

TOWN PLANNING BOARD

Minutes of 644th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 20.3.2020

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

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 K.W. Leung

Dr Jeanne C.Y. Ng

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

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

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

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

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

Secretary

Absent with Apologies

Mr Ivan C.S. Fu

Mr David Y.T. Lui

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Mr L.T. Kwok

Mr Ricky W.Y. Yu

In Attendance

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

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

Assistant Town Planner/Town Planning Board
Ms Andrea W.Y. Yan

Agenda Item 1

Confirmation of the Draft Minutes of the 643rd RNTPC Meeting held on 6.3.2020

[Open Meeting]

1. The draft minutes of the 643rd RNTPC meeting held on 6.3.2020 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Sha Tin, Tai Po and North District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/NE-LT/2

Application for Amendment to the Approved Lam Tsuen Outline Zoning Plan No. S/NE-LT/11, To rezone the application site from “Agriculture” to:

Option 1 - “Residential (Group C)”; or

Option 2 - “Other Specified Uses” annotated “Residential Development with Public Transport Interchange”, Various Lots in D.D. 19 and Adjoining Government Land, Lam Tsuen, Tai Po

(RNTPC Paper No. Y/NE-LT/2)

-
3. The Secretary reported that Masterplan Limited (Masterplan), AECOM Asia Co. Limited (AECOM), MVA Hong Kong Limited (MVA) and Ramboll Hong Kong Limited (Ramboll) were four 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 Masterplan, AECOM, MVA and Ramboll; and

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

4. The Committee noted that the applicant had requested deferment of consideration of the application, and Mr Ivan C.S. Fu had tendered an apology for being unable to attend the meeting. As Dr C.H. Hau had no involvement in the application, the Committee agreed that he could stay in the meeting.

5. The Committee noted that the applicant's representative requested on 15.1.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Tuen Mun and Yuen Long West District

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/TM-LTY Y/9

Application for Amendment to the Approved Lam Tei and Yick Yuen Outline Zoning Plan No. S/TM-LTY Y/10, To rezone the application site from “Residential (Group B) 1” to “Residential (Group B) 4”, To Amend the Notes of the zone applicable to the site, Lots 523 RP, 714 RP, 718 RP, 719 RP, 721 RP, 722 RP, 723 RP, 724 RP and 725 in D.D. 130 and adjoining Government Land, Lam Tei, Tuen Mun
(RNTPC Paper No. Y/TM-LTY Y/9)

7. The Secretary reported that Landes Limited (Landes) and Ramboll Hong Kong Limited (Ramboll) were two of the consultants of the applicant and Mr Ivan C.S. Fu had declared an interest on the item for having current business dealings with Landes and Ramboll. The Committee noted that the applicant had requested deferment of consideration of the application, and Mr Ivan C.S. Fu had tendered an apology for being unable to attend the meeting.

8. The Committee noted that the applicant’s representative requested on 21.2.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address comments from government departments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/YL-PN/9 Application for Amendment to the Approved Sheung Pak Nai & Ha Pak Nai Outline Zoning Plan No. S/YL-PN/9, To rezone the application site from “Coastal Protection Area” and an area shown as ‘Road’ to “Government, Institution or Community”, Lot 118 in D.D.135 and Adjoining Government Land, Nim Wan Road, Pak Nai, Yuen Long
(RNTPC Paper No. Y/YL-PN/9)

10. The Secretary reported that the application was for rezoning the application site to “Government, Institution or Community” for 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; and

Mr K.K. Cheung - his firm being legal advisor of PCLB.

11. The Committee noted that the applicant had requested deferment of consideration of the application, and Mr Ivan C.S. Fu had tendered an apology for being unable to attend the meeting. As the interests of Messrs H.W. Cheung and K.K. Cheung in relation to PCLB were indirect, the Committee agreed that they could stay in the meeting.

12. The Committee noted that the applicant’s representative requested on 4.3.2020

deferment of consideration of the application for two months so as to allow time for preparing responses to the technical issues raised by relevant government departments. 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.

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

Sai Kung and Islands District

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

[Dr F.C.Chan arrived to join the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-SKT/22 Proposed 19 Houses in "Residential (Group E)2" Zone, Lots 8 S.B, 9 S.A and 9 S.B in D.D. 212 and Adjoining Government Land, 1 Hong Kin Road, Sai Kung
(RNTPC Paper No. A/SK-SKT/22B)

Presentation and Question Sessions

14. Ms Jane W.L. Kwan, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (f) background to the application;
- (g) the proposed 19 houses;
- (h) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (i) during the first three weeks of the statutory publication period, seven public comments were received. Among them, six comments from Sai Kung Rural Committee, an ex-member of Sai Kung District Council, the chairman of Sai Kung Area Committee, and individuals objected to the application while one comment from the Hong Kong and China Gas Co. Limited provided opinion on the application. Major views were set out in paragraph 9 of the Paper; and
- (j) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. Although the proposed house development was in line with the planning intention of “Residential (Group E)2” (“R(E)2”) zone, the interface problems with the existing industrial uses in the vicinity of the site had not been satisfactorily resolved. The site was in close proximity to existing industrial operations including a concrete batching plant (CBP). The District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD) advised that the CBP was held under short term waivers (STWs) and although there was a mechanism to terminate the waivers, there was no guarantee that such termination notice would be served by the Government to facilitate the proposed development. Hence, it was uncertain as to whether the CBP would be terminated or relocated in the near future. The Director of Environmental Protection (DEP) objected to the application because the industrial/residential (I/R) interface issue of the proposed development could

not be accounted for in the quantitative Air Quality Impact Assessment (AQIA). DEP also advised that there was insufficient information to demonstrate the environmental acceptability of the proposed development. There was also a high pressure town gas transmission pipeline (running along Hiram's Highway) in the vicinity of the site. There was no risk assessment in the submission to demonstrate that the proposed development would be acceptable from risks point of view. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

15. The Chairman and a Member raised the following questions:

- (a) the land status of CBP and whether it was a permanent land use; and
- (b) whether there was any licensing control to regulate the operation of the CBP.

16. Ms Jane W.L. Kwan, STP/SKIs, made the following responses:

- (a) the CBP was in existence before the publication of the first plan covering the area (i.e. Sai Kung Town OZP No. S/SK-SKT/1) and could be regarded as 'Existing Use'; and
- (b) the CBP had been granted with STWs permitting the uses and structures for CBP and storage.

Deliberation Session

17. Noting that some existing industrial uses including the CBP were in the vicinity of the application site, a Member raised concern on whether the "R(E)2" zone was an appropriate zoning for the area.

18. Members noted that the existing industrial uses in the subject "R(E)2" zone were in existence before the publication of the first statutory plan covering the area. In light of the location of the area, which was at the southern part of Sai Kung Town and in the proximity of

Tsiu Hang Special Area, the area was zoned “R(E)2” with a view to phasing out incompatible land uses through redevelopment (or conversion) for residential use in the long run. The Chairman supplemented that application for residential development in “R(E)2” zone was required to demonstrate that the I/R interface issue could be resolved to the satisfaction of the concerned government departments. As for the current application, given that departments considered the I/R interface issue could not be satisfactorily resolved, the proposed residential development might not be ready for implementation at the current stage.

19. In response to a Member’s enquiry on the revised AQIA submitted by the applicant, Mr Terence S.W. Tsang, Assistant Director (Environmental Assessment), Environmental Protection Department (AD(EA), EPD), explained that the revised AQIA mainly demonstrated the environmental impacts caused by the industrial emission from the CBP on the surrounding areas. However, the noise and dust nuisance, including those arising from the traffic of heavy vehicles, and the potential I/R interface problem were yet to be accounted for/addressed in the revised AQIA. Regarding the similar case (application No. A/K15/119) mentioned by the applicant, it was understood that the Committee had already approved/was processing planning applications to phase out the existing CBPs in Yau Tong Industrial Area for comprehensive residential and/or commercial development. For the current application, as there was no sign to phase out the active CBP located next to the proposed development, approving the application would create a new I/R interface problem. As such, DEP objected to the application from environmental perspective.

20. In response to a Member’s question on whether the I/R interface problem between residential development and CBP was insurmountable, Mr Terence S.W. Tsang, AD(EA), EPD, said that while the creation of a new I/R interface problem was not desirable from environmental planning point of view, appropriate mitigation measures could be formulated to address the environmental issues. However, for the current application, the applicant had not provided sufficient information nor proposed adequate mitigation measures to demonstrate the environmental acceptability of the proposed development.

21. A Member asked if private developer could construct noise barrier on public roads. In response, Mr Ken K.K. Yip, Chief Traffic Engineer/New Territories East, Transport Department, said that generally speaking, noise barrier was not a traffic improvement measure but a mitigation measure to address noise impact. If the concerned departments had no

objection to the proposed noise barriers and would take up the management and maintenance of the noise barriers upon completion, private developers could propose and construct noise barriers on public roads as one of the mitigation measures.

