

TOWN PLANNING BOARD

**Minutes of 645th Meeting of the
Rural and New Town Planning Committee held at 2:30 p.m. on 24.4.2020**

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr C.H. Hau

Dr Lawrence K.C. Li

Miss Winnie W.M. Ng

Mr K.W. Leung

Mr Ricky W.Y. Yu

Dr Venus Y.H. Lun

Mr Conrad T.C. Wong

Mr Y.S. Wong

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

Chief Engineer (Works), Home Affairs Department
Mr Gavin C.T. Tse

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

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

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

Secretary

Absent with Apologies

Mr Stephen L.H. Liu

Vice-chairman

Mr K.K. Cheung

Mr L.T. Kwok

Dr Jeanne C.Y. Ng

In Attendance

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

Chief Town Planner/Town Planning Board
Ms Caroline T.Y. Tang

Town Planner/Town Planning Board
Miss Kirstie Y.L. Law

Welcoming Remarks

1. The Chairman said that it was the first meeting of the Rural and New Town Planning Committee (RNTPC) for the term 2020-2022. He was pleased to announce that Mr Stephen L.H. Liu had been appointed as the Vice-chairman of the Committee. He then introduced three new Members, Dr Venus Y.H. Lun and Messrs Conrad T.C. Wong and Y.S. Wong, and extended a welcome to them. The Committee noted that Mr Stephen L.H. Liu had tendered an apology for being unable to attend the meeting.

Agenda Item 1

Matters Arising

[Open Meeting]

2. The Secretary reported the following:
- (a) the special RNTPC meeting originally scheduled for 30.3.2020 and the regular RNTPC meeting originally scheduled for 3.4.2020 had been re-scheduled in view of the situation of COVID-19 and the special work arrangement for government departments announced by the Government;
 - (b) Members agreed on 27.3.2020 by circulation to adjourn the consideration of five section 12A applications (No. Y/SK-HC/4, Y/NE-STK/1, Y/ST/42, Y/ST/44 and Y/YL-NSW/6) under section 12A(20) of the Town Planning Ordinance, and to defer consideration of 40 section 16 applications (No. A/SK-PK/258, A/NE-TK/678, A/NE-TK/680, A/MOS/127, A/NE-MKT/10, A/NE-STK/16, A/NE-STK/18, A/NE-TKL/621, A/NE-TKLN/28, A/NE-TKLN/32, A/NE-KTS/484, A/YL-SK/276, A/YL-KTN/682, A/YL-KTN/683, A/YL-KTN/688, A/YL-KTN/689, A/YL-KTS/842, A/YL-KTS/843, A/YL-KTS/844, A/YL-PH/826, A/YL-PH/831, A/YL-MP/281, A/YL-MP/287, A/YL-NSW/270, A/YL-NSW/277, A/YL-NTM/399, A/YL-ST/568, A/TM/541, A/TM/548, A/TM/550, A/TM-LTYYY/377, A/TM-LTYYY/378, A/YL/261, A/HSK/200, A/YL-LFS/360, A/YL-PS/565, A/YL-TT/492, A/YL-TYST/998,

A/YL-TYST/1004 and A/YL-TYST/1005) as requested by the Planning Department to another date. The respective applicants/agents of the applicants had been informed of the RNTPC's decision, and a meeting date would be fixed later to consider the applications; and

- (c) the draft minutes of the 644th RNTPC meeting were confirmed without amendments on 7.4.2020 by circulation.

Sha Tin, Tai Po and North District

Agenda Item 2

Section 12A Application

[Open Meeting]

Y/TP/31 Application for Amendment to the Approved Tai Po Outline Zoning Plan No. S/TP/28, To rezone the application site from "Green Belt" to "Comprehensive Development Area (2)" and "Comprehensive Development Area (3)", Various lots in D.D. 12 and D.D. 14 and adjoining Government land, Tung Tsz, Tai Po
(RNTPC Paper No. Y/TP/31)

3. The Secretary reported that Llewelyn-Davies Hong Kong Ltd. (LD), Aedas Ltd. (Aedas), AECOM Asia Co. Ltd. (AECOM), Black & Veatch Hong Kong Ltd. (B&V) and Dennis Lau & Ng Chun Man Architects & Engineers (HK) Ltd. (DLN) were five of the consultants of the applicant. The following Members had declared interests on the item:

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|------------------|---|--|
| Dr C.H. Hau | - | having current business dealings with AECOM; |
| Mr K.K. Cheung | - | his firm having current business dealings with Aedas, DLN and B&V; and |
| Mr Ricky W.Y. Yu | - | having past business dealings with LD. |

4. The Committee noted that the applicant had requested deferment of consideration

of the application and Mr K.K. Cheung had tendered an apology for being unable to attend the meeting. As Dr C.H. Hau and Mr Ricky W.Y. Yu had no involvement in the application, the Committee agreed that they could stay in the meeting.

5. The Committee noted that the applicant's representative requested on 1.4.2020 deferment of the 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 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/TM-LTYYY/8 Application for Amendment to the Approved Lam Tei and Yick Yuen Outline Zoning Plan No. S/TM-LTYYY/10 and Approved Tuen Mun Outline Zoning Plan No. S/TM/35, To rezone the application site from “Residential (Group E)”, “Residential (Group E) 1” and an area shown as ‘Road’ to “Residential (Group A)”, Lots 212 RP, 232, 233, 234, 235, 236 RP, 237, 238, 239, 243, 244, 245, 246 RP, 246 S.A, 246 S.B, 247, 365 RP, 366, 367 and 368 RP in D.D. 130 and Adjoining Government Land, Lam Tei, Tuen Mun
(RNTPC Paper No. Y/TM-LTYYY/8A)

7. The Secretary reported that the application was submitted by Join Smart Ltd., which was a subsidiary of Sun Hung Kai Properties Ltd. (SHKP). AECOM Asia Co. Ltd. (AECOM) and Ronald Lu & Partners Ltd. (RLP) were two of the consultants of the applicant. The following Members had declared interests on the item:

- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Co. (1933) Ltd (KMB) and SHKP was one of the shareholders of KMB;
- Dr C.H. Hau - having current business dealings with AECOM;
- Mr Conrad T.C. Wong - his firm having current business dealings with SHKP; and
- Mr K.K. Cheung - his firm having current business dealings with SHKP and RLP.

8. The Committee noted that Mr K.K. Cheung had tendered an apology for being unable to attend the meeting. The Committee agreed that Miss Winnie W.M. Ng should leave the meeting temporarily for the item as her interest was direct. As Dr C.H. Hau and Mr Conrad T.C. Wong had no involvement in the application, the Committee agreed that they

could stay in the meeting.

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

9. The following representatives from the Planning Department (PlanD) and the applicant's representatives were invited to the meeting at this point:

Mr Kepler S.Y. Yuen - District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW)

Mr Alexander W.Y. Mak - Senior Town Planner/Tuen Mun and Yuen Long West (STP/TMYLW)

Join Smart Ltd.
Mr Grant Yuen
Ms Jovial Wong

Masterplan Ltd.
Mr Ian Brownlee
Mr Benson Poon

} Applicant's representatives

Presentation and Question Sessions

10. The Chairman extended a welcome and explained the procedures of the meeting. He then invited PlanD's representative to brief Member on the background of the application.

