

## **TOWN PLANNING BOARD**

### **Minutes of 643<sup>rd</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 6.3.2020**

#### **Present**

Director of Planning  
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Mr Ivan C.S. Fu

Dr F.C. Chan

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Dr C.H. Hau

Miss Winnie W.M. Ng

Mr L.T. Kwok

Mr K.W. Leung

Dr Jeanne C.Y. Ng

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

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

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

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

Secretary

**Absent with Apologies**

Mr David Y.T. Lui

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Mr Ricky W.Y. Yu

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

**In Attendance**

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

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

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

**Agenda Item 1**

Matters Arising

[Open Meeting]

1. The Secretary reported the followings:
  - (a) the regular RNTPC meetings originally scheduled for 7.2.2020 and 21.2.2020 had been rescheduled in light of the novel coronavirus infection and the special work arrangement for government departments;
  - (b) Members agreed on 6.2.2020 and 17.2.2020 by circulation to adjourn the consideration of four section 12A applications (No. Y/NE-LT/2, Y/TP/27, Y/YL-NSW/5 and Y/TM/23) under section 12A(20) of the Town Planning Ordinance, and to defer consideration of 57 section 16 applications (No. A/I-TCV/14, A/SK-PK/254, A/SK-SKT/23, A/SK-SKT/24, A/SK-SKT/25, A/SK-SKT/26, A/SK-SKT/27, A/MOS/125, A/NE-FTA/187, A/NE-HLH/40, A/NE-KLH/582, A/NE-LK/126, A/NE-LT/680, A/NE-LYT/720, A/NE-LYT/721, A/NE-LYT/722, A/NE-MKT/9, A/NE-TK/675, A/NE-TKL/633, A/NE-TKL/634, A/ST/979, A/TP/670, A/NE-KTS/485, A/YL-KTN/663, A/YL-KTN/676, A/YL-KTN/693, A/YL-KTN/694, A/YL-KTS/840, A/YL-MP/290, A/YL-PH/822, A/YL-PH/829, A/YL-PH/830, A/YL-SK/274, A/YL-SK/275, A/YL-ST/560, A/YL-ST/566, A/HSK/207, A/HSK/208, A/HSK/209, A/HSK/210, A/HSK/210, A/TM/535, A/TM/549, A/TM/550, A/TM-LTYYY/384, A/TM-SKW/103, A/YL/256, A/YL-HTF/1102, A/YL-LFS/351, A/YL-LFS/355, A/YL-PS/599, A/YL-TT/491, A/YL-TYST/950, A/YL-TYST/1000, A/YL-TYST/1001, A/YL-TYST/1002 and A/YL-TYST/1003) to another date. The respective applicants/agents of the applicants had been informed of the RNTPC's decision, and a meeting date would be fixed later to consider the applications; and
  - (c) the draft minutes of the 642nd RNTPC meeting were confirmed on 6.2.2020 by circulation with the incorporation of comments from on paragraphs 3 and 4 from Members.

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

**Agenda Item 2**

Section 12A Application

[Open Meeting]

Y/FSS/15                      Application for Amendment to the Approved Fanling / Sheung Shui Outline Zoning Plan No. S/FSS/24, To rezone the application site from “Comprehensive Development Area” to “Comprehensive Development Area (1)”, Sheung Shui Lot 2 RP and adjoining Government land  
(RNTPC Paper No. Y/FSS/15)

---

2.                      The Secretary reported that Ove Arup & Partners Hong Kong Limited (Arup) and ADI Limited (ADI) 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 Arup and ADI; and |
| Mr K.K. Cheung  | - | his firm having current business dealings with Arup.    |

3.                      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 not yet arrived to join the meeting.

4.                      The Committee noted that the applicant’s representative requested on 5.2.2020 deferment of the consideration of the application for two months in order 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.

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

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

### **Agenda Item 3**

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

[Open Meeting]

Y/YL-KTS/5

Application for Amendment to the Approved Kam Tin South Outline Zoning Plan No. S/YL-KTS/15, To Rezone the Application Site from "Agriculture", "Village Type Development" to "Residential (Group C)", Lots 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1447, 1448, 1472, 1476, 1477 S.A, 1478 RP, 1495, 1497, 1500, 1501, 1502 and 1503 in D.D. 106 and Adjoining Government Land, Kam Sheung Road, Kam Tin, Yuen Long  
(RNTPC Paper No. Y/YL-KTS/5C)

---

6. The Secretary reported that Landes Limited (Landes) and AECOM Asia Company Limited (AECOM) 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 AECOM; and |
| Mr K.K. Cheung  | - having current business dealings with AECOM.                |

7. 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 not yet arrived to join the meeting.

8. The Committee noted that the applicant's representative requested on 19.2.2020 deferment of the consideration of the application for two months in order to allow time to address further comments of the Environmental Protection 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 revised parking arrangement and a traffic capacity assessment in response to departmental comments.

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

#### **Agenda Item 4**

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

[Open Meeting]

Y/YL-KTS/6

Application for Amendment to the Approved Kam Tin South Outline Zoning Plan No. S/YL-KTS/15, To Amend the Notes of the "Comprehensive Development Area" Zone on the Approved Kam Tin South Outline Zoning Plan No. S/YL-KTS/15, Lots 2160 RP and 547 RP (Part) in D.D. 106 and Adjoining Government Land, Kam Wui Road, Kam Tin South, Yuen Long  
(RNTPC Paper No. Y/YL-KTS/6)

---

10. The Secretary reported that the consideration of application had been rescheduled.

**Sai Kung and Islands District**

**Agenda Item 5**

**Section 16 Application**

[Open Meeting]

A/TKO/120 Proposed Flat (Departmental Quarters for Fire Services Department) with Permitted Fire Station-cum-Ambulance Depot and Minor Relaxation of Building Height Restriction in “Government, Institution or Community (4)” Zone, Government Land in Area 72, Tseung Kwan O  
(RNTPC Paper No. A/TKO/120)

---

11. The Secretary reported that the application site was located in Tseung Kwan O (TKO). Dennis Lau & Ng Chun Man Architects & Engineers (Hong Kong) Limited (DLN), AECOM Asia Company Limited (AECOM) and Westwood Hong & Associates Limited (Westwood) were three 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 AECOM and Westwood;   |
| Mr K.K. Cheung      | - his firm having current business dealings with DLN;   |
| Dr C.H. Hau         | - having current business dealings with AECOM;  |
| Mr Stephen L.H. Liu | - having past business dealings with DLN; and   |
| Mr L.T. Kwok        | - being the Chief Executive of the Christian Family Service Centre which had 14 social service units in TKO district. |

12. The Committee noted that the applicant had requested deferment of consideration of the application. Mr Stephen L.H. Liu had tendered an apology for being unable to join the meeting and Messrs Ivan C.S. Fu and K.K. Cheung had not yet arrived to join the meeting. As Dr C.H. Hau had no involvement in the application, and the interest of Mr L.T. Kwok was remote, the Committee agreed that they could stay in the meeting.

13. The Committee noted that the applicant's representative requested on 20.2.2020 deferment of the consideration of the application for two months in order 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.

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

[Messrs Ivan C.S. Fu, K.K. Cheung and Miss Winnie W.M. Ng arrived to join the meeting at this point.]

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

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



Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed public utility installation (radio base station and antennas);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual objecting to the application was received. Major objection grounds were set out in paragraph 9 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 10 of the Paper. Whilst the application site fell within an area shown as ‘Road’, the Commissioner for Transport advised that there was currently no road widening programme for the concerned section of Lam Kam Road. The Director-General of Communication (DG of C) had no comment on the application and advised that the applicants were required to obtain approval from the Communication Authority. The Chief Town Planner/Urban Design and Landscape of PlanD advised that significant adverse landscape and visual impacts arising from the proposed development were not anticipated. Other concerned government departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

18. In response to a Member’s enquiry, Ms Kathy C.L. Chan, STP/STN, replied with information provided by the applicant that the former radio base station (RBS) serving the

concerned area was installed on a village house's rooftop in Pak Ngau Shek Ha Tsuen and it was operated by all four mobile network operators (MNOs) in Hong Kong. The proposed RBS under the current application was submitted by three out of the four operators (excluding Hutchison Telephone Company Limited (Hutchison)). No information regarding the operational needs of the remaining MNO, i.e. Hutchison, had been provided. According to the comments of the DG of C, MNOs could identify suitable locations for installation of RBS to provide service coverage for relevant areas subject to their business and operational needs. Upon obtaining planning permission from the Committee, the applicants were still required to obtain approval from the Communication Authority before bringing the proposed RBS into use.