22. To sum up, the Chairman concluded that Members generally agreed to departments' view that the interface problem between the proposed residential development and the adjacent industrial uses could not be satisfactorily resolved in the current application.

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

“the applicant fails to demonstrate that the interface problems with the adjacent industrial use can be satisfactorily resolved and that the proposed development would not be subject to adverse environmental impacts.”

Agenda Items 7 to 11

Section 16 Applications

[Open Meeting]

A/SK-SKT/23 Proposed Social Welfare Facility (Residential Care Home for the Elderly) and Flat with Minor Relaxation of Plot Ratio Restriction in “Residential (Group E)1” Zone, 1 Hong Ting Road, Sai Kung
(RNTPC Paper No. A/SK-SKT/23 to 27A)

A/SK-SKT/24 Proposed Social Welfare Facility (Residential Care Home for the Elderly) with Minor Relaxation of Plot Ratio Restriction in “Residential (Group E)1” Zone and an area shown as ‘Road’, 2 Hong Ting Road, Sai Kung
(RNTPC Paper No. A/SK-SKT/23 to 27A)

A/SK-SKT/25 Proposed Social Welfare Facility (Residential Care Home for the Elderly) and Flat with Minor Relaxation of Plot Ratio Restriction in “Residential (Group E)1” Zone and an area shown as ‘Road’, 6 Hong Ting Road, Sai Kung
(RNTPC Paper No. A/SK-SKT/23 to 27A)

A/SK-SKT/26 Proposed Social Welfare Facility (Residential Care Home for the Elderly) with Minor Relaxation of Plot Ratio Restriction in “Residential (Group E)1” Zone and an area shown as ‘Road’, 7 Hong Ting Road, Sai Kung
(RNTPC Paper No. A/SK-SKT/23 to 27A)

A/SK-SKT/27 Proposed Social Welfare Facility (Residential Care Home for the Elderly) with Minor Relaxation of Plot Ratio Restriction in “Residential (Group E)1” Zone, 7 (Part) and 9 Hong Ting Road, Sai Kung
(RNTPC Paper No. A/SK-SKT/23 to 27A)

24. The Secretary reported that Landes Limited (Landes) and Ramboll Hong Kong Limited (Ramboll) were two of the consultants of the applicants and Mr Ivan C.S. Fu had declared an interest on the items for having current business dealings with Landes and Ramboll. The Committee noted that the applicants had requested deferment of consideration of the applications, and Mr Ivan C.S. Fu had tendered an apology for being unable to attend the meeting.

25. The Committee noted that the applicants’ representative requested on 15.1.2020 deferment of consideration of the application for two months so as to allow time to prepare response to address comments from various government departments. It was the second time that the applicants requested deferment of the applications. Since the last deferment, the applicants had submitted further information to address departmental comments.

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

could be processed within a shorter time, the applications could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicants that two months were allowed for preparation of the submission of the further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 12

Section 16 Application

[Open Meeting]

A/SK-PK/254 Proposed Redevelopment of House (New Territories Exempted House)
in "Conservation Area" Zone, Lot 110 in D.D. 219, Kei Pik Shan, Tai
Chung Hau, Sai Kung
(RNTPC Paper No. A/SK-PK/254A)

27. The Committee noted that the applicant's representative requested on 8.1.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address comments from various government departments. 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.

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

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

Sha Tin, Tai Po and North District

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

Agenda Item 13

Section 16 Application

[Open Meeting]

A/ST/980 Columbarium in "Government, Institution or Community" Zone, No. 221 Pai Tau Village, Sha Tin
(RNTPC Paper No. A/ST/980)

29. The Secretary reported that the application was for columbarium use and Landes Limited (Landes) and Ramboll Hong Kong Limited (Ramboll) were two of the consultants of the applicant. 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; and having current business dealings with Landes and Ramboll; and
- Mr K.K. Cheung - his firm being legal advisor of PCLB.

30. The Committee noted that the applicant had requested deferment of consideration of the application, and Mr Ivan C.S. Fu had tendered an apology for being unable to attend the

meeting. As the interests of Messrs H.W. Cheung and K.K. Cheung in relation to PCLB were indirect, the Committee agreed that they could stay in the meeting.

31. The Committee noted that the applicant's representative requested on 4.3.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental and public comments. It was the first time that the applicant requested deferment of the application.

32. 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 (Presentation and Question Sessions Only)]

A/NE-LT/681 Proposed House (New Territories Exempted House - Small House) in
"Agriculture" and "Village Type Development" Zones, Lot 640 S.A in
D.D. 19, She Shan Village, Tai Po
(RNTPC Paper No. A/NE-LT/681)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) the proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, two objecting public comments were received from Designing Hong Kong Limited and an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to 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 “Agriculture” zone. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The proposed development was not incompatible with the surrounding area which was predominantly rural in character with a mix of village houses and natural woodland. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the proposed Small House footprint fell within the village ‘environs’ of She Shan Tsuen and the proposed development would be able to be connected to the public sewerage system. While land available within the “Village Type development” (“V”) zone was insufficient to meet the future Small House demand, land was still available to meet the 21 outstanding Small House applications. Although it was considered more appropriate to concentrate the proposed development within “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services, the site was the subject of a previous application for the same use submitted by the same applicant which was approved by the Committee in 2015. There was no change in the Small House footprint and major development parameters between the previous and current applications. Moreover, as advised by the District Lands

Officer/Tai Po, Lands Department, the Small House grant application submitted by the applicant was still under processing. Hence, sympathetic consideration might be given to the current application. Other concerned government departments had no objection to or adverse comment on the application. The planning circumstances of the current application were similar to the previous approved application. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

34. In response to a Member's question, Ms Kathy C.L. Chan, STP/STN, said that the site was the subject of a previous approved application (No. A/NE-LT/541) for the same use submitted by the same applicant. The planning permission for the said application was lapsed. DAFC did not support the previous and current applications from agricultural development point of view.

Deliberation Session

35. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 20.3.2024, 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 submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (b) the connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Water Supplies or of the TPB; and
- (c) the provision of protective measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or of the TPB.”

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

set out at Appendix VII of the Paper.

Agenda Item 15

Section 16 Application

[Open Meeting]

A/TP/670 Proposed Service Reservoir in “Green Belt” Zone, Government land adjacent to the existing Sheung Wo Yi Au Fresh Water Service Reservoir, Shan Tong Road, Tai Po
(RNTPC Paper No. A/TP/670)

37. The Secretary reported that the application was submitted by Water Supplies Department (WSD) and located in Tai Po. Urbis Limited (Urbis) was one of the consultants of the applicant. The following Members had declared interests on the item:

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

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

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

38. The Committee noted that the applicant had requested deferment of consideration of the application, and Mr Ivan C.S. Fu had tendered an apology for being unable to attend the meeting. As the property of Mr H.W. Cheung had no direct view of the application site, and Mr K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

39. The Committee noted that the applicant requested on 31.1.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address certain technical issues raised by relevant government departments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LK/123 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in "Agriculture" Zone, Lot 1291 S.B RP in D.D. 39, Sha Tau Kok Road - Shek Chung Au
(RNTPC Paper No. A/NE-LK/123A)

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) the proposed temporary place of recreation, sports or culture (hobby farm) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;

- (d) during the first three weeks of the statutory publication period, six public comments were received. Among them, a former North District Council member had reservation on the application and the Chairman of Sheung Shui District Rural Committee indicated no comment on the application. The remaining objecting comments were from the Hong Kong Bird Watching Society, the World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and one individual. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed hobby farm was considered generally in line with the planning intention of the “Agriculture” zone. It was considered not entirely incompatible with the surrounding land uses which were mainly of rural landscape character comprising active/fallow agricultural land, temporary domestic structures, vacant land, and some open storage uses. Concerned government departments had no objection to or no adverse comment on the application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

42. Members had no question on the application.

Deliberation Session

43. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.3.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 p.m. and 9:00 a.m. daily, as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no use of public announcement system, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.9.2020;
- (d) in relation to (c) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.12.2020;
- (a) the submission of proposals for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.9.2020;
- (b) in relation to (e) above, the implementation of proposals for fire service installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.12.2020;
- (c) the implementation of traffic management measures, as proposed by the applicant, within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 20.12.2020;
- (d) if any of the above planning conditions (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (e) if any of the above planning conditions (c), (d), (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; and
- (f) 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.”