11. With the aid of a PowerPoint presentation, 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 rezoning of the application site (the Site) from "Residential (Group E)" ("R(E)") on the approved Lam Tei and Yick Yuen Outline Zoning Plan (LTYO ZP) and "R(E)1" and an area shown as 'Road' on the approved Tuen Mun Outline Zoning Plan (TM OZP) to "Residential (Group A)" ("R(A)"), with a maximum plot ratio (PR) of 6 and a maximum

building height (BH) of 120mPD. It was also proposed to excise the area of the Site falling within the TM OZP for combining with the LTYO OZP;

- (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, 111 comments were received, with 58 supporting comments from local residents and other individuals, and 53 opposing comments from a member of the Legislative Council, current and former members of the Tuen Mun District Council (TMDC), Indigenous Inhabitant Representative, Resident Representative and residents of San Hing Tsuen, a group of members of the Tao Clan and other individuals. Major views were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The Site was located at the central portion of the study area of “Site Formation and Infrastructural Works for the Development at San Hing Road and Hong Po Road, Tuen Mun – Feasibility Study” (the Study) undertaken by the Civil Engineering and Development Department (CEDD), which was scheduled for completion in 2020. The Chief Engineer/Housing Project 2, CEDD had reservation on the application as it would affect the comprehensive planning of the area and jeopardise the implementation of the proposed public housing development and its relevant supportive infrastructural works and the Director of Housing did not support the application in that connection. The Director of Social Welfare was concerned whether the application would have any impact on the development scheme and schedule of the proposed public housing development and the social welfare facilities proposed therein under CEDD's Study as there was no relevant information from the applicant. The Chief Engineer/Construction, Water Supplies Department, the Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Office and the Commissioner for Transport considered that the applicant had failed to demonstrate the

technical feasibility of the proposed development on water supplies, archaeological and traffic aspects respectively. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

12. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Messrs Ian Brownlee and Benson Poon, the applicant's representatives, made the following main points:

Background and reasons for submitting the subject s.12A application

- (a) further to the Committee's approval of a s.16 application No. A/TM-LTY Y/273 for a proposed low-density residential development covering a major part of the Site in 2014, the applicant had proceeded with the implementation of the approved scheme in terms of compliance with approval conditions, submission of general building plans and land exchange application. The concerned site had been cleared and was ready for development. However, the applicant's application for Extension of Time (EOT) for commencement of the approved development was rejected by the Town Planning Board (the Board) on review on 28.9.2018 mainly on the reason that the site was intended for possible high-density public housing rather than low-density private housing development. An appeal was lodged and the hearing was tentatively scheduled for September/October 2020;
- (b) the applicant had submitted another s.16 application No. A/TM-LTY Y/381 on 1.8.2018, which complied with the "R(E)" zone and had similar development parameters of the previously approved application (No. A/TM-LTY Y/273). The Committee's decision to defer consideration of the application at its meeting on 29.11.2019 till now had caused unnecessary delay to the applicant's implementation programme;
- (c) in response to Members' concern regarding the development intensity of the site and the acute demand for housing raised at the Board meeting on

28.9.2018, the applicant was prepared to provide similar number of flats at the Site as the government proposal if the relevant development restrictions could be relaxed;

- (d) the subject s.12A application was submitted with a view to increasing the PR to 6 to facilitate a high-density residential development at the Site in response to the housing demand. Since the Site was ready for development, it could enable an earlier implementation of the proposed residential development should the application be approved;

The proposed rezoning and indicative scheme

- (e) the applicant proposed to rezone the Site from “R(E)” on the LTYO OZP and “R(E)1” and an area shown as ‘Road’ on the TM OZP to “R(A)”, with a proposed PR of 6 and a maximum BH of 120mPD to facilitate a high-density private housing development. Such development parameters were proposed with reference to those of the nearby public housing developments, with a PR of 5 to 6 and a BH of 120 to 140mPD;
- (f) a Day Care Centre for the Elderly with a minimum gross floor area of 500m² was also proposed;

Responses to PlanD’s assessments as set out in the Paper

- (g) it was not reasonable to reject the application because of an on-going but yet-to-be completed Study undertaken by the Government under which the relevant Environmental Impact Assessment (EIA) report had not even been published for public inspection and comment in accordance with the statutory requirements. According to paragraph 3.3.3 of the study brief of the EIA, it was stated that “different land use options and layout options of the proposed development with regard to the approved planning applications” should be considered;
- (h) the boundary of the Study area, which encroached onto the Site, was arbitrary and questionable since a large amount of government land was

excluded but ample private land was included;

- (i) the proposed scheme would not jeopardise the design of the public housing site as the Study area was sizable to allow adjustment to the layout of the public housing blocks, whilst accommodating some private housing blocks at the Site. The Study area, even with the Site excluded, was five times the size of the nearby Yan Tin Estate which had a PR of 5 providing 4,700 flats. Moreover, the affected school development falling within the Site could be off-set as there was a surplus of school sites in the TM OZP;
- (j) the proposed scheme was technically feasible, and the minor technical issues raised by the concerned departments including the Transport Department, Water Supplies Department, and Antiquities and Monuments Office could be addressed at the detailed design stage;

Housing Mix

- (k) there was a need to retain a reasonable provision of private housing, which was in line with the multi-pronged approach of the Long-Term Housing Strategy to increase housing supply;
- (l) according to some researches, the undesirable social condition in Tin Shui Wai was largely due to a highly unbalanced housing mix, in which public housing had taken up over 80% of the total housing provision. Should the public housing development in the Study area proceed as planned, similar undesirable social characteristics resembling those of Tin Shui Wai would likely occur. To solve the housing problem, the Government should work on making housing affordable to those who were ineligible for public housing but suffering from affordability problem for private housing. Solely increasing public housing supply could not solve the problem and would only bring about adverse social impact. The Site was readily available for timely provision of private housing, which would help achieving some form of balance in terms of housing mix in the area;

Advantages and merits of the proposed scheme

- (m) it should be highlighted that private housing provision was also a form of public interest;
- (n) contrary to the lengthy process required upon the completion of the Study and subsequent land resumption for public housing development, the proposed development could allow earlier implementation of housing development and timely provision of private housing of similar scale; and
- (o) the proposed development was technically feasible and visually compatible with the planned high-density housing character of the area and would be able to contribute to solving the disproportionate housing mix of the area;

Conclusion

- (p) the reasons for rejecting the application were not convincing. Private development right should not be overridden unless there was overriding public interest, which was not applicable to the subject case. Given the availability of alternative sites and options for providing the concerned public housing development, there was no reason for not approving the subject application;
- (q) the Site was already zoned for residential development. The previous decision of the Board of not granting an extension of time for approved application No. A/TM-LTY Y/273 had frustrated the realisation of the planning intention. The current application achieved the same planning intention but with an increased development intensity;
- (r) the inputs and latest progress of the concerned Study and the EIA were not made known to the Committee and the public. It was not appropriate for the Committee to reject the application due to the yet-to-be completed Study; and
- (s) the project proponent of housing development at the Site should not be a

concern of the Committee which should only decide on the form, intensity and nature of the development. Approving the application could achieve the long-term planning intention of providing high-density residential development in the area.

[Mr Ricky W.Y. Yu arrived at the meeting during the presentation session.]