### Deliberation Session

19. A Member enquired whether MNOs could request occupancy on Government Land (GL) for the construction of RBS. In response, the Chairman said that standard land administration procedures for granting GL for short term tenancy should be followed. Mr Alan K.L. Lo, Assistant Director (Regional 3) of the Lands Department, supplemented that policy support from the Office of the Communications Authority would be required if MNOs intended to occupy GL for construction of RBS in meeting their operational needs. It was however noted that MNOs usually install their RBS or antenna on the rooftop of village houses or on private land.

20. 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 6.3.2024, 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 submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

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

**Agenda Item 7**

**Section 16 Application**

[Open Meeting]

A/NE-KLH/583      Proposed 5 Houses (New Territories Exempted Houses) in  
“Agriculture” Zone, Lots 644 S.A, 644 S.B, 644 RP, 643B S.A RP,  
643B S.B and 643B RP in D.D. 9, Yuen Leng Village, Tai Po  
(RNTPC Paper No. A/NE-KLH/583)

---

22.            The Secretary reported that Spence Robinson Limited (SR) was one of the consultants of the applicant. Mr K.K. Cheung had declared an interest on the item as his firm was having current business dealings with SR.

23.            The Committee noted that the applicant had requested deferment of consideration of the application. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

24.            The Committee noted that the applicant’s representative requested on 19.2.2020 deferment of the consideration of the application for two months in order 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.

25.            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 8**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/679            Proposed Temporary Shop and Services (Retail Shop) for a Period of 3  
Years in “Village Type Development” Zone, Lots 210 and 211 in D.D.  
28, Ting Kok, Tai Po  
  
(RNTPC Paper No. A/NE-TK/679)

---

**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) proposed temporary shop and services (retail shop);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessment set out in paragraph 10 of the Paper. The proposed development was generally in line with the planning intention of the “Village Type Development” (“V”) zone in serving the needs of villagers. The proposed use was small in scale and considered not incompatible with the surrounding land uses. Concerned government departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. The application site formed part of a previous application for restaurant (café) use which was

approved by the Committee. The approval of the application did not condone any development/use which currently existed on the application site.

27. A Member raised the following questions:

- (a) noting that a café was currently operating on the site, whether the applicant was permitted to use the application site for a café upon obtaining the approval for retail shop use; and
- (b) whether the existing restaurants in the Ting Kok area were operating with planning permission.

[Mr Ivan C.S. Fu returned to join the meeting at this point.]

28. Mr Tony Y.C. Wu, STP/STN, made the following responses:

- (a) according to the Definitions of Terms/Broad Use Terms used in statutory plans endorsed by the Town Planning Board, 'Retail Shop' was subsumed under 'Shop and Services' use while 'Cafeteria' was subsumed under 'Restaurant' use. Notwithstanding that a café was currently operating on the application site, the applicant intended to use the site as a retail shop under the current application. The applicant would be reminded that approval from the Committee did not condone uses other than retail shop use as specified in the application; and
- (b) most restaurants in the Ting Kok area were located on the ground floor of New Territories Exempted Houses (NTEH) which did not contravene with the planning intention of "V" zone as selected commercial and community uses, including restaurant and retail shop, serving the needs of the villagers and in support of the village development were always permitted on the ground floor of a NTEH and did not require approval from the Committee.

Deliberation Session

29. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.3.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no night time operation between 11:00 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 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 6.9.2020;
- (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 6.12.2020;
- (d) the submission of a proposal for fire service installations and water supplies for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.9.2020;
- (e) in relation to (d) above, the implementation of the proposal for fire service installations and water supplies for fire-fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.12.2020;
- (f) if the above planning condition (a) 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
- (g) if any of the above planning conditions (b), (c), (d) or (e) 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.”

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

### **Agenda Item 9**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-FTA/195      Proposed Temporary Warehouse and Open Storage of Containers for a Period of 3 Years in “Agriculture” Zone, Lots 360AB, 360C S.A and 360C RP in D.D. 87, Kong Nga Po, Sheung Shui  
(RNTPC Paper No. A/NE-FTA/195)

---

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

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

- (a) background to the application;
- (b) proposed temporary warehouse and open storage of containers;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, a total of six public comments, with one indicating no comment from the Chairman of Sheung Shui District Rural Committee and five objecting comments from the World Wide Fund For Nature Hong Kong, the Hong Kong Bird Watching Society, the Kadoorie Farm and Botanic Garden, Designing Hong Kong Limited and an individual, were received. Major views were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the application site possessed potential for agricultural rehabilitation. The Chief Town Planner/Urban Design and Landscape of PlanD had some reservation as the approval of the proposed development would set an undesirable precedent of landscape character alteration and would encourage more similar development within the area. The Commissioner for Transport did not support the application as there was insufficient information to demonstrate that the proposed temporary development would not induce significant traffic impact on the surrounding. The application did not comply with the Town Planning Board Guidelines No.13E in that the application site fell within Category 3 areas and no previous approval for similar use had been granted. Although there was a similar application approved by the Committee, it was subject to different circumstances from the current application. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

32. With reference to Plan A-3 of the Paper, the Chairman enquired the relationship between the application site and the structure located to its immediate south. Mr Tim T.Y. Fung, STP/STN, replied that based on a recent site visit conducted by PlanD, the operation to the immediate south of the application site had ceased and the structure was left vacant.

#### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” (“AGR”) zone, which is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good

potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;

- (b) the proposed development does not comply with the Town Planning Board Guidelines No. 13E for ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ in that no previous planning approval has been granted at the Site and there are adverse departmental comments and local objection on the application;
- (c) the applicant fails to demonstrate that the proposed development would not generate adverse traffic impact on the surrounding areas; and
- (d) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.”

### **Agenda Item 10**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-FTA/196      Proposed Temporary Rural Workshop (Timber Yard and Sawmill) for a Period of 3 Years in “Agriculture” Zone, Lots 581 (Part), 582, 583 and 584 RP in D.D. 89, Man Kam To Road, Sha Ling  
(RNTPC Paper No. A/NE-FTA/196)

---

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

34.            With the aid of a Powerpoint presentation, Mr Tim T.Y. Fung, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) proposed temporary rural workshop (timber yard and sawmill);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, a total of 26 public comments were received. Among them, 20 supporting comments were received from two Legislative Council members, a current Tai Po District Rural Committee executive member, a construction company, a village representative of Sheung Shui Yin Kong Village cum indigenous villager within Kwu Tung North New Development Area (KTN NDA), 12 indigenous villagers within KTN NDA and three residents from Ta Kwu Ling area while one submission indicating no comment was received from a North District Council member. The remaining five objecting comments were made by the World Wide Fund for Nature Hong Kong, the Kadoorie Farm and Botanic Garden Corporation, the Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 10 of the Paper. Whilst the proposed use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation considered that the site possessed potential for agricultural rehabilitation, the temporary use was considered not incompatible with the surrounding rural landscape character and the temporary approval would not frustrate the long-term planning intention of the “AGR” zone. The Secretary for Development fully supported the application from the perspective of ensuring timely delivery of the housing yield in KTN NDA and providing operation space for displaced brownfield operations needed by the community. Other concerned government departments had no objection to or no adverse comments on the application. Relevant approval

conditions had been recommended to minimise any possible environmental nuisance. Although two previous applications had been rejected by the Committee, they were subject to different circumstances from the current application. Regarding the local comments, the comments of government departments and the planning assessments above were relevant.

35. In response to a Member's enquiry, Mr Tim T.Y. Fung, STP/STN, clarified that the submission with no comment was from a current North District Council member.