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

Agenda Item 17

Section 16 Application

[Open Meeting]

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

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

46. The Committee noted that the applicant’s representative requested on 21.1.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address further departmental comments. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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. 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 18

Section 16 Application

[Open Meeting]

A/NE-HLH/40 Temporary Office and Ancillary Parking Spaces for a Period of 3 Years
in “Agriculture” Zone, Lot 396 in D.D. 87, Hung Lung Hang
(RNTPC Paper No. A/NE-HLH/40)

48. The Committee noted that the applicant’s representative requested on 23.1.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address the departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/720 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 586 S.B RP in D.D. 85, Lau Shui Heung,
Fanling
(RNTPC Paper No. A/NE-LYT/720)

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) the proposed house (New Territories Exempted House (NTEH) – Small House);
- (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 on the application were received. Among them, the Chairman of Fanling District Rural Committee indicated no comment on the application while a former District Council member supported the application. The remaining four objecting comments were from the Hong Kong Bird Watching Society, Kadoorie Farm and Botanic Garden Corporation, 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 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 “Agriculture” zone. The Director of Agriculture, Fisheries and Conservation did not support the application from the agricultural development point of view as the site possessed potential for agricultural rehabilitation. In view of the site context within and surrounding the site, the proposed Small House development, in the midst of the largely uninterrupted landscape, was considered not entirely compatible with the landscape character of the area. There was no existing access to the site. The proposed development might involve future clearance of existing vegetation in the vicinity and the potential landscape impact could not be ascertained. The proposed development, if approved, would set an

undesirable precedent of landscape character alteration, and would encourage more similar development within the area. The cumulative impact of such approval would further degrade the landscape quality of the surrounding environment. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, land available within the “Village Type Development” zone was insufficient to meet the 23 outstanding Small House applications as well as 10-year Small House demand of 180 Small House sites. The planning circumstance of the current application was similar to the previously rejected similar applications. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

51. Members had no question on the application.

Deliberation Session

52. After deliberation, the Committee decided to 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) the approval of the application would set an undesirable precedent for similar applications in the area. The cumulative impacts of approving such similar applications would result in a general degradation of the environment and landscape quality of the area.”

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

Fanling, Sheung Shui and Yuen Long East District

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

Agenda Item 20

Section 16 Application

[Open Meeting]

A/KTN/68 Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years and Filling of Pond in “Agriculture(1)” and “Village Type Development” Zones, Lots 1383(Part), 1414(Part), 1415(Part) and 1416(Part) in D.D. 95, Kwu Tung North
(RNTPC Paper No. A/KTN/68)

53. The Secretary reported that the application site was in Kwu Tung North and Dr C.H. Hau had declared an interest on the item for owning a property in Kwu Tung North area. The Committee noted that the applicants had requested deferral of consideration of the application. As the property of Dr C.H. Hau had no direct view of the application site, the Committee agreed that he could stay in the meeting.

54. The Committee noted that the applicants’ representative requested on 5.3.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicants requested deferment of the application.

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

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

Agenda Item 21

Section 16 Application

[Open Meeting]

A/FSS/275 Columbarium in "Government, Institution or Community" Zone, G/F, 1/F, 2/F, 3/F, 5/F and 6/F, The Emperor Hall, 18 Sha Tau Kok Road - Lung Yeuk Tau, On Lok Tsuen, Lung Yeuk Tau, Fanling
(RNTPC Paper No. A/FSS/275A)

56. The Secretary reported that the application was for 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; and
- Mr K.K. Cheung - his firm being the legal advisor of PCLB.

57. The Committee noted that the applicant had requested deferment of consideration of the application, and Mr Ivan C.S. Fu had tendered an apology for being unable to attend the meeting. As the interests of Messrs H.W. Cheung and K.K. Cheung in relation to PCLB were indirect, the Committee agreed that they could stay in the meeting.

58. The Committee noted that the applicant's representative requested on 18.3.2020 deferment of consideration of the application for two months so as to allow time for the Food and Environmental Hygiene Department to verify the total number of existing sold

columbarium niches in the proposed development and to undertake follow up actions to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental and public comments.

59. 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.

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

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

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

- (a) background to the application;

- (b) the proposed temporary shop and services (metal retail shop) for a period of three years with filling of land;
- (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 from an individual providing opinion on the application was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While the proposed use was not entirely in line with the planning intention of “Residential (Group D)” (“R(D)”) zone, approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “R(D)” zone. The proposed development with low-rise structures was not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. To mitigate any potential traffic and environmental impacts on the surrounding areas and to address the technical requirements of relevant government departments, appropriate approval conditions were recommended. The Committee had approved a previous application at the site and a similar application within the same “R(D)” zone. Approval of the application was in line with the previous decisions of the Committee. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

61. Members had no question on the application.

Deliberation Session

62. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.3.2023, on the terms of the application as

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

- “(a) no operation between 5:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) all existing trees within the site shall be maintained at all times during the planning approval period;
- (f) 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 20.9.2020;
- (g) in relation to (f) 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 20.12.2020;
- (h) 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 20.9.2020;
- (i) in relation to (h) 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 20.12.2020;

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

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

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/274 Temporary Vehicle Maintenance Workshop for a Period of 3 Years in
“Agriculture” Zone, Lot 297 S.A ss.2 (Part) in D.D. 112, Lin Fa Tei,
Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/274)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) the temporary vehicle maintenance workshop for a period of three years;
- (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, four objecting comments from the Hong Kong Bird Watching Society, Kadoorie Farm & Botanic Garden Corporation, Designing Hong Kong Limited and an individual were received. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The applied use was not in line with the planning intention of “Agriculture” (“AGR”) zone. The Director of Agriculture, Fisheries and Conservation did not support the application as the site possessed potential for agricultural rehabilitation and could be used for agricultural activities. The applicant had not provided strong planning justifications in the submission to merit a departure from the planning intention of the “AGR” zone, even on a temporary basis. The applied use was considered incompatible with the surrounding areas. The Chief Town Planner/Urban Design and Landscape, PlanD had reservation on the application on the consideration that the applied use was incompatible with the surrounding landscape character, and the approval of the application would set an undesirable precedent to encourage similar developments encroaching upon the “AGR” zone. The cumulative effect would result in degradation of landscape character and cause significant adverse impact on landscape resources of the area. In addition, the Commissioner for Transport had reservation on the application as the applicant failed to provide sufficient traffic-related information to demonstrate that the applied use would not cause adverse traffic impact on Kam Sheung Road. Other concerned departments had no objection to or adverse comments on the application. There was one previous rejected application covering the site and its surrounding areas. The Committee’s consideration on the previous application was generally applicable to the

current application, and the rejection of the application was in line with the Committee's previous decision. The site was subject to planning enforcement action, and the unauthorised development (UD) continued upon expiry of the Enforcement Notice. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

65. Members had no question on the application.

Deliberation Session

66. 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 “Agriculture” (“AGR”) zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification has been given in the submission for a departure from the planning intention of “AGR” zone, even on a temporary basis;
- (b) the applied use is incompatible with the surrounding areas which are predominantly rural in character with active/fallow agricultural land;
- (c) the applicant fails to demonstrate that the applied use would not cause adverse traffic impacts on the surrounding areas; and
- (d) the approval of the application would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such similar applications would result in a general degradation of the rural environment of the area.”

Agenda Item 24

Section 16 Application

[Open Meeting]

A/YL-KTN/676 Proposed Houses (New Territories Exempted Houses) in “Residential (Group D)” Zone, Lots 624 and 787 in D.D. 110, Kam Tin Road, Shek Kong San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-KTN/676A)

67. The Committee noted that the applicant requested on 15.1.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information in response to departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

Agenda Item 25

Section 16 Application

[Open Meeting]

A/YL-KTN/684 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Lots 1222 (Part), 1224 (Part), 1225 (Part), 1226 (Part) and 1230 (Part) in D.D. 107, Fung Kat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTN/684A)

69. The Committee noted that the applicant’s representative requested on 12.3.2020 deferment of the consideration of the application for two months so as to allow time for preparation of further information in response to departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

70. 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 26

Section 16 Application

[Open Meeting]

A/YL-KTN/693 Temporary Place of Recreation, Sports or Culture (Hobby Farm and Caravan Holiday Camp) for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lots 1786, 1787 S.B and 1787 RP in D.D.107, Fung Kat Heung, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/693)

71. The Committee noted that the applicant’s representative requested on 23.1.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information in response to departmental comments. It was the first time that the applicant requested deferment of the application.