13. As the presentations of PlanD's representative and the applicant's representatives were completed, the Chairman invited questions from Members.

Public/Private Housing Mix

14. A Member enquired about the ratio between public and private housing in the surroundings and the planned housing mix in the Study area. In response, Mr Kepler S.Y. Yuen, DPO/TMYLW, made the following main points:

- (a) with reference to the 2016 population by-census, the ratio between public and private housing in Tuen Mun New Town was approximately 53:47. For Tin Shui Wai New Town, about 75% to 80% of the population was living in public housing;
- (b) the public and private housing ratio was usually formulated on the basis of a wider district of a scale similar to a new town, taking into consideration various factors such as land use characteristics and transport capacity. In recent years, in response to the acute demand for housing provision, the Government had increased its target to provide 70% of public housing in its new development land; and
- (c) the Study area was planned for public housing. A ratio of 70% public housing provision in the nearby area (i.e. Tuen Mun Area 54) and provision of public housing at the Study area were considered appropriate as there was convenient linkage to the Tuen Mun Town Centre and the area was well-served by public transport including Siu Hong Station of West Rail, which was a major hub for mass transit.

15. In response to another Member's enquiry as to why the public/private housing mix in Tin Shui Wai was relevant to the consideration of the application, Mr Ian Brownlee, the applicant's representative, said that the development right of the applicant should be respected and should not be compromised due to an on-going government study. The approval of the application would allow the proposed scheme to be taken into account in the future development of the area, such that some high-density private housing could be provided at the Site by the private sector.

The Site and Proposed Development

16. A Member raised the following questions:

- (a) the reasons why the proposed development under application No. A/TM-LTYT/273 had not commenced since its approval in 2014;
- (b) the land ownership status of the Site; and
- (c) whether the proposed development was still possible if acquisition of the remaining 20% of the Site was not successful.

17. In response, Messrs Ian Brownlee and Grant Yuen, the applicant's representatives, made the following main points:

- (a) since the granting of planning approval in 2014, it took time for the applicant to comply with various approval conditions. The applicant had also submitted a land exchange application which was not yet approved. The proposed development was therefore yet to be commenced;
- (b) about 70% to 80% of land at the Site had already been acquired by the applicant, which was mainly located in Phase A of the indicative scheme. The remaining land was mainly owned by Tso Tong (i.e. ancestral land) and the acquisition process was put on hold previously pending election of the manager of Tso Tong. As the election exercise had been completed

recently, it was anticipated that the acquisition process could be re-activated and completed soon; and

- (c) should the acquisition of the remaining Site be not successful, about 80% of the proposed development could still be completed. If the Committee agreed to rezone the Site to “R(A)”, the Government could consider incorporating the remaining portion into the comprehensive public housing development.

Interface with the On-going Government Study

18. Some Members raised the following questions:

- (a) how the boundary of the Study area was drawn up; and the reasons why some areas were proposed for housing development but some were not;
- (b) whether the public were informed of the launch of the Study;
- (c) whether the development within the Study area was frozen since the commencement of the Study;
- (d) whether a public housing project including land resumption would take about 10 to 12 years to complete while the implementation of a private housing project could be done faster;
- (e) whether phased development was considered under the Study to expedite flat production;
- (f) whether development of private housing was considered in the Study;
- (g) the implications on the Study should the s.12A application be approved; and whether an EIA would no longer be required with a reduced Study area if the Site was excluded; and

- (h) the way forward upon completion of the Study.

19. In response, Mr Kepler S.Y. Yuen, DPO/TMYMW, made the following main points:

- (a) the major consideration for delineating the Study's boundary was the inclusion of brownfield sites. Areas involving graves, squatters and road access to nearby residential area were excluded to minimise impacts on existing residents and villagers and respect the existing neighbourhood. Those areas falling inside the Study area but not proposed for housing development, as shown in Plan Z-1b of the Paper, were mainly areas subject to site constraints, e.g. existence of electric towers and cables, and areas reserved for the provision of infrastructures and related facilities;
- (b) the public were well informed of the launch of the Study. The Tuen Mun District Council (TMDC) was consulted in 2014 regarding the proposed public housing development at San Hing Road. The Development Bureau, Housing Department and CEDD had also consulted TMDC on public housing developments in Tuen Mun including the subject site. Subsequently, a project profile of the EIA under the Study had been submitted to the Environmental Protection Department, which was available for public inspection;
- (c) as land resumption had not yet commenced, there was no freezing of development within the Study area;
- (d) in general, a duration of about 10 years was usually required for implementing a public housing project from the feasibility study stage to OZP amendments, land resumption and then site formation and construction. It was possible that a private housing project with single land ownership could be implemented within a shorter timeframe;
- (e) as shown in Plan Z-1b of the Paper, the development area of the Study was geographically separated in a few portions. However, since the Study was

yet to be completed, there was no information on phasing of the proposed public housing development;

- (f) the main objective of the Study was to confirm the technical feasibility of public housing development within the Study area;
- (g) should the s.12A application be approved, it would have implication on the timing of completion of the Study as the layout and technical assessments would need to be reviewed or conducted again. Even if the Site (about 2.1 ha) was excluded from the Study area, an EIA would still be required as the remaining Study area would be about 24.9 ha (i.e. > 20 ha); and
- (h) upon completion of the Study, PlanD would proceed to propose amendments to the OZP based on the findings of the Study, which would be submitted to the Committee for consideration before gazettal of the draft OZP for public inspection.

20. Messrs Ian Brownlee and Grant Yuen, the applicant's representatives, supplemented that since different land use options and layout options of the proposed development should be considered in the EIA, it was not without grounds to exclude the Site of the subject s.12A application when formulating the future development of the area. As similar number of housing units could be produced by the applicant at the Site, the approval of the application would not jeopardise the EIA conducted.

21. In response to a Member's question relating to land resumption involving squatters and brownfield operations, Mr Kepler S.Y. Yuen, DPO/TW&YLW, said that as there were different considerations for different sites with varying site context, it was not possible to draw a conclusion on which form of settlements, say squatters or brownfield operations, required longer time for land resumption.

22. As the applicant's representatives had no further points to raise and there were no further questions from Members, the Chairman informed the applicant's representatives that the hearing procedure for the application had been completed and the Committee would deliberate on the application in their absence and inform the applicant of the Committee's

decision in due course. The Chairman thanked the representatives of PlanD and the applicant's representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

23. The Chairman recapitulated the background of the related applications to facilitate Members' discussion. The Chairman also reminded Members that the Committee should consider the subject rezoning application as submitted by the applicant.

24. A Member pointed out that while the planning permission granted under the approved s.16 application in 2014 had already lapsed as a result of the Board's decision to reject the EOT application on review, subject to the decision of the appeal, there was still a possibility that the approved scheme could be implemented.

25. In response to a Member's enquiry on whether the Committee had approved application that was covered by an on-going government study, the Chairman said that there were similar cases that were approved by the Committee previously and consideration would be given to the progress of the relevant study. One of the examples was the previous s.16 application concerning the subject site, which was approved by the Committee in 2014 on the consideration, inter alia, that the proposed public housing development at San Hing Road was still at the preliminary stage at that time. For the subject application, Members noted that the Study was scheduled for completion in 2020. That Member expressed that the findings of the Study would be important for the Board to consider the overall planning of the area, and the Committee's approval of the subject s.12A application might have implications on the comprehensive development of the area.