### Deliberation Session

36. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.3.2023, 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 8:00 a.m. on Mondays to Fridays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation between 5:00 p.m. and 8:00 a.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 provision of boundary fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.9.2020;
- (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 6.9.2020;

- (f) in relation to (e) 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 6.12.2020;
- (g) the submission of traffic management measures within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 6.9.2020;
- (h) in relation to (g) above, the implementation of traffic management measures within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 6.12.2020;
- (i) 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 6.9.2020;
- (j) in relation to (i) 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 6.12.2020;
- (k) the submission of a proposal for environmental mitigation measures within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 6.9.2020;
- (l) in relation to (k) above, the implementation of the proposal for environmental mitigation measures identified therein within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 6.12.2020;
- (m) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

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

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

### **Agenda Item 11**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LK/127      Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 416 S.A in D.D. 75, Nam Chung Cheng Uk,  
Sha Tau Kok  
(RNTPC Paper No. A/NE-LK/127)

---

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

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

- (a) background to the application;
- (b) proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix II of the Paper;

- (d) during the first three weeks of the statutory publication period, a total of 12 public comments, with one indicating no comment from the Chairman of Sheung Shui District Rural Committee and 11 objecting comments from the Kadoorie Farm and Botanic Garden, the World Wide Fund For Nature Hong Kong, the Hong Kong Bird Watching Society, Designing Hong Kong Limited, five local villagers of Nam Chung Village and two individuals, were received. Major views were set out in paragraph 10 of the Paper; and
  
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House was not in line with the planning intention of the “Agriculture” zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the application site possessed potential for agricultural rehabilitation. Whilst the proposed Small House was not entirely incompatible with the surrounding rural environment, the Chief Town Planner/Urban Design and Landscape of PlanD had reservation on the application. The cumulative impact of approving such similar applications would result in a general degradation of the environment of the area. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, while land available within the “Village Type Development” (“V”) zones of Nam Chung village cluster was insufficient to fully meet the future Small House demand, it was capable to meet the 19 outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. The planning circumstances of the current application were similar to those previously rejected similar applications. Rejection of the application was generally in line with the Committee's previous decisions. Regarding the local and public comments, the comments of government departments and planning assessments above were relevant.

39. Members had no question on the application.

## Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zone of Nam Chung village cluster 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.”

## Agenda Item 12

### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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/718A)

---

### Presentation and Question Sessions

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

- (a) background to the application;

- (b) proposed temporary public vehicle park (excluding container vehicle);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication period, a total of 11 public comments, with two indicating no comment from the Chairman of Sheung Shui District Rural Committee and a North District Council member and nine objecting comments from the Kadoorie Farm and Botanic Garden Corporation, the Hong Kong Bird Watching Society, Designing Hong Kong Limited, three villagers, a group of concerned villagers and two individuals, were received. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. The proposed use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the application site possessed potential for agricultural rehabilitation. Whilst the proposed use was considered not entirely incompatible with the surrounding areas, the Commissioner for Transport did not support the application as there was insufficient information to demonstrate that the proposed use would not induce significant traffic impact on the surrounding. Although there was a similar application approved by the Committee, it was subject to different circumstances from the current application. Regarding the local and public comments, the comments of government departments and planning assessments above were relevant.

42. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis; and
- (b) the applicant fails to demonstrate that the development would not cause adverse traffic impact on the surrounding areas.”

**Agenda Item 13**

Section 16 Application

[Open Meeting]

A/NE-LYT/723 Temporary Eating Place (Canteen) for a Period of 3 Years in “Agriculture” Zone, Lot 926 (Part) in D.D. 83, Lung Ma Road, Fanling (RNTPC Paper No. A/NE-LYT/723)

---

44. The Committee noted that the applicant’s representative requested on 18.2.2020 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

#### **Agenda Item 14**

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

[Open Meeting]

A/NE-TKL/635            Proposed Temporary Wholesale Trade (Metalware Goods) for a Period of 5 Years in "Open Storage" Zone and an area shown as 'Road', Lot 2073 RP (Part) in D.D. 76 and Adjoining Government Land, Ping Che Road, Ping Che  
(RNTPC Paper No. A/NE-TKL/635)

---

46.            The Committee noted that the applicant's representative requested on 25.2.2020 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

47.            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-TKLN/23 Proposed Temporary Place of Recreation, Sports or Culture (Parent-Child Play Area), Eating Place, Shop and Services with Ancillary Car Park for a Period of 5 Years in “Recreation” Zone, Lots 35 RP, 36, 42 RP, 43, 44, 45 RP, 59 RP and 64 S.B RP in D.D. 80, Lin Ma Hang Road, Pak Fu Shan  
(RNTPC Paper No. A/NE-TKLN/23A)

---

48. The Committee noted that the applicant’ representative requested on 18.2.2020 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address comments of the Transport Department (TD) and Drainage Services Department (DSD). It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a response to comment table, a revised layout plan, a revised traffic impact assessment and a drainage assessment to address the comments of TD and DSD.

49. 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 (Presentation and Question Sessions Only)]

A/NE-TKLN/31 Proposed Temporary Logistics Warehouse for a Period of 3 Years in “Recreation” Zone, Lots 488, 489, 490, 491, 495, 497, 572 S.A, 573, 574, 575, 576 and 577 in D.D. 80 and Adjoining Government Land, Lin Ma Hang Road, Ta Kwu Ling North  
(RNTPC Paper No. A/NE-TKLN/31)

---

**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) proposed temporary logistics warehouse;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, a total of three public comments, with one indicating no comment from the Chairman of Sheung Shui District Rural Committee and two objecting comments from the World Wide Fund For Nature Hong Kong and an individual, were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Recreation” (“REC”) zone. The proposed development was considered incompatible with the landscape character of the area and there were adverse departmental comments on traffic, landscape, drainage and

environmental aspects. A similar application for warehouse use to the immediate south of the application site within the same “REC” zone was rejected by the Committee and the circumstances of the current application were similar to the rejected application. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

51. In response to the Chairman’s enquiry, Mr Tim T.Y. Fung, STP/STN, replied that there was no similar approved application within the “REC” zone in the vicinity of the application site.

### Deliberation Session

52. 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 which is intended primarily for low-density recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the low-density recreational developments may be permitted subject to planning permission. There is no strong planning justification for a departure from such planning intention, even on a temporary basis;
- (b) the applicant fails to demonstrate that the proposed development would not cause adverse traffic and drainage impacts on the surrounding areas; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the same “REC” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

[The Chairman thanked Ms Kathy C.L. Chan, Mr Tony Y.C. Wu 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 and Ms Emily P.W. Tong, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), and Ms Ivy C.Y. Cheung, Town Planner/Fanling, Sheung Shui and Yuen Long East (TP/FSYLE) were invited to the meeting at this point.]

### **Agenda Item 17**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/67                      Temporary Coach and Container Trailer Parking with Ancillary Vehicle Repair Workshop for a Period of 3 Years in "Other Specified Uses" annotated "Amenity Area", "Other Specified Uses" annotated "Business and Technology Park" Zones and an area shown as 'Road', Lots 879 S.A RP, 879 S.B RP (Part) and 880 S.C RP (Part) in D.D. 92 and Adjoining Government Land, Yin Kong, Sheung Shui  
(RNTPC Paper No. A/KTN/67)

---

53.                      The Secretary reported that the application site was in Kwu Tung North. Dr C.H. Hau had declared an interest on the item as he owned a property in Kwu Tung North. The Committee agreed that Dr C.H. Hau could stay in the meeting as his property did not have a direct view of the application site.