72. 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 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/694 Renewal of Planning Approval for Temporary Private Vehicle Park for Light Goods Vehicles for a Period of 3 Years in “Agriculture” Zone, Lots 375 S.C RP (Part) and 376 RP (Part) in D.D. 110, Kam Tin North, Yuen Long
(RNTPC Paper No. A/YL-KTN/694)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary private vehicle park for light goods vehicles for a period of three years;
- (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, one objecting comment was received from an individual. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone. Nevertheless, the Director of Agriculture, Fisheries and Conservation had no strong view on the application. It was considered that approval of the application on a temporary basis would not frustrate the long-term planning

intention of the “AGR” zone. The application was in line with Town Planning Board Guidelines No. 34C in that previous approval for the same applied use was granted and all the approval conditions under the last application had been complied with. As there was no major change in planning circumstances since the last approval, sympathetic consideration could be given to the current application. Concerned government departments had no objection to or no adverse comment on the application. To minimize the possible environmental nuisance and to address the technical requirements of relevant government departments, appropriate approval conditions were recommended. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

74. Members had no question on the application.

Deliberation Session

75. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.3.2023, 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) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container trailers/tractors, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) a notice should be posted at a prominent location of the site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including

container trailers/tractors, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at all times during the planning approval period;

- (e) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the submission of a revised drainage proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.9.2020;
- (h) in relation to (g) above, the implementation of the revised drainage proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.12.2020;
- (i) in relation to (h) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (j) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (k) if any of the above planning condition (a), (b), (c), (d), (e), (f), (i) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning condition (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall

on the same date be revoked without further notice; and

- (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.”

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

Agenda Item 28

Section 16 Application

[Open Meeting]

A/YL-KTS/831 Proposed Temporary Animal Boarding Establishment for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Lots 1720 S.A, 1720 S.B, 1720 S.C, 1720 RP, 1721 (Part), 1723 and 1724 in D.D. 106, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/831A)

77. The Committee noted that the applicant’s representative requested on 9.3.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address 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 to address departmental comments.

78. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the 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 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/841 Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Village Type Development” Zone, Lot 1486 S.C RP (Part) in D.D. 106 and Adjoining Government Land, Kam Sheung Road, Yuen Long
(RNTPC Paper No. A/YL-KTS/841)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary shop and services (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone. Nevertheless, the District Lands Officer/Yuen Long, Lands Department advised that there was no Small

House application approved or under processing at the site. It was considered that approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “V” zone. The applied use was considered not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application. To minimize the possible environmental nuisance and to address technical requirements of relevant government departments, appropriate approval conditions were recommended. The Committee had approved previous applications at the site and similar applications within the same “V” zone. Approval of the current application was in line with the Committee’s previous decisions.

80. Members had no question on the application.

Deliberation Session

81. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.3.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.9.2020;
- (d) in relation to (c) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the submission of a fire service installations proposal within 6 months from

the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.9.2020;

- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.12.2020;
- (g) if any of the above planning condition (a), (b) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning condition (c), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/822 Proposed Temporary Recyclable Collection Centre (Waste Metalware Recycling Centre with Ancillary Office) for a Period of 3 Years in “Residential (Group D)” Zone, Lots 91 and 98 in D.D. 108, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/822A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary recyclable collection centre (waste metalware recycling centre with ancillary office) for a period of three years;
- (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 objecting comment from an individual was received. 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 not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone. The applicant had not provided strong planning justifications in the submission to merit a departure from the planning intention of the “R(D)” zone, even on a temporary basis. The proposed use was considered not compatible with the surrounding areas. The Director of Environmental Protection did not support the application as there were residential dwellings in the vicinity of the site and since the proposed use involved the use of heavy vehicles, environmental nuisance was expected. Concerned government departments had no objection to or no adverse comment on the application. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

84. Members had no question on the application.

Deliberation Session

85. 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 “Residential (Group D)” zone which is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings, and for low-rise, low-density residential developments subject to planning permission from the Board. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis; and
- (b) the proposed development is not compatible with the surrounding areas where residential structures, a natural stream and “Conservation Area” zones are found; and the applicant fails to demonstrate that the proposed development would not generate environmental nuisance to the surrounding areas.”

Agenda Item 31

Section 16 Application

[Open Meeting]

A/YL-PH/829 Proposed Houses and Filling of Land and Excavation of Land in “Residential (Group D)” Zone, Lots 101 S.F RP, 101 S.G, 101 S.H, 101 S.I and 101 S.J in D.D. 111, Fan Kam Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/829)

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

87. The Committee noted that the applicants’ representative requested on 24.1.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the

applicants requested deferment of the application.

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

Agenda Item 32

Section 16 Application

[Open Meeting]

A/YL-PH/830 Proposed Temporary Shop and Services (Metalware Goods) with Ancillary Office for a Period of 3 Years and Filling of Land in "Residential (Group D)" Zone, Lot 55 (Part) in D.D. 108, Pat Heung, Yuen Long

(RNTPC Paper No. A/YL-PH/830)

89. The Committee noted that the applicant's representative requested on 21.1.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address public comments and prepare proposals to support the application. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/276 Temporary Container Storage Yard for a Period of 5 Years in “Open Storage” Zone, Lot 1743 S.C RP in D.D. 107, Castle Peak Road, Nam Sang Wai, Yuen Long
(RNTPC Paper No. A/YL-NSW/276)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary container storage yard for a period of five years;
- (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 had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Open Storage” (“OS”) zone, and was not incompatible with the surrounding areas. The site fell within Category 1 areas under the Town Planning Board

Guidelines No. 13E (TPB PG-No. 13E). The application generally complied with the TPB PG-No. 13E in that relevant government departments consulted had no objection to or adverse comment on the application and no local objection was received. The Director of Environmental Protection did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. To address the concerns on the possible environmental nuisances generated by the applied temporary use and to mitigate any potential environmental impacts on the surrounding areas, appropriate approval conditions were recommended. As the development involved continuation of the same use previously approved, the Director of Agriculture, Fisheries and Conservation had no comment on the application from nature conservation point of view. Furthermore, open storage or container back-up uses located close to Lok Ma Chau crossing and without involving pond filling might be sympathetically considered by the Committee in view of the genuine need to facilitate cross-boundary transportation of goods in the area. Previous applications at the site were approved by the Committee and approval of the current application was in line with the previous decisions of the Committee.

92. A Member raised the following questions:

- (a) noting that the applicant had mentioned an approved s.12A application (No. Y/YL-NSW/3) in the submission, the background of the application and whether the site would be rezoned from “OS” to “Commercial” (“C”) following the approved 12A application, and the timeframe of the proposed amendments to the OZP; and
- (b) whether different planning consideration would be given to the applied use if the site was to be rezoned from “OS” to “C”.

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

- (a) on 18.3.2016, the Committee approved a s.12A application for rezoning the site from “OS” to “C” to facilitate a proposed shopping mall cum 700-room

hotel development. The relevant proposed amendments to the OZP would be submitted to the Committee for agreement. The plan-making process generally would take about one year to complete. According to the Notes of “C” zone proposed by the applicant of the said s.12A application, ‘Shop and Services’, ‘Hotel’ and ‘Eating Place’ would be under Column 2. The applicant would still need to submit a s.16 application together with detailed technical assessments for the Committee’s consideration. As the subsequent follow-up works were expected to take up a considerable amount of time, approval of the current application for temporary container storage yard for five years would not jeopardize the proposed development under the approved s.12A application; and

- (b) as the site still fell within an area zoned as “OS”, the current application was assessed based on the planning intention of “OS” zone.

Deliberation Session

94. The Chairman recapitulated that although the site would be rezoned to “C”, the plan-making process had not commenced.

95. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 20.3.2025, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the stacking height of containers stored at any other location within the site should not exceed 5 units, as proposed by the applicant, at all times during the planning approval period;

- (d) the existing trees within the site shall be maintained at all times during the planning approval period;
- (e) the boundary fencing along the site should be maintained at all times during the planning approval period;
- (f) the drainage facilities implemented under application No. A/YL-NSW/234 shall be maintained at all times during the planning approval period;
- (g) the submission of records of the existing drainage facilities on site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.6.2020;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.9.2020;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.12.2020;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/398 Temporary Wholesale Trade (Food) and Storage and Ancillary Office for a Period of 5 Years in “Open Storage” Zone, Lots 2693 RP, 2696, 2698, 2699, 2700 and 2701 in D.D. 102 and adjoining Government Land, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/398)

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) the temporary wholesale trade (food) and storage with ancillary office for a period of five years;
- (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 supporting comment from the San Tin Rural Committee was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The applied use was considered not in conflict with the planning intention of the site. The development was not incompatible with the uses in the surrounding areas. Other than the Director of Environmental Protection (DEP), there was no adverse comment on the application from relevant government departments. DEP did not support the application as there were

sensitive uses in the vicinity of the site and environmental nuisance was expected. To address the concerns on the possible environmental nuisance generated by the applied use, appropriate approval conditions were recommended. Majority of the site was the subject of a previous application which was approved by the Committee. Approval of the current application was in line with the previous decision of the Committee. Whilst the previous application was revoked due to non-compliance with approval conditions related to the implementation of drainage and fire safety installations (FSIs) proposals, the applicant stated that the connections of the government mains for separate water and electricity supplies to FSIs were not yet available and the remaining works of the drainage facilities were expected to be completed in two months' time. The applicant also submitted updated drainage and FSIs proposals and pledged to comply with the approval conditions should the application be approved. It was considered that the subject application could be given sympathetic consideration and shorter compliance periods were recommended for close monitoring of the progress on compliance with the approval conditions.