26. Two Members generally considered that the rezoning application could be agreed to as the Site, which was currently vacant and mostly under private ownership, was readily available for development whilst the public housing development, which would involve land resumption, might take a longer time for implementation. The development of private and public housing was not mutually exclusive, and since the application was in line with the Government's latest policy direction for land sharing, favourable consideration could be given. Considering the 'fair-play principle', as the future development in the area was yet to be determined, rejecting the application might seem unfair. Besides, a mix of private and

public housing development could generate synergy effect for the overall development of the area.

27. Some Members did not support the application and had the following views:

- (a) the Study was near completion and the approval of the subject application would render effort of conducting the Study futile and affect the comprehensiveness of future development in the area. There were also technical issues that were yet to be addressed in the subject application;
- (b) the applicant's development right was not deprived of as approval was granted to the previous s.16 application (No. A/TM-LTY/273) in 2014. The circumstances had changed since then. The applicant failed to commence the approved scheme within the validity period;
- (c) the allegation of possible delay in completing the Study was unfounded. As both private and public housing were permissible in the proposed "R(A)" zone, the issue on housing mix as raised by the applicant might not be directly relevant to the consideration of the subject application by the Committee; and
- (d) while the applicant claimed that his proposed private housing at the Site might be implemented earlier, it might cause delay to the overall programme of the comprehensive public housing development in the area as the Study and the EIA would need to be conducted again.

28. A Member remarked that from land use planning point of view, the proposed development at the Site should take account of its surrounding developments in a comprehensive manner. That aspect had not been properly addressed in the subject application. The Committee noted that majority of the Members did not support the rezoning application.

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

- “(a) the long-term development of the general area covering the application site is being reviewed under an on-going feasibility study undertaken by the Civil Engineering and Development Department for a proposed comprehensive public housing development with relevant supporting infrastructures and Government, Institution and Community facilities. Suitable zonings of the area covering the site are yet to be determined and the approval of the rezoning application would adversely affect the comprehensive planning of the area and jeopardise the implementation of the proposed public housing development; and
- (b) the applicant fails to demonstrate that the proposed rezoning would not generate adverse water supplies, archaeological and traffic impacts on the surrounding areas.”

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

Sai Kung and Islands District

Agenda Item 4

Section 16 Application

[Open Meeting]

A/SK-PK/257 Columbarium (Within a Religious Institution or extension of existing Columbarium only) in “Green Belt” Zone, Lot 1145 (part) in D.D. 217, Tai Chung Hau, Mang Kung Wo Road, Pak Sha Wan, Sai Kung
(RNTPC Paper No. A/SK-PK/257A)

30. The Secretary reported that the application was for a columbarium development and Mr K.K. Cheung had declared an interest for his firm being the legal advisor of the Private Columbaria Licensing Board.

31. The Committee noted that the applicant had requested deferment of consideration of the application and Mr K.K. Cheung had tendered an apology for being unable to attend the meeting.

32. The Committee noted that the applicant's representative requested on 6.4.2020 deferment of consideration of the application for two months so as to allow time to resolve comments from 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 including revised technical assessments and responses to comments.

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

[Ms Kitty S.T. Lam, Senior Town Planner/Sai Kung and Islands (STP/SKIs), was invited to the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TKO/119 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Public Housing Development in “Residential (Group A) 7” Zone, Government Land at Chiu Shun Road, Tseung Kwan O
(RNTPC Paper No. A/TKO/119)

34. The Secretary reported that the application was located in Tseung Kwan O and the application was submitted by the Hong Kong Housing Authority (HKHA). AECOM Asia Co. Ltd. (AECOM) and Mott MacDonald Hong Kong Ltd. (MMHK) were two of the consultants of the applicant. The following Members had declared interests on the item:

- Dr C.H. Hau - having current business dealings with AECOM;
- Mr K.K. Cheung - his firm having current business dealings with HKHA and MMHK;
- Mr Conrad T.C. Wong - his firm having current business dealings with HKHA;
- Mr L.T. Kwok - his serving organisation (Christian Family Social Service Centre) had 14 social service units located in Tseung Kwan O and was operating a Social Service Team at Mei Tung Estate of the HKHA and a service unit at Tin Ching Estate of the HKHA. The organisation had openly bid a funding from HKHA; and
- Mr Alan K.L. Lo - owing a flat in Tseung Kwan O.

35. The Committee noted that Messrs K.K. Cheung and L.T. Kwok had tendered apologies for being unable to attend the meeting. As Dr C.H. Hau and Mr Conrad T.C. Wong had no involvement in the application and the property of Mr Alan K.L. Lo had no direct view of the application site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

36. Ms Kitty S.T. Lam, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed minor relaxation of plot ratio (PR) restriction for permitted public housing development;
- (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, a total of 110 public comments were received from six members of the Sai Kung District Council, the Hong Kong and China Gas Company Limited and individuals. Most of them objected to the application. 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 application was in line with the government's overall directives on housing supply and provision of social welfare facilities and was in public interests. Technical assessments were conducted to demonstrate that no adverse traffic, environmental, sewerage and landscape impacts would be resulted. With the proposed design and mitigation measures, relevant departments had no adverse comments on the application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

37. In response to a Member's enquiry, Ms Kitty S.T. Lam, STP/SKIs, with reference to Drawing A-9 of the Paper, said that the height of a building was normally counted up to the main roof level. Another Member supplemented that the structures installed at the roof usually included machine rooms and water tanks.

38. In response to another Member's question, Ms Kitty S.T. Lam, STP/SKIs, said that the maximum PR of existing developments in the neighbourhood was about 8, and there were no similar applications in the district for minor relaxation of PR from 6.5 to more than 6.65 (i.e. the PR relaxation of 0.15 for provision of social welfare facilities sought under the subject application).

Deliberation Session

39. A Member expressed that should it be technically viable, further increase in the development intensity for public housing development could be considered with a view to achieving better utilisation of land resources to increase housing provision, where appropriate. The Committee noted that the proposed relaxation of PR 6.65 at the site was appropriate taking into account the site constraints, technical feasibility and the impacts on the surrounding area.

40. 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 24.4.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition:

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

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

[The Chairman thanked Ms Kitty S.T. Lam, STP/SKIs, for her attendance to answer Members' enquiries. She left the meeting at this point.]

Sha Tin, Tai Po and North District

[Messrs Kenny C.H. Lau, Tony Y.C. Wu and Tim T.Y. Fung, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/981 Shop and Services (Decoration Company) in “Industrial” Zone,
Workshop D2, G/F, Universal Industrial Centre, 19-25 Shan Mei
Street, Fo Tan, Sha Tin
(RNTPC Paper No. A/ST/981)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) shop and services (decoration company);
- (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, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of five years based on the assessments set out in paragraph 11 of the Paper. The Premises was located on the ground floor of an existing industrial building with direct

access to Shan Mei Street. The applied use was small in scale and considered not incompatible with the industrial and industrial-related uses in the subject industrial building and the surrounding developments. Similar applications had been approved for other units on the ground floor of the subject industrial building. The application generally complied with the relevant considerations set out in the Town Planning Board Guidelines No. 25D. Relevant government departments had no objection to or no adverse comments on the application, and the concerns raised by the Director of Fire Services could be addressed by recommending approval conditions and advisory clauses. Among the two previous applications submitted by the same applicant for ‘Shop and Services (Retail and Repair Shop of Electronic Appliances and Computer Products)’ use, the one approved in 2018 was revoked due to non-compliance of the approval condition related to fire safety aspect. In that connection, the applicant had clarified that the revocation of the application was due to termination of business by the last tenant, and that the current application was to seek approval to allow the use by a new tenant. A temporary approval of five years was recommended in order not to jeopardise the long-term planning intention of industrial use for the Premises and to allow the Committee to monitor the supply and demand of industrial floor space in the area.