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

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

- (a) background to the application;
- (b) temporary coach and container trailer parking with ancillary vehicle repair workshop;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (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 intention of the Other Specified Uses” annotated “Amenity Area” (“OU(A)”) and “Other Specified Uses” annotated “Business and Technology Park” (“OU(BTP)”) zones under the Kwu Tung North New Development Area project, the Project Manager (North) of Civil Engineering and Development Department (PM/N, CEDD) had no objection to the application and approval of the application on a temporary basis of 3 years would not jeopardize the long-term development of the application site. The applied use was not incompatible with the surrounding land uses and it generally complied with the Town Planning Board Guidelines No.13E in that the application site fell within Category 3 areas and previous approval had been granted and there was no adverse departmental comment, except from the Director of Environmental Protection (DEP). However, there was no substantiated environmental complaint concerning the site in the past five years. To address the concern of DEP on the possible nuisance generated by the applied use and technical requirements of concerned departments, relevant approval conditions were recommended. Previous applications at the application site for vehicle park with ancillary vehicle repair workshop use had been approved by the Committee. Approval of the application was in line with the Committee's previous decisions. Regarding the local comments

conveyed by the District Officer (North), the comments of government departments and the planning assessments above were relevant.

55. Members had no question on the application.

#### Deliberation Session

56. In view of the Government's prevailing policy to assist business operations due to the outbreak of novel coronavirus and the ensuing economic uncertainties, a Member suggested that sympathetic consideration might be given to applications that would not generate adverse impacts on surrounding areas. The Chairman remarked that the Member's suggestion could be taken note of in processing applications that would not generate adverse impacts.

57. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.3.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the submission of a proposal for fire service installations and water supplies for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.9.2020;
- (d) in relation to (c) above, the implementation of the proposal for fire service installations and water supplies for fire-fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.12.2020;

- (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 6.9.2020;
- (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 6.12.2020;
- (g) if any of the above planning conditions (a) or (b) is not complied with during the planning approval period, the approved hereby given shall cease to have effect and shall be revoked without further notice; and
- (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.”

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

### **Agenda Item 18**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

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/479B)

---

59. The Secretary reported that the application was located in Kwu Tung South. Dr Lawrence K.C. Li had declared an interest on the item as he was a member of the Hong Kong Golf Club, which was located adjacent to Kwu Tung South. The Committee noted that Dr Lawrence K.C. Li had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

60. 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) proposed house (New Territories Exempted House (NTEH)- Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix II of the Paper;
- (d) during the first three weeks of the statutory publication period, a total of 23 public comments, with one indicating no comment from an individual and 22 objecting comments from Designing Hong Kong Limited and individuals/local residents (including 2 letters with 60 signatures), were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the proposed small house was not in line with the planning intention of the “Agriculture” (“AGR”) zone, it was not incompatible with the surrounding rural setting. The Director of Agriculture, Fisheries and Conservation had no strong view against the application as the application site was currently a piece of cemented vacant land enclosed by Small Houses and possessed low potential for agricultural rehabilitation. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories (the Interim Criteria), land available within the “Village Type Development” (“V”) zone of Hang Tau Village could fully meet the outstanding Small House applications. Whilst the Town Planning Board had adopted a more cautious approach in approving Small House applications in recent years, sympathetic consideration might be given to the application as it was an infill site surrounded by existing cluster of village houses located at the eastern fringe

of Hang Tau Village. A majority of the similar applications within the same “AGR” zone had also been approved by the Committee. Concerned government departments had no objection to or no adverse comment on the applications. Regarding the local and public comments, comments of the concerned departments and the planning assessments above were relevant.

61. In response to the enquiries from the Chairman and a Member, Ms S.H. Lam, STP/FSYLE, with reference to Plan A-2a of the Paper, clarified that while the application site involved two lots (lots 894 S.L and 894 S.P in D.D. 94), the applicant had reduced the footprint of the proposed Small House to fall entirely within lot 894 S.L to avoid encroaching onto lot 894 S.P, which was subject to an incumbrance of Deed of Grant of right of way (ROW) (for pedestrian and vehicle) to the owners and occupiers of the adjoining lots. She also pointed out that the building footprint of the proposed Small House was about 55.74m<sup>2</sup>, which was smaller than a standard Small House, while a septic tank would be provided beneath the access road in lot 894 S.P.

#### Deliberation Session

62. A Member expressed concern that the approval of the subject application would set a precedent for similar applications and result in increasing number of Small House developments in the surrounding areas outside the “V” zone. With reference to Plan A-2b of the Paper, the Committee noted that similar applications in the vicinity of the application site had been approved previously. The Chairman drew Members’ attention that PlanD had no objection to the subject application in view that it was an infill development within a Small House cluster. He supplemented that two Small House applications located to the further east of the application site (applications No A/NE-KTS/468 and 476 covering the same site) were rejected in May and September 2019 after the Board had adopted a more cautious approach in considering applications for Small House development notwithstanding that a previous approval had been granted by the Committee.

63. A Member asked whether Small House development located to the north of the subject Small House cluster would be interpreted as an infill development, the Chairman said all planning applications would be considered on a case-by-case basis subject to individual planning circumstances. According to PlanD, the current application was considered as an

infill development because it was surrounded by Small Houses on all sides.

64. With regard to a Member's enquiry on whether public comments had been received from the local residents, the Committee noted that 22 public comments objecting to the application, with 21 from individuals and local residents (including 60 signatures) on visual and air ventilation grounds had been received within the 3-week statutory publication period. In respect of some Members' concerns on the pedestrian/vehicular obstruction to the owners and occupiers of the adjoining lots and adverse public comments, the Chairman said that the Committee should consider whether the concerns raised could be properly addressed by the applicant or through incorporation of approval conditions. The Committee also noted that the building footprint of the proposed Small House had been reduced to avoid encroaching onto the ROW, i.e. lot 894 S.P. Any dispute on the ROW could be resolved through legal procedures whereas the deed granting the ROW could be seized subject to a unanimous agreement from all lot owners.

65. With no further enquiries, Members generally considered that the application could be given sympathetic consideration since the application was located at an infill site among existing Small Houses.

66. 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 6.3.2024, 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.”

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

**Agenda Item 19**

**Section 16 Application**

[Open Meeting]

A/YL-KTN/678 Proposed Temporary Shop and Services (Retail of Forklift) for a Period of 3 Years in “Agriculture” Zone, Lots 484 (Part), 486 (Part), 487 (Part), 488, 489 (Part), 490 and 1643 (Part) in D.D. 107, Fung Kat Heung, Yuen Long  
(RNTPC Paper No. A/YL-KTN/678A)

---

68. The Secretary reported that the application was submitted by Harvest Hill (Hong Kong) Limited (HHHK). Mr K.K. Cheung had declared an interest on the item as his firm was having current business dealings with HHHK.

69. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

70. The Committee noted that the applicant’s representative requested on 25.2.2020 deferment of the consideration of the application for a period of two months so as to allow time to prepare 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 to address departmental comments.

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 two months were allowed for preparation of the submission of the further informatio. 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 20**

### **Section 16 Application**

[Open Meeting]

A/YL-KTN/679      Proposed Temporary Shop and Services (Selling of Hardware Accessories) for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 1674 (Part), 1676 (Part), 1680 (Part), 1681, 1682, 1683 and 1684 in D.D.107, Fung Kat Heung, Yuen Long  
(RNTPC Paper No. A/YL-KTN/679A)

---

72.            The Secretary reported that the application was submitted by Harvest Hill (Hong Kong) Limited (HHHK). Mr K.K. Cheung had declared an interest on the item as his firm was having current business dealings with HHHK.

73.            The Committee noted that the applicant had requested deferment of consideration of the application. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

74.            The Committee noted that the applicant’s representative requested on 25.2.2020 deferment of the consideration of the application for a period of two months so as to allow time to prepare 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 to address departmental comments.

