Vice-Chairman considered that the Committee, as in the past, should focus on the land use planning aspect of the subject application, i.e. whether the applied use was suitable and compatible with the surrounding uses of the site. In that regard, Members noted that the surrounding uses of the site comprised mainly open storage and logistic centres which were not incompatible with the applied use.

215. After further discussion, whilst a Member considered that the application did not warrant favourable consideration, a majority of the Members considered that the applied use could be tolerated on a temporary basis given previous planning approvals had been granted to the site and to other applications of similar nature in the vicinity.

216. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.12.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 6:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation from 2:00 p.m. to 6:00 p.m. on Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (d) the existing fencing on the site shall be maintained at all times during the planning approval period;
- (e) all existing trees and landscape plants on the site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities 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 13.3.2020;
- (h) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.1.2020;
- (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 13.6.2020;
- (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 13.9.2020;
- (k) 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
- (l) if any of the above planning conditions (g), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have

effect and shall on the same date be revoked without further notice.”

217. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VII of Annex F-I of the Paper.

Agenda Item 61

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/194 Proposed Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years in “Village Type Development” Zone, Lots 136 RP (Part) and 137 RP (Part) in D.D.127 and Adjoining Government Land, Ping Shan, Yuen Long
(RNTPC Paper No. A/HSK/194)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary public vehicle park (private cars) 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. Local views conveyed by the District Officer (Yuen Long), Home Affairs Department were set out in paragraph 9.1.9 of the Paper;
- (d) during the first three weeks of the statutory publication period, seven public comments were received. Amongst them, the village representative of

Hung Uk Tsuen supported the application, while six comments from indigenous villagers, village representative of Kiu Tau Wai and individuals objected 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 on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the applied use could provide vehicle parking spaces to meet any such demand in the area. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “V” zone. The proposed use was considered not incompatible with the surrounding land uses. Concerned government departments had no objection to or adverse comment on the application. Relevant approval conditions were recommended to minimize any possible environmental nuisance and to address the technical concerns or requirements of concerned departments. Whilst the previous application (No. A/HSK/36) was revoked due to non-compliance with approval conditions regarding the prohibition of parking/storage of goods vehicles without valid licence and requirements on posting of notices indicating the type of vehicles allowed to enter/be parked on the site and reminding drivers on pedestrian safety, the applicant had fulfilled the other approval conditions on the drainage, fire safety and fencing provision aspects. In that regard, sympathetic consideration might be given to the current application. Shorter compliance periods were recommended to closely monitor the progress on compliance with the associated approval conditions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

219. Members had no question on the application.

Deliberation Session

220. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.12.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) only private cars as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter/be parked on the site at all times during the planning approval period;
- (b) a notice shall be posted at a prominent location of the site at all times to indicate that only private cars as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter/be parked on the site during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site to remind drivers on pedestrian safety on the access road to the site at all times during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (e) no vehicle repairing, dismantling and workshop uses, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the submission of a record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.3.2020;

- (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 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.3.2020;
- (j) in relation to (i) 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 13.6.2020;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 62

Section 16 Application

[Open Meeting]

A/HSK/195

Proposed Temporary Shop and Services (Metalware Goods) with Ancillary Office for a Period of 3 Years in “Village Type Development” Zone, Lots 2061, 2062 (Part), 2063 RP(Part) and 2064 (Part) in D.D. 124 and Adjoining Government Land, Tin Ha Road, Ha Tsuen

(RNTPC Paper No. A/HSK/195)

222. The Committee noted that the applicant's representative requested on 15.11.2019 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.

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

Agenda Item 63

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/196 Temporary Warehouse for Storage of Construction Material, Machinery and Spare Parts for a Period of 3 Years in "Open Space" Zone, Lots 23 RP (Part), 28 RP (Part), 30 RP (Part), 43 (Part), 193, 194 (Part), 195 (Part) and 196 (Part) in D.D. 128, and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/196)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary warehouse for storage of construction material, machinery and spare parts for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not in line with the planning intention of the “Open Space” zone, the implementation programme of that part of the Hung Shui Kiu New Development Area was still being formulated, and the Project Manager/West, Civil Engineering and Development Department and Director of Leisure and Cultural Services had no objection to the proposed temporary use for a period of three years on the site. In that regard, approval of the application on a temporary basis would not jeopardize the long-term development of the site. The applied use was considered not incompatible with the surrounding land uses. Concerned government departments, except DEP, had no objection to or adverse comment on the application. 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 were recommended to minimize any possible environmental nuisance and to address the technical concerns or requirements of concerned departments. Given that six previous approvals for open storage/warehouse uses had been granted to

the site and two similar applications had been approved within the same “O” zone, approval of the current application was in line with the Committee’s previous decisions.