43. Members had no question on the application.

Deliberation Session

44. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 24.4.2025, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the submission and implementation of the fire safety measures within 6 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 24.10.2020; and

- (b) if the above planning condition is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 7

Section 16 Application

[Open Meeting]

A/ST/982 Proposed Shop and Services\ Eating Place\ Motor-vehicle Showroom on Ground Floor\ Art Studio\ Information Technology and Telecommunications Industries\ Office\ Research, Design and Development Centre (Wholesale Conversion of Existing Industrial Building) in “Industrial (1)” Zone, Nos. 8-14 Siu Lek Yuen Road, Sha Tin (Sha Tin Town Lot Nos. 196 & 276)
(RNTPC Paper No. A/ST/982)

46. The Secretary reported that T.K. Tsui & Associates (TKT) was one of the consultants of the applicant and Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with TKT.

47. The Committee noted that the applicant had requested deferment of consideration of the application and Mr K.K. Cheung had tendered an apology for being unable to attend the meeting.

48. The Committee noted that the applicant’s representative requested on 16.4.2020 deferment of consideration of the application for two months in order to allow time for preparation of 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 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/580 Proposed Public Utility Installation (Cabinet Transformer) in
“Agriculture” Zone, Government Land in D.D. 9, Yuen Leng, Kau
Lung Hang, Tai Po
(RNTPC Paper No. A/NE-KLH/580A)

50. The Secretary reported that the application was submitted by CLP Power Hong Kong Ltd., which was a subsidiary of CLP Holdings Ltd. (CLP). The following Members had declared interests on the item:

Dr Jeanne C.Y. Ng	-	being the Director of the CLP Research Institute of CLP; and
Mr K.K. Cheung	}	his firm having current business dealings with CLP.
Mr Conrad T.C. Wong		

51. The Committee noted that Dr Jeanne C.Y. Ng and Mr K.K. Cheung had tendered apologies for being unable to attend the meeting. As Mr Conrad T.C. Wong had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed public utility installation (cabinet transformer);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual raising queries as set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. While the proposed development was not totally in line with the planning intention of “Agriculture” zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the site possessed potential for agricultural rehabilitation, the proposed cabinet transformer was small in scale and not entirely incompatible with the surrounding rural areas. The applicant had undertaken a site selection exercise to demonstrate the need to locate the proposed cabinet transformer within 200m of the catchment area and that there were no alternative sites within the nearby “Village Type Development”. While the site was located within the upper Water Gathering Grounds, the applicant had submitted a method statement with mitigation measures during construction and operation stage of the proposed cabinet transformer to prevent causing adverse impact, of which the Chief Engineer/Construction, Water Supplies Department had no comment. In view of its nature and design, it was also unlikely that the proposed cabinet transformer would generate adverse drainage, environmental and traffic impacts on the surrounding areas.

Other concerned departments had no objection to or no adverse comments on the application.

53. Members had no question on the application.

Deliberation Session

54. 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 24.4.2024, 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 a fire service installations and water supplies for fire fighting proposal to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 9

Section 16 Application

[Open Meeting]

A/NE-KLH/584 Temporary Warehouse with Ancillary Office for a Period of 3 Years in “Green Belt” Zone, Lots 617 S.B RP, 618 S.B ss.1 and 622 S.B RP (Part) in D.D. 9, Nam Wa Po, Kau Lung Hang, Tai Po
(RNTPC Paper No. A/NE-KLH/584)

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

14.4.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information to address comments from the Water Supplies Department. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-FTA/194 Temporary Cargo Handling and Forwarding Facility for a Period of 3 Years in "Other Specified Uses" annotated "Port Back-up Uses", "Agriculture" Zones and area shown as 'Road', Lots 182 RP (Part) and 183 RP (Part) in D.D. 52, Fu Tei Au, Sheung Shui
(RNTPC Paper No. A/NE-FTA/194A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary cargo handling and forwarding facility 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, a comment was received from the Chairman of Sheung Shui District Rural Committee, indicating no comment on the application; 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 temporary cargo handling and forwarding facility use under application was considered generally in line with the planning intention of the “Other Specified Uses” annotated “Port Back-Up” (“OU(PBU)”) zone. While the site fell within the project boundary of the remaining phase of the Fanling North New Development Area (NDA) which was anticipated to commence in 2024, the approval of the application for a temporary period of three years would not jeopardise the long-term planning intention for the NDA development. Although the Director of Agriculture, Fisheries and Conservation did not support the application from the perspective of agricultural development, given its temporary nature and small in scale, it was considered that the approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “Agriculture” zone. The application was in line with the Town Planning Board Guidelines No. 13F in which the site largely fell within Category 1 area and favourable consideration would normally be given with no major adverse departmental comments and no local objection received on the application. The site was the subject of eight previously approved applications for similar temporary container trailer park/goods distribution and storage use, and the current application for a similar use was submitted by a different applicant. There was also a similar approved application for temporary logistics warehouse falling partly within the “OU(PBU)” zone in the vicinity of the site. The planning circumstances of the current application

were similar to that of the approved applications. The technical concerns of government departments could be addressed through the implementation of relevant approval conditions.

59. Members had no question on the application.

Deliberation Session

60. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.4.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 4:00 p.m. and 10:00 a.m. on Mondays to Saturdays, 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 and heavy goods vehicles exceeding 5.5 tonnes, as defined in the Road Traffic Ordinance, is allowed for the operation of the site at any time during the planning approval period;
- (d) all vehicles entering and exiting the site during the planning approval period shall be restricted to non-peak hours (i.e. 10:00 a.m. to 4:00 p.m.), as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the maintenance of all existing trees within the site at all times during the planning approval period;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.10.2020;

- (g) in relation to (f) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.1.2021;
- (h) the submission of proposals for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.10.2020;
- (i) in relation to (h) above, the implementation of proposals for fire service installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.1.2021;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 11

Section 16 Application

[Open Meeting]

A/NE-LYT/724 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1771 S.D ss. 1 in D.D. 76, Ma Mei Ha Leng
Tsui, Fanling
(RNTPC Paper No. A/NE-LYT/724)

62. The Secretary reported that given the situation of COVID-19, all fieldwork had been suspended during the special work arrangement and some relevant background information of the application site was not yet available. The Planning Department (PlanD) thus recommended deferment of the consideration of the application until such information became available.

63. After deliberation, the Committee decided to defer a decision on the application as recommended by PlanD. The Committee agreed that the application should be submitted for its consideration as soon as practicable after the fieldwork was resumed and the required background information of the application site could be made available.