75.            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 21**

### **Section 16 Application**

[Open Meeting]

A/YL-KTN/695      Proposed Temporary Animal Boarding Establishment for a Period of 5 Years in "Agriculture" Zone, Lot 954 S.A, 954 RP and 955 in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/695)

---

76.            The Committee noted that the applicant's representative requested on 24.2.2020 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

**Agenda Item 22**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/826      Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years in “Agriculture” Zone, Lot 1159 RP in D.D. 106, Kam Sheung Road, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/826B)

---

**Presentation and Question Sessions**

78.      Ms Ivy C.Y. Cheung, TP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary place of recreation, sports or culture (hobby farm);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, 15 public comments from Designing Hong Kong Limited, residents/owners of the Seasons Palace and individuals objecting to the application were received. 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 applied use was generally not in conflict with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation (DAFC) had no strong view on the application from the agricultural point of view. The applied use was not incompatible with the

surrounding environment. Regarding DAFC's concern on the proposed run-in/out encroaching upon the planting site, the Commissioner for Transport and the Chief Highway Engineer/New Territories West of the Highways Department had not raised objection to the proposed vehicular access. Other concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Although three previous applications were rejected by the Committee, they were subject to different circumstances from the current application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

79. Members had no question on the application.

#### Deliberation Session

80. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 6.3.2025, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the submission of a run-in/out proposal at Kam Shui South Road 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 6.9.2020;

- (e) in relation to (d) above, the implementation of a run-in/out proposal at Kam Shui South Road 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 6.12.2020;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.9.2020;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.12.2020;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.9.2020;
- (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 6.12.2020;
- (k) if any of the above planning conditions (a), (b), (c) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning conditions (d), (e), (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;  
and

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

81. 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/YL-KTS/827 Proposed Temporary Shop and Services and Eating Place with Ancillary Facilities for a Period of 5 Years in “Residential (Group C)” Zone, Lot 350 in D.D. 109 and Adjoining Government Land, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/827B)

---

82. The Committee noted that the applicant requested on 24.2.2020 deferment of the consideration of the application for a period of two months so as to allow time to prepare further information in response to 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 a revised sewerage impact assessment and traffic arrangement to address departmental comments.

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

**Agenda Item 24**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/838      Temporary Social Welfare Facility (Youth Development Centre) for a Period of 5 years in “Village Type Development” Zone, Lot 1689 S.A and Adjoining Government Land in D.D. 109, Yuen Long  
(RNTPC Paper No. A/YL-KTS/838)

---

**Presentation and Question Sessions**

84.            Ms Ivy C.Y. Cheung, TP/FSYLE, drew Members’ attention that replacement pages (P.5 to 13 of the Main Paper and P.2 of Appendix III) incorporating the latest comments from the Transport Department and rectifying editorial errors had been tabled at the meeting for Members’ reference. She then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary social welfare facility (youth development centre);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment expressing concerns on the application was received from an individual. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period five 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 “Village Type Development” zone, the District Lands Officer/Yuen Long of the Lands Department had advised that no Small House application at the application

site had been received. The Director of Social Welfare had no adverse comment noting that the operation of the youth development centre was in line with the service objectives of Integrated Children and Youth Services Centre to meet the local service needs. Approval of the application on a temporary basis of five years would not jeopardise the long-term development of the area. Concerned government departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

85. In response to the Chairman's enquiry, Ms Ivy C.Y. Cheung, TP/FSYLE, replied that the applied use was in operation at the application site.

#### Deliberation Session

86. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 6.3.2025, 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 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation between 9:00 a.m. and 9:30 a.m. on weekdays and between 1:00 p.m. and 5:30 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) no outdoor public announcement system, portable loudspeaker or any form of outdoor audio amplification system, as proposed by the applicant, is allowed to be used in the site at any time during the planning approval period;

- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of 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 6.9.2020;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.12.2020;
- (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 proposal for water supply for firefighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.9.2020;
- (j) in relation to (i) above, the implementation of the proposal for water supply for firefighting and fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.12.2020;
- (k) if any of the above planning condition (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning condition (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

87. 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]

A/YL-MP/291 Proposed Comprehensive House and Wetland Habitat Development with Filling and Excavation of Land (Amendments to an Approved Scheme) in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Lots 43 S.A RP, 50 S.A and 50 RP in D.D.101, Wo Shang Wai, Mai Po, Yuen Long (RNTPC Paper No. A/YL-MP/291)

---

88. The Secretary reported that the application was located in Mai Po and was submitted by Profit Point Enterprises Limited, which was a subsidiary of Henderson Land Development Company Limited (HLD). Masterplan Limited (Masterplan), LWK & Partners (Hong Kong) Limited (LWK), Mott MacDonald Hong Kong Limited (MMHK), MVA Hong Kong Limited (MVA) and WSP (Asia) Limited (WSP) were five of the consultants of the applicant. The following Members had declared interests on the item:

- |                    |   |
|--------------------|---|
| Mr Ivan C.S. Fu    | - being a director of LWK and having current business dealings with HLD, Masterplan, MMHK 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, MMHK and WSP;   |
| 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;
- Mr Stephen L.H. Liu - having past business dealings with HLD and LWK;
- Mr Ricky W.Y. Yu - his firm having current business dealings with LWK; and
- Mr K.W. Leung - owning a house in Fairview Park in Mai Po.

89. The Committee noted that the applicant had requested deferment of consideration of the application and Dr Lawrence K.C. Li, Messrs Stephen L.H. Liu and Ricky W.Y. Yu had tendered apologies for being unable to join the meeting. As the interest of Mr Ivan C.S. Fu was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion. As the interests of Mr Peter K.T. Yuen and Dr C.H. Hau were indirect, Mr K.K. Cheung had no involvement in the application, and the property of Mr K.W. Leung had no direct view of the application site, the Committee agreed that they could stay in the meeting.

90. The Committee noted that the applicant's representative requested on 25.2.2020 deferment of consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

### **Agenda Items 26 to 28**

#### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/394      Temporary Open Storage (Logistics) for a Period of 3 Years in “Green Belt” Zone, Lot 852 in D.D. 105, Ngau Tam Mei, Yuen Long  
(RNTPC Paper No. A/YL-NTM/394)

A/YL-NTM/395      Proposed Temporary Open Storage (Logistics) for a Period of 3 Years in “Green Belt” Zone, Lot 847 in D.D. 105, Ngau Tam Mei, Yuen Long  
(RNTPC Paper No. A/YL-NTM/395)

A/YL-NTM/396      Proposed Temporary Logistics Warehouse for a Period of 3 Years in “Green Belt” Zone, Lot 833 in D.D. 105, Ngau Tam Mei, Yuen Long  
(RNTPC Paper No. A/YL-NTM/396)

---

92.            The Committee agreed that the three applications for proposed temporary open storage (logistics) and logistics warehouse uses, which were similar in nature and the application sites were located in close proximity to one another and within the same “Green Belt” (“GB”) zone, could be considered together.

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

93.            Ms Emily P.W. Tong, STP/FSYLE, presented the applications and covered the following aspects as detailed in the Papers :

- (a) background to the applications;

- (b) temporary open storage (logistics) for application No. A/YL-NTM/394, proposed temporary open storage (logistics) for application No. A/YL-NTM/395, and proposed temporary logistics warehouse for application No. A/YL-NTM/396;
- (c) departmental comments – departmental comments were set out in paragraph 10 of each of the Papers;
- (d) during the first three weeks of the statutory publication period, four public comments objecting to each of the applications from the San Tin Rural Committee, the World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and an individual were received. Major objection grounds were set out in paragraph 11 of each of the Papers; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the applications based on the assessments set out in paragraph 12 of each of the Papers. All the applied use were not in line with the planning intention of the “GB” zone and the Town Planning Board (TPB) Guidelines No. 10 in that the developments, involving clearance of existing natural vegetation, would result in deterioration of landscape quality in the subject “GB” zone. No strong planning justification had been given in the submissions for a departure from the planning intention, even on a temporary basis. The open storage yards and storage areas in the surrounding areas of the application sites were suspected unauthorized developments (UDs) subject to enforcement action by the Planning Authority. Meanwhile, the application site of application No. A/YL-NTM/394 was subject to planning enforcement action. The proposed uses under applications No. A/YL-NTM/394 and A/YL-NTM/395 were not in line with the TPB Guidelines No. 13E in that no previous approval had been granted at the application sites. There were adverse departmental comments on traffic, environmental and landscape aspects on the surrounding areas for all applications. There was no similar application for warehouse use while two applications for open storage use were rejected by the Committee within the same “GB” zone. Although three similar applications for

open storage use had been approved by the Committee, they were subject to different circumstances from the current applications. Rejection of the applications were generally in line with the Committee's previous decisions. Approval of the applications would set an undesirable precedent for similar applications and the cumulative impact of such approval would further degrade the landscape quality of the surrounding environment. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

94. The Chairman and some Members raised the following questions:

- (a) whether objecting comment from local residents had been received for each of the applications during the statutory publication period and their objection grounds; and
- (b) the differences in planning circumstances between the subject applications and the three similar applications for open storage use which had been approved.