98. Members had no question on the application.

Deliberation Session

99. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 20.3.2025, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no heavy goods vehicles exceeding 24 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, is allowed to be

parked/stored on or enter/exit the site at any time during the planning approval period;

- (d) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- (e) the provision of boundary fencing on the site within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 20.6.2020;
- (f) the submission of a drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.6.2020;
- (g) in relation to (f) above, the implementation of the drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.9.2020;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.6.2020;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.9.2020;
- (k) if any of the above planning conditions (a), (b), (c), (d) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

Agenda Item 35

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/290 Proposed Temporary Shop and Services (Electronic Goods Showroom)
for a Period of 3 Years and Filling of Land in “Recreation” Zone, Lot
2972 (Part) in D.D. 104, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/290)

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services (electronic goods showroom) for a period of three years and filling of land;
- (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, nine objecting comments from San Tin Rural Committee, Designing Hong Kong Limited, a Village Representative of Mai Po Tsuen, three residents of Yau Mei San Tsuen, and three individuals were received. Major objection grounds were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the proposed use was not in line with the planning intention of the “Recreation” (“REC”) zone, approval of the application on a temporary basis for a period of three years would not frustrate the long term planning intention of the “REC” zone as there was no immediate development programme for the site. The Director of Agriculture, Fisheries and Conservation (DAFC) had no adverse comment as the proposed filling of land was relatively small in scale and the site would be reinstated and converted to lawn/soiled ground after the planning approval period. The proposed use was not incompatible with the rural character of the surrounding areas. The site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No. 12C and the guidelines specified that planning applications for temporary uses were exempted from the requirement of ecological impact assessment. DAFC and the Chief Town Planner/Urban Design and Landscape, PlanD had no adverse comment on or objection to the application from nature conservation and landscape planning point of view respectively. Other concerned government departments had no objection to or no adverse comment on the application. To mitigate the potential environmental impacts on the surrounding area and to address the technical concerns of departments, appropriate approval conditions were recommended. The site was the subject of one previously approved application. Approval of the current application was in line with the previous decision of the Committee. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

103. Members had no question on the application.

Deliberation Session

104. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.3.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to access the site at all times during the planning approval period;
- (c) the submission of 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 20.9.2020;
- (d) in relation to (c) 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 20.12.2020;
- (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 20.9.2020;
- (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 20.12.2020;
- (g) in relation to (f) above, the implemented drainage facilities should be maintained at all times during the planning approval period;
- (h) if any of the above planning conditions (a), (b) or (g) is not complied with

during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

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

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

Agenda Items 36 to 38

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/553 Temporary Container Vehicle Park with Ancillary Site Office and Storage Uses for a Period of 3 Years in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Lot 769 RP (Part) in D.D. 99, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/553B, 554B & 558B)

A/YL-ST/554 Temporary Container Vehicle Park and Open Storage of Construction Materials with Ancillary Tyre Repair Area, Site Office and Storage Uses for a Period of 3 Years in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Lot 769 RP (Part) in D.D. 99, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/553B, 554B & 558B)

A/YL-ST/558 Temporary Container and Goods Vehicle Park with Ancillary Site Office, Vehicle Repair Area, Staff Canteen and Storage Uses for a Period of 3 Years in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Lot 769 RP (Part) in D.D. 99, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/553B, 554B & 558B)

106. The Committee agreed that as the three applications were submitted by the same applicant, similar in nature and the application sites were located in close proximity to one another within the same “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” (“OU(CDWRA)”) zone, they could be considered together.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the proposed temporary container vehicle park with ancillary site office and storage uses for a period of three years for application No. A/YL-ST/553; the temporary container vehicle park and open storage of construction materials with ancillary tyre repair area, site office and storage uses for a period of three years for application No. A/YL-ST/554, and temporary container and goods vehicle park with ancillary site office, vehicle repair area, staff canteen and storage uses for a period of three years for application No. A/YL-ST/558;
- (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, 27 objecting comments (nine for each of the three applications) from World Wide Fund for Nature Hong Kong, Hong Kong Bird Watching Society, Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited, San Tin

Rural Committee and an individual were received. 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 applications based on the assessments set out in paragraph 12 of the Paper. The applied uses of the three applications were not in line with the planning intention of the “OU(CDWRA)” zone and Town Planning Board Guidelines No. 12C. No strong planning justification had been given in the submissions for a departure from the planning intention, even on a temporary basis. The Director of Environmental Protection (DEP) did not support the applications as there were sensitive receivers in the vicinity of the site and environmental nuisance was expected. Besides, the sites fell within Wetland Buffer Area (WBA) and were adjacent to a number of ponds and within Deep Bay catchment area where the assimilative capacity was limited. No proper drainage facilities could be seen at the perimeter of the site boundaries. DEP therefore had concerns that the applied use would result in adverse water quality impact on Deep Bay. The Director of Agriculture, Fisheries and Conservation had reservation on the applications as the sites were within WBA and there was no information in the applications to demonstrate their compliance with the planning intention of WBA or “OU(CDWRA)” zone. The Chief Town Planner/Urban Design and Landscape, PlanD also had some reservation as the applied uses were not compatible with the existing landscape setting in the proximity and approval of the applications would set undesirable precedents for other similar uses and the adverse impact on the landscape setting would continue if those incompatible uses were allowed to continue. The applications were considered not in line with the Town Planning Board Guidelines No. 13E. Approval of the applications would set undesirable precedents and encourage other applications for similar developments in the area. The cumulative effect of approving the similar applications would result in general degradation of the environment of the area around Deep Bay. The sites were the subjects of previous applications and there were similar applications within the same zone. Although some applications were approved by the Committee/Town Planning Board (TPB), they were approved on special

circumstances. Rejection of the applications was in line with the previous decisions of the Committee/TPB on similar applications in the area. The sites were subject to planning enforcement actions, but the unauthorized developments (UD) still continued upon expiry of the Enforcement Notices. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

108. Members had no question on the applications.

Deliberation Session

109. 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 “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” zone, which is to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential and/or recreational development to include wetland restoration area, and to phase out existing sporadic open storage and port back-up uses on degraded wetlands. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the applied use is not in line with the Town Planning Board (TPB) Guidelines for Application for Developments within Deep Bay Area (TPB PG-No. 12C) in that the applicant fails to demonstrate that the proposed development would not have adverse ecological impacts on the surrounding areas. The approval of the application would result in a general degradation of the environment in Deep Bay area; and
- (c) the applied use is not in line with the TPB Guidelines for Application for Temporary Open Storage and Port Back-up Uses (TPB PG-No. 13E) in that there are adverse departmental comments on the environmental, ecological

and landscape impacts and local objections.”

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

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/560 Proposed Religious Institution (Church) in “Village Type Development”
Zone, Lot 3355 in D.D. 102, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/560)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed religious institution (church);
- (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, ten public comments were received. One comment from an individual supported the application while the remaining comments from San Tin Rural Committee (submitted three times), a manager of a tong and five individuals objected to the application. 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 use was not entirely in line with the planning intention

of the “Village Type Development” (“V”) zone, according to the applicant, the previous church on the site had served the local community since 1962 until it was abandoned in 1995 due to the dilapidated condition of the building. According to the District Lands Officer/Yuen Long, Lands Department, the site was governed by New Grant No. 732 which restricted the lot to be used for private residential and religious purposes only, with a maximum height of 15 feet (i.e. 4.57m) above ground and a maximum built over area of 800 square feet (i.e. 74.32m²). The proposed church redevelopment was in line with the user and building entitlement under the lease. The scale and nature of the proposed development were considered not incompatible with the surrounding areas. The Secretary for Home Affairs had no objection to the application from religious point of view. While land available within the “V” zone (about 8.58 ha or equivalent to 343 Small House sites) was insufficient to fully meet the 10-year forecast of Small House demand of 2,972 houses, such available land was capable of meeting the 83 outstanding Small House applications. The site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No. 12C, and the Director of Agriculture, Fisheries and Conservation had no adverse comment on the application from nature conservation point of view. Other concerned government departments had no objection to or no adverse comment on the application. To address the technical concerns on various aspects, appropriate approval conditions were recommended. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

111. Noting that the site was governed by a New Grant for private residential and religious purpose only, a Member enquired the background and existing condition of the building in the site. In response, Ms Emily P.W. Tong, STP/FSYLE, said that the applicant stated that the site was used as a church from 1962 to 1995 and was abandoned since then. With reference to Plan A-4a and site photos in Appendix Ic of the Paper, Ms Emily P.W. Tong said that the existing building at the site was currently vacant in dilapidated conditions and was considered structurally unstable, and it was observed that some branches of an existing tree abutting the existing church building had attached on and grown into the building, and some of the roots had merged with the existing building facades.