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MKT/11 Proposed Temporary Place of Recreation, Sports or Culture (Hobby
Farm) for a Period of 3 Years in “Agriculture” Zone, Lots 466 RP
(Part) and 467 RP in D.D. 90, Lin Ma Hang Road, Man Kam To
(RNTPC Paper No. A/NE-MKT/11)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary place of recreation, sports of culture (hobby farm) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Local views conveyed by the District Officer (North), Home Affairs Department (DO(N) of HAD) were set out in paragraph 8.1.11 of the Paper;
- (d) during the first three weeks of the statutory publication period, four public comments were received. The Chairman of Sheung Shui District Rural Committee indicated no comment on the application. Three objecting comments were received from World Wide Fund-Hong Kong, The Hong Kong Bird Watching Society and Designing Hong Kong Limited. Major objection grounds were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The proposed development was considered generally in line with the planning intention of “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation had no strong view on the application from agricultural point of view. The approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “AGR” zone. The proposed temporary hobby farm was considered not incompatible with the surrounding landscape setting. The Commissioner for Transport considered that the proposed development was tolerable from traffic engineering point of view. Other concerned government departments had no adverse comments on or no objection to the application. Regarding the local objection conveyed by DO(N) of HAD and 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 approve the application on a temporary basis for a period of 3 years until 24.4.2023, 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., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system and loud speaker, as proposed by the applicant, is allowed to be used on the site during the planning approval period;
- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.10.2020;
- (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 24.1.2021;
- (e) the submission of proposals for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.10.2020;
- (f) in relation to (e) above, the implementation of proposals for fire service installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.1.2021;
- (g) the submission of traffic management measures within 6 months from the date of planning approval to the satisfaction of the Commissioner for

Transport or of the TPB by 24.10.2020;

- (h) in relation to (g) above, the implementation of traffic management measures identified therein within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 24.1.2021;
- (i) the submission of the design of vehicular run-in/ run-out to the site along Lin Ma Hang Road within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 24.10.2020;
- (j) in relation to (i) above, the provision of vehicular run-in/ run-out to the site along Lin Ma Hang Road within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 24.1.2021;
- (k) if 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;
- (l) if any of the above planning conditions (c), (d), (e), (f), (g), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (m) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of Director of Planning or of the TPB.”

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

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/637 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 4 RP in D.D. 46, Tai Tong Wu Village, Ta
Kwu Ling
(RNTPC Paper No. A/NE-TKL/637)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. Local views conveyed by the District Officer (North), Home Affairs Department (DO(N) of HAD) were set out in paragraph 9.1 of the Paper;
- (d) during the first three weeks of the statutory publication period, two comments were received, with one from the Chairman of Sheung Shui District Rural Committee indicating no comment and an objecting comment from Designing Hong Kong Limited. 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. While the proposed development was not in line with the planning intention of the “Agriculture” zone, the Director of Agriculture, Fisheries and

Conservation had no strong view on the application as the site possessed low potential for agricultural rehabilitation. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the footprint of the proposed Small House fell within the ‘village environ’ of Tai Tong Wu village. While the “Village Type Development” (“V”) zone of Tai Tong Wu village was insufficient to fully meet the future demand of 136 Small Houses, it was noted that land was still available within the “V” zone to meet the 26 outstanding Small House applications. While the Board had adopted a more cautious approach in approving applications for Small House development in recent years and considered more appropriate to concentrate the proposed Small House development within the “V” zone, the site was the subject of a previously approved planning application submitted by the same applicant and the Small House grant application was still under processing. Besides, the site was bounded by approved Small Houses to the south, west and north-west, the implementation of which had formed a new village cluster in the locality. Hence, sympathetic consideration might be given to the current application. Regarding the local objection conveyed by DO(N) of HAD and adverse public comments, the comments of government departments and planning assessments above were relevant.

69. Members had no question on the application.

Deliberation Session

70. 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 24.4.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB; and

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

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

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKLN/33 Proposed Temporary Car Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Village Type Development” and “Recreation” Zones, Lot 381 S.B RP in D.D. 78, Tsung Yuen Ha, Ta Kwu Ling North
(RNTPC Paper No. A/NE-TKLN/33)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary car park (private cars and light goods vehicles) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Local views conveyed by the District Officer (North), Home Affairs Department (DO(N) of HAD) were set out in paragraph 8.1.11 of the Paper;
- (d) during the first three weeks of the statutory publication period, a comment was received from a member of the Northern District Council, indicating

no comment on the application; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. While the applied use was not totally in line with the planning intention of the “Village Type Development” (“V”) zone, the proposed temporary car park was to serve the residents of the nearby village as well as possible parking demand for the operation of Liantang/Heung Yuen Wai Boundary Control Point. No Small House application had been received for the site and there was sufficient land within “V” zone to meet the outstanding Small House applications as well as the 10-year Small House demand forecast. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intentions of the concerned zones. The Chief Town Planner/Urban Design and Landscape, PlanD was concerned that more similar developments would further degrade the landscape quality of the surrounding environment. Yet, the site was largely disturbed land and the Director of Agriculture, Fisheries and Conservation had no adverse comment on the application from the nature conservation point of view. Other concerned government departments had no adverse comments on or no objection to the application. Regarding the local objection conveyed by DO(N) of HAD, the comments of government departments and planning assessments above were relevant.

73. Members had no question on the application.

Deliberation Session

74. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.4.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on the site at any time during the planning approval period;

- (b) only private car/light goods vehicle 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) a notice should be posted at a prominent location of the site to indicate that only private car/light goods vehicle 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 dismantling, inspection, maintenance, repairing, cleansing, paint spraying or other workshop activities is allowed on the site at any time during the planning approval period;
- (e) the provision of peripheral boundary fencing on the site, as proposed by the applicant, within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 24.10.2020;
- (f) the submission of the design of vehicular run-in/run-out to the site along Lin Ma Hang Road within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 24.10.2020;
- (g) in relation to (f) above, the provision of vehicular run-in/run-out to the site along Lin Ma Hang Road within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 24.1.2021;
- (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 24.10.2020;
- (i) in relation to (h) 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 24.1.2021;

- (j) the submission of proposals 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 24.10.2020;
- (k) in relation to (j) above, the implementation of proposals 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 24.1.2021;
- (l) 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 24.1.2021;
- (m) if any of the above planning conditions (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (e), (f), (g), (h), (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

[The Chairman thanked Messrs Kenny C.H. Lau, Tony Y.C. Wu and 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

Agenda Item 15

Section 16 Application

[Open Meeting]

A/FLN/21 Proposed Underground Public Vehicle Park (excluding container vehicle) in “Open Space” Zone, Lots 2083 (Part), 2085 (Part), 2086 (Part), 2087 (Part), 2088 (Part), 2089 (Part) and 2130 (Part) in D.D. 51, Fanling North
(RNTPC Paper No. A/FLN/21A)

76. The Secretary reported that the application was submitted by Best Galaxy Ltd., which was a subsidiary of Henderson Land Development Co. Ltd. (HLD). Ronald Lu & Partners Ltd. (RLP) was one of the consultants of the applicant. The following Members had declared interests on the item:

- Mr K.K. Cheung - his firm having current business dealings with RLP;
- Dr C.H. Hau - being an employee of the University of Hong Kong which had received a donation from a family member of the Chairman of HLD before;
- Dr Lawrence K.C. Li - being the Deputy Chairman of the Council of the Hong Kong Polytechnic University which had obtained sponsorship from HLD before; and
- Mr Peter K.T. Yuen - being a member of the Board of Governors of the Hong Kong Arts Centre which had received a donation from an Executive Director of HLD.