95. Ms Emily P.W. Tong, STP/FSYLE, made the following responses:

- (a) a total of four public comments objecting to each of the applications were received from San Tin Rural Committee, the World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and an individual during the statutory publication period. Their major objection grounds were the use/proposed uses were not in line with the planning intention of the "GB" zone, approval of the applications would legitimize suspected unauthorised development, adverse traffic impacts on the local roads would be generated and the rural character of the "GB" zone would be degraded; and
- (b) those three similar applications (No. A/YL-NTM/243, 267 and 309) were located at a site to the north of the subject applications within the same "GB" zone on the OZP and they were approved by the Committee after the promulgation of the Town Planning Board Guidelines (TPB) No. 13E (TPB

PG-No. 13E) in 2008. While Plan A-1 of the Papers only included similar applications after the promulgation of the TPB PG-No. 13E, a total of seven similar applications at that site had in fact been approved by the Board or the Committee since 2001. Application No. A/YL-NTM/118 for temporary open storage of landscaping materials was the original application. It was approved by the Board on review in 2001 on the grounds that the landscaping materials being stored on the site could blend in with the surrounding natural landscape and no adverse environmental impacts would be anticipated. It was followed by six subsequent renewal applications with applications No. A/YL-NTM/243, 267 and 309 approved by the Committee between 2009 to 2014 on similar grounds with the original approval that no adverse departmental comment or local objection were received and all approval conditions were complied with. The last application No. A/YL-NTM/309 lapsed in 2017 and the applicant did not submit a renewal application to continue the open storage use.

#### Deliberation Session

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

#### Applications No. A/YL-NTM/394 and 395

- “(a) the application is not in line with the planning intention of the “Green Belt” (“GB”) zone and the Town Planning Board (TPB) Guidelines No. 10 for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the proposed development is not in line with the TPB Guidelines No. 13E for Application for Open Storage and Port Back-up Uses in that there are adverse departmental comments on the traffic, environmental and landscape aspects and local objections; and

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

Application No. A/YL-NTM/396

- “(a) the application is not in line with the planning intention of the “Green Belt” (“GB”) zone and the Town Planning Board Guidelines No. 10 for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance. No strong planning justification has been given in the submission for a departure from the planning intentions, even on a temporary basis;
- (b) the applicant fails to demonstrate that the proposed development would not have adverse traffic, environmental and landscape impacts on the surrounding areas; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the “GB” zone. The cumulative effect of approving such similar applications would result in general degradation of the environment of the area.”

**Agenda Item 29**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/397      Proposed Temporary Open Storage of Chemical Products/Dangerous Goods (LPG Cylinders) for a Period of 3 Years in “Open Storage” Zone, Lot 116 in D.D. 105, Mai Po Lung Road, Ngau Tam Mei, Yuen Long  
  
(RNTPC Paper No. A/YL-NTM/397)

---

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary open storage of chemical products/dangerous goods (LPG Cylinders);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, a total of five public comments, with one supporting comment from the San Tin Rural Committee and four objecting comments from individuals, were received. 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 considered not in conflict with the planning intention of the “Open Storage” (“OS”) zone and it was not incompatible with the surrounding areas comprising mainly open storage, vehicle repair workshop and parking of vehicle uses. The application generally complied with the Town Planning Board Guidelines No.13E in that the application site fell within Category 1 areas and there was no adverse departmental comment, except the Director of Environmental Protection (DEP). To address the concern of DEP on the possible nuisance generated by the applied use and the technical requirements of concerned departments, relevant approval conditions were recommended. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

98. The Chairman and some Members raised the following questions:

- (a) what the current use on the application site was;
- (b) whether there were residential uses in the vicinity of the application site; and
- (c) whether a Quantitative Risk Assessment (QRA) to assess the gas safety aspect should be submitted before the consideration of the application.

99. Ms Emily, STP/FSYLE, made the following responses:

- (a) the application site was currently occupied by open storage use with temporary structures and some vehicles, which was different from the applied use;
- (b) with reference to Plan A-2 of the Paper, the nearest residential dwelling was about 14m to the east of the application site while some residential dwellings were to its west; and
- (c) the LPG storage capacity, as proposed by the applicant, was less than 25 tonnes. The Director of Electrical and Mechanical Services advised that it was not a potentially hazardous installation (PHI) and a QRA submission to the Co-ordinating Committee on PHI was not required. However, as the LPG storage capacity of 24.8 tons was regarded as a notifiable gas installation, it was subject to the control of Gas Safety Ordinance (GSO). Upon obtaining the Committee's approval, the applicant would still be required to apply to the Electrical and Mechanical Services Department (EMSD) to fulfill the gas safety requirements under GSO prior to the operation of the proposed use.

#### Deliberation Session

100. The Vice-chairman remarked that while a QRA submission was not required for the subject applied use as the amount of the proposed LPG storage capacity at the application site was less than 25 tonnes, it was still subject to the control of the GSO as advised by the

EMSD. Regarding the fire safety aspect, Members noted that the Director of Fire Services had no objection to the application subject to the provision of fire service installations to his satisfaction. As regards the nearest residential structure which was 14m away from the application site, there was no information on whether the four public comments from individuals received during the statutory publication period were submitted by the nearby residents.

101. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.3.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- (d) the provision of boundary fencing within 6 months to the satisfaction of the Director of Planning or of the TPB by 6.9.2020;
- (e) the submission of a drainage proposal within 6 months to the satisfaction of the Director of Drainage Services or of the TPB by 6.9.2020;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months to the satisfaction of the Director of Drainage Services or of the TPB by 6.12.2020;
- (g) the submission of a fire service installations proposal within 6 months to the satisfaction of Director of Fire Services or of the TPB by 6.9.2020;

- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months to the satisfaction of Director of Fire Services or of the TPB by 6.12.2020;
- (i) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning conditions (d), (e), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

### **Agenda Item 30**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/567            Filling of Land for Permitted Agricultural Use in “Green Belt” and “Village Type Development” Zones, Lots 279 S.B RP (Part), 282 S.B RP, 283 S.B RP, 284, 285, 286, 287, 292, 293, 294, 295, 306 (Part), 307 S.A (Part), 307 S.B (Part), 308 S.A (Part), 308 RP (Part), 311 RP (Part), 313 RP, 314, 315, 316, 317, 318, 319, 320, 321 RP, 322, 323, 324, 325 RP, 328 RP, 329 RP, 330, 335 RP, 336 RP (Part), 338 RP (Part), 339 RP (Part) and 372 S.D RP (Part) in D.D. 99, and Adjoining Government Land, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/567)

---

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

103. 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) filling of land for permitted agricultural use;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, eight public comments objecting to the application were received from Lok Ma Chau Pun Uk Tsuen Kai-fong Welfare Association, the World Wide Fund for Nature Hong Kong, the Kadoorie Farm and Botanic Garden Corporation, the Hong Kong Bird Watching Society, Designing Hong Kong Limited and three individuals. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intention of the “Green Belt” (“GB”) zone and did not meet the Town Planning Board Guidelines (TPG) No. 10 in that the proposed development, involving clearance of existing natural vegetation, would result in deterioration of landscape quality as well as adversely affect drainage or aggravate flooding and slope stability in the subject “GB” zone. Whilst the Director of Agriculture, Fisheries and Conservation considered that the application site possessed potential for agricultural rehabilitation and rendered his support for the two agricultural structures, the application site involved unauthorized land filling which had resulted in loss of wetland within the wetland buffer area. In that connection, the applied use was not in line with the “no net loss” in wetland principle as stipulated in the TPB Guidelines No. 12C. The Chief Town Planner/Urban Design and Landscape of PlanD also objected to the application as a large portion of the application site had already been filled

prior to the application. The approval of the application would set an undesirable precedent for other similar site modification in the immediate neighbourhood prior to planning permission. Regarding the public comments, the planning assessments and the comments of government departments above were relevant.