Deliberation Session

112. 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 20.3.2024, 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 submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (b) the submission and implementation of water supplies for fire fighting and fire service installations proposal to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/566 Proposed House (New Territories Exempted House - Small House) in
“Green Belt” Zone, Lot 281 S.A in D.D. 96, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/566)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) the proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 11 of the Paper;
- (d) during the first three weeks of the statutory publication period, four objecting comments from the Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited, a village representative of Chau Tau Tsuen and an individual were received. Major objection grounds were set out in paragraph 12 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 13 of the Paper. The proposed development was not in line with the planning intention of the “Green Belt” (“GB”) zone and no strong planning justification had been given in the submission for a departure. The proposed Small House was not incompatible with surrounding environment. Regarding the interim criteria for consideration of application for NTEH/Small House in New Territories, although the entire footprint of the proposed Small House fell within the village ‘environs’ of Chau Tau Tsuen, the entire footprint and the site of the proposed Small House fell outside the “Village Type Development” (“V”) zone. Piecemeal and haphazard development of Small House outside “V” zone should not be encouraged and would frustrate the planning intention of the “GB” zone. Besides, as land was available within the “V” zone to meet the outstanding 46 Small House applications, it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. The proposed development did not comply with the Town Planning Board Guidelines No. 10 as there was a general presumption against development in the “GB” zone. The Chief Town Planner/Urban Design and Landscape, PlanD had reservation on the application from the landscape planning perspective. There were eight

similar applications within the same “GB” zone which were all rejected by the Committee. Rejection of the application was in line with the previous decisions of the Committee. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

115. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone which is to define the limits of urban and sub-urban development areas by natural physical 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;
- (b) land is still available within the “Village Type Development” (“V”) zone of Chau Tau Tsuen and Poon Uk Tsuen where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster within the “V” zone for a more orderly development pattern, efficient use of land and provision of infrastructure and services; 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 a general degradation of the natural environment in the area.”

[The Chairman thanked Mr Patrick M.Y. Fung, Ms Ivy C.W. Wong and Ms Emily P.W. Tong,

STPs/FSYLE, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Tuen Mun and Yuen Long West District

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

Agenda Item 41

Section 16 Application

[Open Meeting]

A/YL-TYST/950 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Residential Development in "Residential (Group B) 1" Zone, Lots 1367, 1372 S.A RP, 1372 S.B RP, 1372 RP, 1373 S.B RP, 1373 S.C RP (Part), 1373 S.E RP, 1373 S.F RP, 1839 S.A, 1839 S.B, 1839 S.C, 1839 S.D, 1839 S.E, 1839 RP, 1937 S.A RP, 1937 S.B RP and 1937 RP in D.D. 121 and Adjoining Government Land, Junction of Tong Yan San Tsuen Road and Ma Fung Ling Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/950C)

117. The Secretary reported that Llewelyn-Davies Hong Kong Limited (LD), Aedas Limited (Aedas), ADI Limited (ADI), Ramboll Hong Kong Limited. (Ramboll) and Westwood Hong & Associates Limited (WHA) were five of the consultants of the applicant. The following Members had declared interests on the item :

Mr Ivan C.S. Fu - having current business dealings with ADI, Ramboll and WHA;

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

Aedas; and

Mr Stephen L.H. Liu]	
]	
Mr Ricky W.Y. Yu]	having past business dealings with LD.

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

119. The Committee noted that the applicant's representative requested on 24.1.2020 deferment of consideration of the application for two months so as to allow time to address departmental comments. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

Agenda Item 42

Section 16 Application

[Open Meeting]

A/YL-TYST/1000 Temporary Warehouse for Storage of Construction Materials and Household Materials with Ancillary Office for a Period of 3 Years in “Undetermined” Zone, Lot 1162 RP (Part) in D.D. 119 and Adjoining Government Land, Kung Um Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/1000)

121. The Committee noted that the applicant’s representative requested on 16.1.2020 deferment of consideration of the application for two months so as to allow time to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-SKW/103 Temporary Private Vehicle Park for Private Cars and Light Goods Vehicles (Excluding Container Vehicles) for a Period of 3 Years in “Village Type Development” Zone, Lot 241 in D.D.385, So Kwun Wat, Tuen Mun
(RNTPC Paper No. A/TM-SKW/103C)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary private vehicle park for private cars and light goods vehicles (excluding container vehicles) for a period of three years;
- (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, three objecting comments from two individuals were received. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. According to the District Lands Officer/Tuen Mun, Lands Department, there was currently no Small House application approved/under processing within the site. As such, approval of the application on a temporary basis of three years would not frustrate the long-term planning intention of the area. The applied use was

considered not incompatible with the surrounding land uses and could serve the local villagers by providing convenient parking facilities. Concerned government departments had no objection to or no adverse comment on the application. To mitigate the potential traffic and drainage impacts on the surrounding areas, appropriate approval conditions were recommended. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

124. Referring to Plan A-2 of the Paper, a Member asked whether the dotted access road was a proper road. In response, Ms Jessica Y.C. Ho, STP/TMYLW, said that the dotted access road was a local track used by the villagers nearby and the layout of the proposed vehicle park would not affect the access of the local track.

125. In response to a Member's question, Ms Jessica Y.C. Ho, STP/TMYLW, said that part of the site was subject to planning enforcement action against unauthorised development (UD) involving parking of vehicles. An Enforcement Notice was issued requiring discontinuation of the UD.

Deliberation Session

126. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.3.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) only private cars and light goods vehicles as defined in the Road Traffic Ordinance are allowed to be parked on or enter/exit the site, at any time during the planning approval period;
- (b) no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site to indicate that only private cars and light goods vehicles as defined in the Road Traffic

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

- (d) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- (e) the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.12.2020;
- (f) in relation to (e) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.9.2020;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.12.2020;
- (i) if any of the above planning conditions (a), (b), (c), (d) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above conditions (e), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 44

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/359 Filling and Excavation of Land for Permitted Agricultural Use in “Green Belt” Zone, Lot 1236 S.B in D.D. 129, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/359)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the filling and excavation 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, 13 objecting comments from the Hong Kong Bird Watching Society, Designing Hong Kong Limited, a villager and an individual were received. 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 filling and excavation of land had been carried out at the site without planning permission. The applied use of filling and excavation of land for agricultural use was considered not compatible with the surrounding areas. The Chief Town Planner/Urban Design and Landscape, PlanD had reservation on the application as the applied use involving extensive hard paving and vegetation clearance was considered not compatible with the landscape character of the surrounding areas, and approval of the application

would set an undesirable precedent to encourage similar developments to the area. The cumulative impact of which would result in a general degradation of the landscape quality of the surrounding environment and undermine the integrity of the “Green Belt” (“GB”) zone. In that regard, the applied use was not in line with the Town Planning Board Guidelines No. 10. While the Director of Agriculture, Fisheries and Conservation considered that the site possessed potential for agricultural rehabilitation, she advised that the applicant should provide more details of the agricultural activities to be conducted at the site, justify the need for filling and excavation of land for agricultural use, and provide more information about the fill materials for the Committee’s consideration. There was no strong justification for the need for filling and excavation of land for the ancillary agricultural uses. Other concerned government departments had no objection to or no adverse comment on the application. Within the same “GB” zone, no approval for similar land filling and excavation for agricultural use had been granted by the Committee for those applications within the Wetland Buffer Area and with adverse departmental comments. As such, rejecting the current application was in line with the Committee’s previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

129. Noting that the applicant had also proposed to install 30 solar panels for solar energy collection for their own use, a Member enquired whether the installation of the solar panels would also be approved if the current application for filling and excavation of land was approved by the Committee. In response, Ms Bonnie K.C. Lee, STP/TMYLW, said that the proposed solar panels, which would be used to support the agricultural use at the site, could be regarded as an ancillary use to the permitted agricultural use, while the current application was for the filling and excavation of land.

Deliberation Session

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

- “(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 Application for Developments within the “GB” Zone in that the filling and excavation of land, which has been completed, involves clearance of natural vegetation, thereby adversely affecting the natural landscape and incompatible with the surrounding areas; and
- (b) the applicants fail to justify the need for land filling and excavation.”

Agenda Item 45

Section 16 Application

[Open Meeting]

A/TM-LTY Y/384 Temporary Workshop of Construction Machinery and Storage of Parts for a Period of 3 Years in “Green Belt” Zone, Short Term Tenancy No. 563, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/384A)

131. The Committee noted that the applicant requested on 13.1.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address further comments raised by relevant government departments. 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.