77. The Committee noted that the applicant had requested deferment of consideration of the application and Mr K.K. Cheung had tendered an apology for being unable to attend the meeting. As the interests of Dr C.H. Hau, Dr Lawrence K.C. Li and Mr Peter K.T. Yuen were indirect, the Committee agreed that they could stay in the meeting.

78. The Committee noted that the applicant's representative requested on 8.4.2020 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 second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted responses to departmental comments with a revised traffic impact assessment.

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

Agenda Item 16

Section 16 Application

[Open Meeting]

A/FSS/276	Proposed House and Social Welfare Facility (Residential Care Home for the Elderly) and Minor Relaxation of Building Height Restriction in "Village Type Development" Zone, Various Lots in D.D. 51, Fanling (RNTPC Paper No. A/FSS/276)
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80. The Committee noted that the applicant's representative requested on 15.4.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 17

Section 16 Application

[Open Meeting]

A/YL-KTN/696 Temporary Public Vehicle Park (Private Car Only) for a Period of 3 Years in "Village Type Development" Zone, Lots 987 RP (Part), 989 RP (Part), 990 RP (Part), 1590 (Part) and 1603 (Part) in D.D. 107, Sha Po Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/696)

82. The Committee noted that the applicant's representative requested on 14.4.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

[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 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/697 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lots 1467(Part) and 1485(Part) in D.D.107, Shui Mei Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/697)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary place of recreation, sports or culture (hobby farm) for a period of 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, two public comments were received, with one objecting comment from Designing Hong Kong Limited and a comment raising concerns from an individual. Major objection grounds and concerns 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 generally not in conflict with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation had no strong view on the application. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “AGR” zone. The temporary hobby farm was considered not incompatible with the surrounding land uses. In view of the nature and scale of the proposed temporary hobby farm, it would unlikely cause significant adverse traffic, landscape, environmental or drainage impacts on the surroundings. Concerned government departments had no adverse comments on or on objection to the application. Appropriate approval conditions were recommended to address the concerns of the Director of Environmental Protection regarding the possible environmental nuisance generated by the proposed development and technical requirements of concerned government departments. The site was the subject of two previous applications for the same use. As compared with the last approved application, the current application covered a smaller site area with similar layout. There were also 23 similar applications for temporary hobby farm approved with conditions by the Committee between 2015 and 2020 in the same “AGR” zone. Hence, approval of the application was in line with the Committee's previous decisions on the previous and similar applications. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

85. Members had no question on the application.

Deliberation Session

86. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.4.2023, 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 public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing trees on the site shall be maintained in healthy condition at all times during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.10.2020;
- (f) in relation to (e) above, the implementation of a 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 24.1.2021;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.10.2020;
- (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 24.1.2021;

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

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

Agenda Item 19

Section 16 Application

[Open Meeting]

A/YL-KTN/698 Proposed Flat with Minor Relaxation of Maximum Plot Ratio and Building Height Restrictions in “Residential (Group E)” Zone, Lots 215 S.C, 242 S.B RP, 264 S.B RP, 266 S.A, 266 RP, 267, 268, 269 S.B RP, 269 S.B ss.2 RP, 270, 271, 272, 275, 277 (part), 295 (part) and 296 S.B RP (part) in D.D.103 and Adjoining Government Land, Ha Ko Po Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/698)

88. The Secretary reported that the application was submitted by Ease Gold Development Ltd., which was a subsidiary of Sun Hung Kai Properties Ltd. (SHKP). Llewelyn-Davies Hong Kong Ltd. (LD), Archiplus International Ltd. (Archiplus) and Black & Veatch Hong Kong Ltd. (B&V) were three of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Ricky W.Y. Yu - having past business dealings with LD;
- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Co. (1933) Ltd (KMB) and SHKP was one of the shareholders of KMB;
- Mr Conrad T.C. Wong - his firm having current business dealings with SHKP; and
- Mr K.K. Cheung - his firm having current business dealings with SHKP, Archiplus and B&V.

89. The Committee noted that the applicant had requested deferment of consideration of the application and Mr K.K. Cheung had tendered an apology for being unable to attend the meeting. As the interest of Miss Winnie W.M. Ng was direct, the Committee agreed that she could stay in the meeting but should refrain from participating in the discussion. As Messrs Ricky W.Y. Yu and Conrad T.C. Wong had no involvement in the application, the Committee agreed that they could stay in the meeting.

90. The Committee noted that the applicant's representative requested on 16.4.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information in response to departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/699 Renewal of Planning Approval for Temporary Shop and Services (Plant Showroom) for a Period of 3 Years in “Agriculture” Zone, Lots 1037A (Part), 1037B (Part) and 1037C (Part) in D.D.109 and Adjoining Government Land, Tai Kong Po, Pat Heung, Yuen Long (RNTPC Paper No. A/YL-KTN/699)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) renewal of planning approval for temporary shop and services (plant showroom) 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, no public comment was received; 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 application was in line with the Town Planning Board Guidelines No. 34C in that there had been no major change in planning circumstances since the last approval and all approval conditions were complied with. Concerned government departments had no adverse comments on or no objection to the application. Appropriate approval conditions were recommended to minimise any

possible environmental nuisance and address technical requirements of concerned departments.

93. In response to a Member's question, Ms Ivy C.W. Wong, STP/FSYLE, said that two similar applications (No. A/YL-KTN/624 and 629) were rejected by the Committee or the Board on review mainly on the consideration that the Director of Agriculture, Fisheries and Conservation did not support the applications as the sites possessed potential for agricultural rehabilitation. The situation of the current application was different from the two rejected applications.

Deliberation Session

94. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 13.5.2020 to 12.5.2023, 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 Mondays to Fridays (except 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) the boundary fencing on the site shall be maintained at all times during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;

- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of the record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.8.2020;
- (h) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (i) if any of the above planning condition (a), (b), (c), (d), (e), (f) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if the above planning condition (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
- (k) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 21

Section 16 Application

[Open Meeting]

A/YL-KTN/700 Temporary Eating Place (Outside Seating Accommodation) for a Period of 3 Years in “Village Type Development” Zone, Lots 216 S.E ss.1, 216 S.E RP (Part), 216 S.F ss.1 (Part) in D.D.103, Ko Po Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/700)

96. The Secretary reported that given the situation of COVID-19, all fieldwork had been suspended during the special work arrangement and some relevant background information of the application site was not yet available. The Planning Department (PlanD) thus recommended deferment of the consideration of the application until such information became available.

97. After deliberation, the Committee decided to defer a decision on the application as recommended by PlanD. The Committee agreed that the application should be submitted for its consideration as soon as practicable after the fieldwork was resumed and the required background information of the application site could be made available.

Agenda Item 22

Section 16 Application

[Open Meeting]

A/YL-KTN/701 Proposed Temporary Eating Place (Outside Seating Accommodation) for a Period of 3 Years in “Village Type Development” Zone, Lots 216 S.E ss.2 and 216 S.F RP (Part) in D.D.103, Ko Po Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/701)

98. The Secretary reported that given the situation of COVID-19, all fieldwork had been suspended during the special work arrangement and some relevant background information of the application site was not yet available. The Planning Department (PlanD)

thus recommended deferment of the consideration of the application until such information became available.