104. Members had no question on the application.

#### Deliberation Session

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

- “(a) the applied use is not in line with the planning intention of the “Green Belt” (“GB”) zone and the Town Planning Board Guidelines No. 10 for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance in that the filling of land, which has been completed, involves clearance of natural vegetation, thereby adversely affecting the natural landscape; and
- (b) the approval of the application will set an undesirable precedent for similar applications within the “GB” zone. The cumulative effect of approving such similar applications would result in general degradation of the environment of the area.”

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

**Tuen Mun and Yuen Long West District**

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

**Agenda Item 31**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/212                      Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Village Type Development” Zone, Lots 1028 S.A ss.1 (Part) and 1030 S.D in D.D. 125, Sik Kong Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/212)

---

**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) renewal of planning approval for temporary shop and services (real estate agency);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (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 entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could provide real estate agency service to meet any such demand in the area and the District Lands Officer/Yuen Long of the Lands Department had advised that no Small House application had been received at the application site. Concerned government departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. The application was in line with the Town Planning Board Guidelines No. 34C in that there was no change in planning circumstances since the previous approval, there was no adverse planning implication arising from the renewal of the planning approval and the applicant had complied with all the approval conditions of the previous approval.

107. Members had no question on the application.

#### Deliberation Session

108. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 22.3.2020 until 21.3.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the existing trees on the site shall be maintained at all times during the planning approval period;
- (c) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of a condition record of the existing drainage facilities

within 3 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.6.2020;

- (e) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.9.2020;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.12.2020;
- (g) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning conditions (d), (e) or (f) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

### **Agenda Item 32**

#### **Section 16 Application**

[Open Meeting]

A/TM/545                      Proposed Columbarium in “Government, Institution or Community”  
Zone, Lot 513 in D.D. 131, Tsing Shan Tsuen, Tuen Mun  
(RNTPC Paper No. A/TM/545B)

---

110. The Secretary reported that the application was for proposed columbarium use.

The following Members had declared interests on the item:

- Mr H.W. Cheung - being a member of the Private Columbaria  
(*the Vice-chairman*) Licensing Board (PCLB);
- Mr Ivan C.S. Fu - being a member of the Private Columbaria  
Appeal Board (PCAB); and
- Mr K.K. Cheung - his firm being legal advisor of PCLB.

111. The Committee noted that the applicant had requested deferment of consideration of the application. As the interests of the Messrs H.W. Cheung, Ivan C.S. Fu and K.K. Cheung were indirect, the Committee agreed that they could stay in the meeting.

112. The Committee noted that the applicant requested on 12.2.2020 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address further department comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted a revised Traffic Impact Assessment, a revised Traffic and Crowd Management Plan, a revised Sewerage Impact Assessment, a revised Environmental Assessment, and tables of responses to address departmental comments.

113. 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 as required by the applicant, it was the last deferment and no further deferment would be granted.

**Agenda Item 33**

**Section 16 Application**

[Open Meeting]

A/TM-LTY Y/386 Proposed Temporary Public Vehicle Park (excluding Container Vehicle) for a Period of 5 Years in “Green Belt” Zone, Lot 883 RP in D.D. 130, Lam Tei, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/386A)

---

114. The Committee noted that the applicant requested on 14.2.2020 deferment of the consideration of the application for a period of two months so as to allow time to prepare 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 a revised site layout plan and responses to comments of the Agriculture, Fisheries and Conservation Department, Environmental Protection Department, and the Transport Department, etc.

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

**Agenda Item 34**

**Section 16 Application**

[Open Meeting]

A/TM-LTY Y/392 Proposed Temporary Shop and Services with Ancillary Storage of Goods for a Period of 3 Years in “Residential (Group D)” Zone, Lot 2339 (Part) in D.D. 130, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/392)

---

116. The Committee noted that the applicant’s representative requested on 19.2.2020 deferment of the consideration of the application for two months in order 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.

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

**Agenda Item 35**

**Section 16 Application**

[Open Meeting]

A/TM-LTY Y/393 Proposed Temporary Public Vehicle Park (Private Car) and Electric Vehicle Charging Station for a Period of 3 Years in “Village Type Development” Zone, Lot 3689 RP in D.D. 124 and Adjoining Government Land, Sun Fung Wai, Lam Tei, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/393)

---

118. The Committee noted that the applicant’s representative requested on 14.2.2020 deferment of the consideration of the application for two months in order to allow time for preparation of further information in response to comments of the Transport Department. 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 36**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/394      Renewal of Planning Approval for Temporary Edible Ice Manufacturing Plant for a Period of 3 Years in “Residential (Group E)” Zone, Lots 407 S.A (Part) & 407 RP (Part) in D.D.130 and Adjoining Government Land, Lam Tei, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/394)

---

**Presentation and Question Sessions**

120.            Mr Alexander W.Y. Mak, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) renewal of planning approval for temporary edible ice manufacturing plant;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (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 development was not in line with the planning intention of the “Residential (Group E)” (“R(E)”) zone and the Chief Engineer/Housing Projects 2 Division of the Civil Engineering and Development Department (CE/HP2, CEDD) advised that there might be interface issues between the validity period of the planning permission to be granted and the land resumption programme for the implementation of the proposed public housing

development at San Hing Road site, the Director of Housing and CE/HP2, CEDD had no adverse comment on the renewal application and approval of the application on a temporary basis for three years would not jeopardise the long-term planning intention of the “R(E)” zone. The application was in line with Town Planning Board Guidelines No. 34C in that there had been no change in planning circumstances since the previous temporary approval, there was no adverse planning implication arising from the renewal of the planning approval and the applicant had complied with all approval conditions under the previous approval. Other concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns.

121. Members had no question on the application.

#### Deliberation Session

122. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 8.3.2020 to 7.3.2023, 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) only light goods vehicles with valid license issued under the Road Traffic Ordinance, as proposed by the applicant, are allowed to access and park at the site at any time during the planning approval period;
- (c) the existing trees on the site shall be maintained at all times during the planning approval period;
- (d) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;

- (e) the submission of a condition record of existing drainage facilities within 3 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.6.2020;
- (f) the submission of a fire service installations proposal within 6 months from the date of the renewal planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.9.2020;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of the renewal planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.12.2020;
- (h) if any of the above planning conditions (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning conditions (e), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 37**

**Section 16 Application**

[Open Meeting]

A/YL-PS/600      Proposed Temporary Shop and Services for a Period of 3 Years in  
“Village Type Development” Zone, Lots 446(Part) and 447(Part) in  
D.D. 122, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/600)

---

124. The Committee noted that the applicant requested on 21.2.2020 deferment of the consideration of the application for two months in order 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.

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

### **Agenda Item 38**

#### **Section 16 Application**

[Open Meeting]

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

---

126. The Secretary reported that the consideration of the application had been rescheduled.

**Agenda Item 39**

**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/352A)

---

127. The Committee noted that the applicant’ representative requested on 12.2.2020 deferment of the consideration of the application for a period of two months so as to allow time to address the overlapping of the application site with another site under an approved planning application (No. A/YL-LFS/304) and to clarify the land use on the application site. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had not submitted any further information.

128. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. 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-LFS/353      Temporary Logistics Centre with Ancillary Office and Parking of Vehicle for a Period of 3 Years in “Residential (Group E)” Zone, Various Lots in D.D. 129 and adjoining Government Land, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/353A)

---

129.      The Committee noted that the applicant’s representative requested on 4.2.2020 deferment of the consideration of the application for a period of two months so as to allow time to prepare further information to address comments of the Geotechnical Engineering Office of the Civil Engineering and Development Department (GEO, CEDD). It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a Geotechnical Planning Review Report and responses to comments to GEO, CEDD.