132. 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 46

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/395 Temporary Shop and Services with Ancillary Office for a Period of 3 Years in “Residential (Group D)” Zone, Lot 1038 S.B (Part) in D.D. 130 and Adjoining Government Land, Fuk Hang Tsuen, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/395)

Presentation and Question Sessions

133. 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) the temporary shop and services with ancillary office for a period of three years;
- (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 objecting comment from an individual was 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 based on the assessments set out in paragraph 11 of the Paper. Whilst the development was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, the applied use could provide

commercial use to meet any such demand in the area. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone. The applied development was considered not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. There had been no environmental complaint concerning the site received in the past three years. To minimise any potential environmental nuisances and to address the technical requirements of concerned government departments, appropriate approval conditions were recommended. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

134. Members had no question on the application.

Deliberation Session

135. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.3.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 p.m. and 10:00 a.m. and on Sundays and public holidays is allowed on the Site, as proposed by the applicant, during the planning approval period;
- (b) only light goods vehicles, as defined in the Road Traffic Ordinance is allowed to enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public roads at any time during the planning approval period;
- (d) the submission of a run-in/out proposal to/from Fuk Hang Tsuen 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

20.9.2020;

- (e) in relation to (d) above, the implementation of the run-in/out proposal to/from Fuk Hang Tsuen 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 20.12.2020;
- (f) the submission of a drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.9.2020;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.12.2020;
- (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 the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.9.2020;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.12.2020;
- (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; and
- (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.”

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

Agenda Item 47

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/599 Proposed Temporary Open Storage of Construction Materials with Ancillary Office for a Period of 3 Years in “Residential (Group E)2” and “Residential (Group B) 1” Zones, Lots 584 and 585 in D.D. 122, Ping Hing Lane, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/599)

Presentation and Question Sessions

137. 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) the proposed temporary open storage of construction materials with ancillary office for a period of three years;
- (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, two objecting comments from individuals were received. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper.

The proposed use was not in line with the planning intention of the “Residential (Group E)2” (“R(E)2”) zone. No strong planning justifications had been given in the submission for a departure from such planning intention, even on a temporary basis. The proposed development, which was industrial in nature, was not compatible with the surrounding environment. The Director of Environmental Protection did not support the application as there were domestic uses in the vicinity of the site and the operation of the proposed development would cause environmental nuisance to the nearby sensitive users. In that regard, the applicant failed to demonstrate that the development would not generate adverse environmental impact on the nearby sensitive receivers. The application was not in line with Town Planning Board Guidelines No. 13E. There had been no planning approval for temporary open storage use in the same “R(E)2” zone before. Approval of the current application, even on a temporary basis, would set an undesirable precedent for similar applications in the subject “R(E)2” zone. The cumulative effect of approving such similar applications would result in environmental nuisance to the surroundings. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

138. Members had no question on the application.

Deliberation Session

139. 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 “Residential (Group E) 2” (“R(E)2”) zone, which is for phasing out of existing industrial uses through redevelopment for residential use on application to the Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem. 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 incompatible with the surrounding land uses where residential developments and residential care home for the elderly are located in the vicinity;
- (c) the application is not in line with the Town Planning Board PG-No. 13E in that no previous approval has been granted for the site, and there are adverse departmental comment and local objections against the application. The applicant fails to demonstrate that the applied development would not generate adverse environmental impact; and
- (d) approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the same “R(E)2” zone. The cumulative effect of approving such applications would result in environmental nuisance to the surroundings.”

Agenda Item 48

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/256 Proposed Conservation of Historic Building and Minor Relaxation of Building Height Restriction for Permitted Social Welfare Facility (Residential Care Home for the Elderly) in “Government, Institution or Community (1)” Zone, Lots 1695 S.E ss.1 RP, 1695 S.F ss.1 and 1695 S.H RP (Part) in D.D. 120, Tai Kei Leng, Yuen Long
(RNTPC Paper No. A/YL/256A)

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed conservation of historic building and minor relaxation of building height (BH) restriction for permitted social welfare facility (residential care home for the elderly);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication periods, seven public comments were received. One comment from an individual who claimed to be the previous owner of ‘Siu Lo’ supported the application, while the remaining comments from the Chairman of Shap Pat Heung Rural Committee and an individual objected to the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was generally in line with the planning intention of the “Government, Institution or Community (1)” zone. The Commissioner for Heritage’s Office (CHO) and the Antiquities and Monuments Office (AMO) rendered in-principle support to the application from heritage conservation perspective. The proposal was in line with the government policies to strike a proper balance between respect for private property rights and heritage conservation and offer appropriate economic incentives to encourage private owners to conserve and revitalize their historic buildings; and to encourage provision of Residential Care Home for the Elderly (RCHE) premises in new private developments. Having regard

to the need to preserve 'Siu Lo' and to attain a comparable GFA, the proposed minor relaxation of BH restriction was considered not unreasonable. The Chief Town Planner/Urban Design and Landscape, PlanD considered that the proposed minor relaxation of BH restriction was not incompatible with the surroundings and had no comment on the Visual Impact Assessment. 'Siu Lo' would be preserved, revitalised and open for public enjoyment, streetscape adjoining to the site would be improved and various design merits were also proposed by the applicant. Other concerned government departments had no objection to or no adverse comment on the application. Appropriate approval conditions were suggested to address the technical requirements of the concerned government departments. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

Notional Scheme

142. In response to a Member's question on the differences between the notional and proposed schemes, Ms Stella Y. Ng, STP/TMYLW, said that under the notional scheme of full-development of the new RCHE building without preserving 'Siu Lo', the site coverage (SC) and BH of the RCHE building were 79% and 3 storeys above ground respectively, which would come up with the GFA of 4,672 m² for RCHE development. In order to completely preserve 'Siu Lo', the SC of the RCHE building under the proposed conservation-cum-development scheme was reduced to 54%. A BH of 5 storeys above ground was proposed, with an estimated GFA of 3,899m² for RCHE development.

143. Noting that there would be 170 beds provided in the proposed RCHE with the GFA of 3,899m² under the current scheme, a Member asked the total number of beds that could be provided under the notional scheme with the GFA of 4,672 m². In response, Ms Stella Y. Ng, STP/TMYLW, said that the applicant had not provided such information.

Conservation Policy

144. Noting that the GFA for RCHE would be decreased in order to preserve 'Siu Lo', a Member enquired the Government's heritage conservation policy and the incentives given to

the land owner to preserve ‘Siu Lo’. In response, Ms Stella Y. Ng, STP/TMYLW, said that although ‘Siu Lo’ was a grade 3 building, the grading was administrative in nature and would not put the building under statutory protection. Noting the redevelopment plan for ‘Siu Lo’, CHO and AMO had engaged the owner on various preservation-cum-development proposals for the subject historic building since April 2017. After rounds of discussion, the owner agreed in December 2018 to preserve the entire ‘Siu Lo’ in-situ, and convert the building into a “Gallery for Heritage Interpretation” for free public visit and enjoyment, whilst a new 5-storey RCHE would be constructed on the remaining part of the site. In view of the preservation of the entire ‘Siu Lo’, the applicant was seeking minor relaxation of BH restriction for permitted social welfare facilities from 3 storeys to 5 storeys (excluding basement). With regard to the prevailing heritage conservation policy, CHO and AMO considered that the current preservation-cum-development proposal for ‘Siu Lo’ was commensurate with its grading and heritage value. Therefore, in-principle support was rendered to the application from the heritage conservation perspective.

Visual Impact Aspect

145. Noting that the subject application was for minor relaxation of BH restriction for permitted social welfare facility, a Member enquired the visual impacts on the surrounding area arising from the proposed RCHE. With reference to the photomontages submitted by the applicant, Ms Stella Y. Ng, STP/TMYLW, showed Members the visual impact of the proposed RCHE building on ‘Siu Lo’ and the surrounding areas from various selected viewpoints.

146. A Member enquired the details of approved planning application No. A/YL/252 at a site to the immediate north of the application site. With reference to Plan A-2 of the Paper, Ms Stella Y. Ng, STP/TMYLW, said that the planning application, which was to redevelop the existing 2-storey church into a composite building with BH of 8 storeys, was submitted by Yuen Long Baptist Church and approved by the Committee on 3.5.2019. The 8-storey composite building (excluding the 2 levels of basement carparks) involved a church on the lowest 3 floors and a kindergarten and learning centre on the upper 5 floors.

147. In response to a Member’s enquiry, Ms Stella Y. Ng, STP/TMYLW, said that the BH restriction of the “G/IC(1)” zone was 3 storeys excluding basement while for ‘School’ and ‘Hospital’ development, it was 8 storeys (excluding basement).

148. In response to the Chairman's enquiry on the absolute BH of the proposed RCHE, Ms Stella Y. Ng, STP/TMYLW, said that the absolute BH was about 21m measuring from the site formation level.