225. Members had no question on the application.

Deliberation Session

226. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.12.2022, 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 operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no heavy goods vehicle exceeding 24 tonnes and container trailer/tractor, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter the site at any time during the planning approval period;
- (d) the existing landscape planting on the site shall be maintained at all times during the planning approval period;
- (e) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (f) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.3.2020;
- (g) the submission of a fire service installations proposal within 6 months from

the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.6.2020;

- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.9.2020;
- (i) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning conditions (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 64

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/197 Temporary Open Storage of Scrap Metal for a Period of 3 Years in “Open Space” and “Residential (Group B) 2” Zones and an area shown as ‘Road’, Lots 2938 RP (Part), 2939 RP, 2940 RP (Part), 2946, 2947 (Part), 2950 RP (Part) and 2950 S.B (Part) in D.D. 129, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/197)

Presentation and Question Sessions

228. Mr Simon P.H. Chan, STP/TMYLW, presented the application and covered the

following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary open storage of scrap metal 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) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not in line with the planning intentions of the “Open Space” (“O”) and “Residential (Group B) 2” (“R(B)2”) zones, the implementation programme of that part of the Hung Shui Kiu New Development Area was still being formulated, and the Project Manager/West, Civil Engineering and Development Department and Director of Leisure and Cultural Services had no objection to the proposed temporary use for a period of three years on the site. In that regard, approval of the application on a temporary basis would not jeopardize the long-term development of the site. The applied use was considered not incompatible with the surrounding land uses. Also, the application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within the Category 1 areas which were considered suitable for open storage and port back-up uses. Concerned government departments had no objection to or adverse comment on the application. Relevant approval conditions were recommended to minimize any possible environmental nuisance and to address the technical concerns or requirements of concerned departments. Given that eight previous approvals for open storage uses had been granted to the site and six similar applications had been approved within the same

“O” and “R(B)2” zones, approval of the current application was in line with the Committee’s previous decisions.

229. Members had no question on the application.

Deliberation Session

230. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.12.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 7:00 a.m., 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 cutting, dismantling, melting, cleaning, repairing or other workshop activities, as proposed by the applicant, are allowed at any time during the planning approval period;
- (d) the existing trees and landscape planting on the site shall be maintained at all times during the planning approval period;
- (e) the existing drainage facilities on site shall be maintained at all times during the planning approval period;
- (f) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.3.2020;
- (g) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the

Director of Fire Services or of the TPB by 24.1.2020;

- (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 13.6.2020;
- (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 13.9.2020;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 65

Section 16 Application

[Open Meeting]

A/HSK/198 Proposed Temporary Open Storage of Construction Materials, Construction Equipment, Construction Machinery and New Vehicles (Private Cars) for a Period of 3 Years in “Industrial” Zone and an area shown as ‘Road’, Lots 1308 RP(Part), 1510 RP(Part), 1511(Part), 1516(Part), 1517, 1518(Part), 1519, 1520(Part), 1521(Part), 1553(Part), 3938(Part) in D.D.124 and Adjoining Government Land, Yuen Long (RNTPC Paper No. A/HSK/198)

232. The Committee noted that the applicant's representative requested on 4.12.2019 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.

233. 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 66

Section 16 Application

[Open Meeting]

A/HSK/200 Temporary Public Vehicle Park (excluding container vehicle) for a Period of 3 Years in "Village Type Development" Zone, Lots 557, 563 and 564 in D.D.124, Shek Po Tsuen, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/HSK/200)

234. The Committee noted that the applicant requested on 5.12.2019 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.

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

Agenda Item 67

Any Other Business

236. There being no other business, the meeting closed at 6:55 p.m..