130.      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 41**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/356      Proposed Temporary Electric Vehicle Charging Station and Private Car Vehicle Park with Ancillary Office and Shroff for a Period of 3 Years in “Residential (Group C)” Zone, Lot 2150 in D.D. 129, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/356)

---

**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) proposed temporary electric vehicle charging station and private car vehicle park with ancillary office and shroff;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, six public comments were received from the Deep Bay Grove Owners’ Corporation and five individuals objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed use was considered not entirely in line with the planning intention of the “Residential (Group C)” (“R(C)”) zone. Whilst the proposed use was considered not incompatible with the surrounding areas, the Commissioner for Transport (C for T) had reservation on the application

over the additional traffic flow generated by the proposed development on Deep Bay Road. There was no similar application for vehicle park use within the “R(C)” zone and approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications and the cumulative impact of such approval would result in adverse traffic impact in the area. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

132. In response to the Chairman’s enquiry, Ms Bonnie K.C. Lee, STP/TMYLW, replied that the application site was currently vacant. Regarding the status of the parking of vehicles at a site located to the east of the application site raised by a Member, Ms Bonnie K.C. Lee pointed out that the site was operated without valid planning approval and might constitute an unauthorized development, but she had no information on hand on whether enforcement action had been conducted.

133. Noting that the applicant had emphasized that electric vehicle charging facilities would be provided, a Member enquired whether the provision of the said facilities warranted favourable consideration. Ms Bonnie K.C. Lee responded that the assessment for temporary vehicle park normally focused on the potential impact that would be generated and the types of vehicle to be parked on the site. Parking of private vehicles, in comparison to parking of container and heavy goods vehicles, would normally generate less traffic and environmental impacts. C for T had reservation on the subject application as the traffic would go through Deep Bay Road which was a single track road. She said that there were Technical Guidelines on Charging Facilities for Electric Vehicles and relevant requirements under the Electricity Ordinance (Cap. 406) and its subsidiary Regulations to govern the installation and operation of electric vehicle charging facilities.

#### Deliberation Session

134. In view of the increasing popularity of electric vehicles, a Member remarked that a strategic approach in encouraging installation of electric charging stations in both private and public facilities for private car and other vehicles should be adopted to facilitate the transition. The Chairman said there were policies in place to encourage developers in providing electric charging facilities in private developments. The Vice Chairman

supplemented that according to the latest 2020-2021 Budget, the Government would launch pilot scheme to subsidise the installation of charging-enabling infrastructure in private residential buildings.

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

- “(a) the applicant fails to demonstrate that the proposed development would not generate adverse traffic impact on the surrounding areas; and
- (b) approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “Residential (Group C)” zone, the cumulative effect of which will result in adverse traffic impact in the area.”

### **Agenda Items 42 and 43**

#### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/357 Temporary Public Vehicle Park (Private Car, Medium Goods Vehicle, Heavy Goods Vehicle and Container Vehicle) for a Period of 3 Years in “Green Belt” and “Open Space (1)” Zones, Lots 2704, 2705, 2708, 2709, 2713, 2714, 2716-2732, 2753-2757 in D.D. 129, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/357)

A/YL-LFS/358 Temporary Open Storage of Construction Materials for a Period of 3 Years in “Green Belt” and “Open Space (1)” Zones, Lots 1620-1625, 2698-2703, 2706, 2707 and 2710 in D.D. 129, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/358)

---

136. The Committee agreed that the two applications for temporary vehicle park and open storage uses, which were submitted by the same applicant with the application sites

located next to each another and within the same “Green Belt” (“GB”) and “Open Space (1)” (“O(1)”) zones, could be considered together.

#### Presentation and Question Sessions

137. Ms Bonnie K.C. Lee, STP/TMYLW, drew Members’ attention that three replacement pages (P. 6, 10 and 12 of the Main Paper of application No. A/YL-LFS/357) incorporating the latest comments from the Environmental Protection Department had been tabled at the meeting for Members’ reference. She then presented the applications and covered the following aspects as detailed in the Papers :

- (a) background to the applications;
- (b) temporary public vehicle park (private car, medium goods vehicle, heavy goods vehicle and container vehicle) for application No. A/YL-LFS/357 and temporary open storage of construction materials for application No. A/YL-LFS/358;
- (c) departmental comments – departmental comments were set out in paragraph 10 of each of the Papers;
- (d) during the first three weeks of the statutory publication period, 19 public comments on each of the applications were received from the World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited, village representatives of Sha Kong Wai and individuals objecting to the applications. Major objection grounds were set out in paragraph 11 of each of the Papers; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the applications based on the assessments set out in paragraph 12 of each of the Papers. The applied uses were not in line with the planning intention of the “Green Belt” (“GB”) zone and the Town Planning Board Guidelines (TPB) Guidelines No. 10 in that the temporary use would result in deterioration of landscape quality in the subject "GB" zone. No strong

planning justification had been given in the submissions for a departure from the planning intention, even on a temporary basis. The applications did not comply with the TPB Guidelines No. 13E in that the application sites were not the subject of any previous planning approval, there were adverse departmental and public comments on the applications and the applicant had failed to demonstrate that the developments would not generate adverse landscaping impact on the surrounding areas. Whilst previous applications at the application sites and similar applications for various public vehicle park and open storage uses within the same “GB” zone had been approved by the Committee, they were subject to different planning circumstances from the current applications. The application sites were subject to planning enforcement actions. Approval of the applications would set undesirable precedents for similar applications and the cumulative impact of such approval would further degrade the landscape quality of the surrounding environment. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

138. In response to a Member’s question on whether the current uses at the application sites were unauthorized developments (UDs), Ms Bonnie K.C. Lee, STP/TMYLW, said that the parking of vehicles and storage of construction materials on the application sites were operated without valid planning approvals. They were subject to planning enforcement action and enforcement notices were issued requiring discontinuation of the UD. In response to the Chairman’s enquiry on the differences between the subject applications (No. A/YL-LFS/357) and the public vehicle park to the south of the application site under application No. A/YL-LFS/341, Ms Bonnie K.C. Lee replied that application No. A/YL-LFS/341 for temporary public vehicle park for private cars was approved by the Board in 2019 on the consideration that it only involved parking of private vehicles, while the subject application also involved parking of medium and heavy goods vehicle and container vehicle, and no approval for such vehicle park had been approved by the Committee within the same “GB” zone.

139. In response to two Members’ enquiries, Ms Bonnie K.C. Lee, STP/TMYLW, said that the sites were already formed and paved and there were previous approved

applications for temporary recreation use (golf driving range) on the application sites the operations of which had ceased.

### Deliberation Session

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

- “(a) the applied use is not in line with the planning intention of the “Green Belt” (“GB”) zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl, as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the applied use is not in line with the Town Planning Board (TPB) Guidelines No. 10 for Application for Developments within the “GB” Zone in that the applied use is incompatible with the surrounding areas and would have adverse landscape impact;
- (c) the applied use is not in line with the TPB Guidelines No. 13E for Application for Open Storage and Port Back-up Uses in that there are adverse departmental comments on landscape aspect and there is local objection on the application; and
- (d) approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications in the “GB” zone, the cumulative effect of which would result in a general degradation of the environment of the area.”

**Agenda Item 44**

**Section 16 Application**

[Open Meeting]

A/YL-PN/59                      Temporary Education/Holiday Camp for a Period of 3 Years in “Coastal Protection Area” Zone, Lots 11 (Part), 12 (Part) and 13 (Part) in D.D.135 and adjoining Government Land, Sheung Pak Nai, Yuen Long  
(RNTPC Paper No. A/YL-PN/59)

---

141.            The Secretary reported that the consideration of the application had been rescheduled.

**Agenda Item 45**

**Section 16 Application**

[Open Meeting]

A/YL-PS/601                      Proposed Temporary Public Vehicle Park (Private Cars and Light Buses) for a Period of 3 Years in “Recreation” Zone, Lots 51 (Part), 52 (Part), 54 (Part) and 55 RP (Part) in D.D.126, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/601)

---

142.            The Committee noted that the applicant’s representative requested on 26.2.2020 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address comments from the Geotechnical Engineering Office of the Civil Engineering and Development Department. It was the first time that the applicant requested deferment of the application.

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

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

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

**Agenda Item 46**

**Any Other Business**

144. There being no other business, the meeting closed at 4:25 p.m..