Deliberation Session

149. A Member considered that although 'Siu Lo' was preserved under the preservation-cum-development scheme, the decrease in useable GFA for RCHE facilities under the proposed scheme, as compared with the notional scheme, was not ideal given the surging demand for RCHE places. Consideration might be given to further increasing the BH to attain more GFA for the proposed RCHE.

150. The Chairman pointed out that the absolute BH of the proposed RCHE was about 21m which was close to the maximum BH (24m) stipulated in the Residential Care Homes (Elderly Persons) Regulation.

151. A Member supported the application and considered that the proposed development was not incompatible with the surrounding developments given that a similar application for a 8-storey composite building to the immediate north of the application site was approved by the Committee. Considering that 'Siu Lo' would be completely preserved and the need to attain developable GFA for RCHE with the reduced footprint, the proposed minor relaxation of BH restriction was considered not unreasonable.

152. A Member raised concern on the building bulk of the proposed 5-storey RCHE and the approved 8-storey composite building and their visual impacts on 'Siu Lo' and the surrounding areas. Another Member was doubtful whether it was worthwhile to preserve 'Siu Lo' as it would be sandwiched between two buildings with BH of 5 and 8 storeys. With reference to a photomontage submitted by the applicant (Drawing A-13) of the Paper, Members noted that 'Siu Lo' could still be seen at Tai Tong Road under the proposed scheme.

153. Noting that the applicant was not a non-profit-making organisation (NPO), a Member raised concern on the financial implication arising from management and maintenance (M&M) of the historic building. For the current application, the M&M cost of preserving

‘Siu Lo’ might need to be subsidised by the RCHE. The Chairman supplemented that CHO had been providing technical advice and financial assistance to owners and tenants of privately-owned graded historic buildings and NPOs to carry out maintenance works to help preserve those buildings from deterioration. The financial assistance might help reduce the M&M cost for ‘Siu Lo’ to a certain extent.

154. Members noted that should the subject application be approved by the Committee, the scheme would be implemented in accordance with the development parameters proposed in the application.

155. The Vice-chairman remarked that while there was no mandatory requirement for preservation of privately-owned historic buildings under the existing regulation, the applicant had initiated to preserve ‘Siu Lo’ and open it for public visit, and CHO and AMO had rendered support to the proposed scheme. Under such circumstances, favourable consideration could be given to the proposed minor relaxation of BH restriction. Also, considering that the site was located alongside the busy road (i.e. Tai Tong Road), the building bulk of the proposed RCHE was considered not incompatible with the surrounding areas.

156. 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 20.3.2024, 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 submission of a Conservation Management Plan for the conservation of the Main Building and the Annex Block of Siu Lo prior to commencement of any works and implementation of the Conservation Management Plan to the satisfaction of the Antiquities and Monuments Office or of the TPB;
- (b) the submission of a full set of photographic, cartographic and/ or 3D scanning records of the Main Building and the Annex Block of Siu Lo prior to commencement of works to the satisfaction of the Antiquities and Monuments Office or of the TPB;

- (c) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (d) the submission and implementation of a run-in/run-out proposal to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB.”

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

Agenda Item 49

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/207 Temporary Open Storage of Construction Machinery and Construction Materials for a Period of 3 Years in “Residential (Group A) 3” Zone, Lots 93 S.A (Part), 771 S.B RP (Part), 772 (Part), 774 S.B RP (Part), 775 S.A RP (Part), 775 S.B RP (Part) in D.D. 125 & Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/207)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage of construction machinery and construction materials for a period of three years;
- (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 applied 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 “Residential (Group A) 3” zone, the detailed implementation programme for that part of New Development Area was still being formulated, and the Project Manager (West), Civil Engineering and Development Department had no objection to the applied temporary use for three years. The applied use was generally in line with the Town Planning Board Guidelines No. 13E. There was no major adverse comment from concerned government departments, except the Director of Environmental Protection (DEP). DEP did not support the application as there were sensitive uses in the vicinity and environmental nuisance was expected. However, there had not been any substantiated environmental complaint against the site over the past three years. To address the concerns on the possible environmental nuisances or the technical requirements of the other concerned government departments, relevant approval conditions had been recommended. Previous applications covering the site and similar applications were approved by the Committee. Approval of the current application was in line with the Committee's previous decisions.

159. Members had no question on the application.

Deliberation Session

160. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.3.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no operation on Sundays or public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the existing landscape planting on the site shall be maintained at all times during the planning approval period;
- (d) the existing drainage facilities on site shall be maintained at all times during the planning approval period;
- (e) the existing fire services installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (f) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.6.2020;
- (g) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the approval period, the planning approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning condition (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Items 50 and 51

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/208 Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Residential (Group A) 4” Zone, Lots 2404 RP (Part) and 2405 RP (Part) in D.D. 124, Tin Sam Road, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/HSK/208)

A/HSK/209 Temporary Public Vehicle Park (excluding container vehicle) for a Period of 5 Years in “Residential (Group A) 4” Zone, Lots 2427 RP (Part) and 2428 RP (Part) in D.D.124, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/HSK/209)

162. The Committee agreed that the two applications for temporary public vehicle park were similar in nature and the application sites were located in close proximity to each other within the same “Residential (Group A) 4” (“R(A)4”) zone, they could be considered together.

Presentation and Question Sessions

163. Mr Simon P.H. Chan, STP/TMYLW, presented the applications and covered the following aspects as detailed in the Papers :

- (a) background to the applications;
- (b) the temporary public vehicle park (private cars and light goods vehicles) for a period of three years for application No. A/HSK/208; and the temporary public vehicle park (excluding container vehicle) for a period of five years for application No A/HSK/209;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Papers;

- (d) during the first three weeks of the statutory publication periods, one objecting comment from an individual was received for each the application. Major objection grounds were set out in paragraph 10 of the Papers; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Paper. Whilst the applied uses were not entirely in line with the planning intention of the “R(A)4” zone, the implementation programme for that part of the Hung Shui Kiu New Development Area (HSKNDA) was still being formulated. The Project Manager (West), Civil Engineering and Development Department had no objection to the applied temporary uses. In that regard, approval of the applications on a temporary basis would not jeopardise the long term planning of the area. The applied uses were not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the applications. There was no environmental complaint pertaining to the sites received in the past three years. To minimize any potential environmental nuisances and to address the technical requirements of concerned government departments, appropriate approval conditions were recommended. The sites were the subject of previous planning approvals. However, the approvals were revoked due to non-compliance with approval conditions. The applicants had submitted relevant proposals in the submissions and relevant government departments had no adverse comment. Sympathetic consideration might be given to the applications. Nevertheless, shorter compliance periods were recommended in order to closely monitor the progress on compliance with associated approval conditions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

164. In response to a Member's question on PlanD's considerations in determining the planning approval period of the applications (three years for application No. A/HSK/208 and five years for application No. A/HSK/209), Mr Simon P.H. Chan, STP/TMYLW, said that public vehicle park was a Column 2 use under the “R(A)4” zone. The duration of the temporary approval was proposed by the applicants and PlanD's considerations on the

applications were mainly on the compatibility of the applied uses and whether they would cause insurmountable problems to the surrounding areas. Moreover, the sites fell within the HSKNDA, an advisory clause was recommended in Appendix V of the Papers to remind the applicants that the sites might be resumed at any time during the planning approval period for implementation of government projects.

Deliberation Session

For Application No. A/HSK/208

165. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.3.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (b) a notice should be posted at a prominent location of the site to indicate that no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a drainage proposal within 3 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or

of the TPB by 20.6.2020;

- (f) in relation to (e) above, the implementation of the drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.9.2020;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 3 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.6.2020;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.9.2020;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

For Application No. A/HSK/209

166. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 20.3.2025, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are

allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;

- (b) a notice shall be posted at a prominent location of the site to indicate that no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a run-in/out proposal within 3 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 20.6.2020;
- (f) in relation to (e) above, the implementation of the approved run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 20.9.2020;
- (g) the submission of a drainage proposal within 3 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.6.2020;
- (h) in relation to (g) above, the implementation of the drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.9.2020;
- (i) in relation to (h) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;

- (j) the submission of a valid fire certificate (FS251) within 3 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.6.2020;
- (k) the provision of approved fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.9.2020;
- (l) if any of the above planning conditions (a), (b), (c), (d) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (e), (f), (g), (h), (j) or (k) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

Agenda Item 52

Any Other Business

168. A Member said that video conferencing had become more common recently due to the need to minimise the risk of spread of the novel coronavirus and opportunity should be taken to introduce video conferencing for Town Planning Board/Planning Committee meetings in the future. The Chairman said that the Secretariat had been exploring different forms of

meeting and would inform Members of the arrangements in due course.

169. There being no other business, the meeting closed at 4:50 p.m.