99. After deliberation, the Committee decided to defer a decision on the application as recommended by PlanD. The Committee agreed that the application should be submitted for its consideration as soon as practicable after the fieldwork was resumed and the required background information of the application site could be made available.

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/845 Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Agriculture” and “Residential (Group C) 1” Zones, Lot 1638 RP (Part) in D.D. 106 and Adjoining Government Land, Yuen Kong, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/845)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary 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) during the first three weeks of the statutory publication period, one objecting comment was received from a member of the Yuen Long District Council. 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. While the applied use was not entirely in line with the planning intentions of the “Agriculture” (“AGR”) and “Residential (Group C) 1” (“R(C)1”) zones and the Director of Agriculture, Fisheries and Conservation did not support the application as the site possessed potential for agricultural rehabilitation, the applied use provided real estate agency services to the residents in Kam Tin area and there was no known programme for long-term development at the site. Hence, the approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “AGR” and “R(C)1” zones. The applied use was considered not incompatible with the surrounding land uses. In view of the scale of the applied use, significant adverse traffic, drainage and landscape impacts and environmental nuisance to the nearby residents were unlikely. Relevant government departments had no adverse comments on or no objection to the application. Appropriate approval conditions were recommended to address the concerns of the Director of Environmental Protection on the possible environmental nuisance generated by the proposed development and technical requirements of concerned departments. Five previously approved applications at the site were submitted by the same applicant for the same applied use. The current application was the same as the last approved application in terms of site area/boundary, development parameters and site layout. There had been no major change in planning circumstances and approval of the application was in line with the Committee's previous decisions. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

101. Members had no question on the application.

102. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.4.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 8:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of a record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of Director of Drainage Services or of the TPB by 24.7.2020;
- (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 24.10.2020;
- (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 24.1.2021;
- (g) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (h) if any of the above planning conditions (d), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

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

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

Agenda Item 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/832 Temporary Public Vehicle Park (excluding container vehicle) for a Period of 3 Years in “Village Type Development” Zone, Lots 1956 S.A RP (Part) and 1956 S.B RP (Part) in D.D. 111, Pat Heung, Yuen Long (RNTPC Paper No. A/YL-PH/832)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary public vehicle park (excluding container vehicle) 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, two objecting public comments were received from a member of the Yuen Long District Council 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. While the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, there was no Small House application approved or under processing at the site and temporary approval of the application would not frustrate the long-term planning intention of the “V” zone. The proposed use was considered not incompatible with the surrounding areas. The proposed temporary public vehicle park without any structures would unlikely cause significant environmental, traffic and drainage impacts and concerned government departments had no adverse comments on or no objection to the application. Appropriate approval conditions were recommended to address the concerns of the Director of Environmental Protection on the possible environmental nuisance generated by the proposed development and technical requirements of concerned departments. The site was the subject of two previous planning applications for open storage uses, which were rejected by the Committee. As the current application was for a different use, and there were seven similar applications approved for vehicle parking uses within the same “V” zone or straddling the same “V” and adjoining “Open Storage” zones, approving the current application was in line with the Committee’s previous decision on the similar applications. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

105. Members had no question on the application.

Deliberation Session

106. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.4.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 10:00 p.m. and 7:00 a.m., as proposed by the

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

- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no 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;
- (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 tractors/trailers, 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 vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.10.2020;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.1.2021;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.10.2020;

- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.1.2021;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/833 Renewal of Planning Approval for Temporary Public Vehicle Park (excluding container vehicle) for a Period of 3 Years in “Village Type Development” Zone, Lots 1631 (Part) and 1633 (Part) in D.D. 111, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/833)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) renewal of planning approval for temporary public vehicle park (excluding container vehicle) 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 were received from a member of the Yuen Long District Council and an individual. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The application was in line with the Town Planning Board Guidelines No. 34C in that there had been no major change in planning circumstances since the last approval. Concerned government departments had no adverse comments on or no objection to the application. Appropriate approval conditions were recommended to minimise any potential nuisance and address technical requirements of concerned departments. Approval 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.

109. In response to a Member’s question, Ms Ivy C.W. Wong, STP/FSYLE, said that no environmental complaint concerning the site was received by the Environmental Protection Department in the past three years.

Deliberation Session

110. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 13.5.2020 to 12.5.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) 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;
- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at all times 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 existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of the record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.8.2020;
- (g) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (h) if any of the above planning conditions (a), (b), (c), (d), (e) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without

further notice; and

- (i) if 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.”

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/834 Renewal of Planning Approval for Temporary Open Storage of Building Materials, Second-hand Vehicles and Automotive Parts with Ancillary Staff Canteen for a Period of 3 Years in “Agriculture” Zone, Lots 1832 RP (Part), 1840 (Part), 1861 (Part), 1864 RP (Part), 1865 (Part), 1866 (Part), 1867 (Part) and 1868 (Part) in D.D. 111, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/834)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) renewal of planning approval for temporary open storage of building materials, second-hand vehicles and automotive parts with ancillary staff canteen for 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, an objecting comment was received from a member of the Yuen Long District Council. 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 application was in line with the Town Planning Board Guidelines No. 34C in that there had been no major change in planning circumstances since the last approval. The application was also in line with the Town Planning Board Guidelines No. 13F in which the site fell within Category 2 areas. Concerned government departments had no adverse comments on or no objection to the application. Appropriate approval conditions were recommended to minimise the possible environmental nuisance and address technical requirements of concerned departments. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

113. Members had no question on the application.

Deliberation Session

114. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 13.5.2020 to 12.5.2023, 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 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 dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of the record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.8.2020;
- (h) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (i) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if the above planning condition (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

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

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

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/835 Proposed House (New Territories Exempted House - Small House) in
“Residential (Group D)” Zone, Lot 2961 RP (Part) in D.D. 111, Lo Uk
Tsuen, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/835)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed house (New Territories Exempted Houses (NTEH) - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the applications based on the assessments set out in paragraph 12 of the Paper.

The proposed Small House development which would phase out the existing open storage use was generally in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (Interim Criteria), the site did not fall within any defined ‘village environ’ of any recognised village. While land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the future Small House demand, the available land was capable of meeting the outstanding Small House applications. The Town Planning Board (the Board) had adopted a more cautious approach in approving applications for Small House development in recent years and considered it more appropriate to concentrate the proposed Small House development within the “V” zone. There was no exceptional circumstance to justify approval of the application. The site was the subject of a previous planning application for the same applied use with an identical scheme submitted by the same applicant, and was rejected by the Board on review mainly on the grounds for not complying with the Interim Criteria. While a similar application straddling the same “R(D)” zone and adjoining “V” zone was approved, it was in line with the then Interim Criteria and fell entirely within the ‘village environ’ of Wang Toi Shan and about 77% of the proposed NTEH footprint fell within the “V” zone. The circumstances of that case were different from those of the current application.

117. Members had no question on the application.

Deliberation Session

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

“land is still available within the “Village Type Development” (“V”) zone of Wang Toi Shan, Lo Uk Tsuen, Leung Uk Tsuen and Chuk Hang which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within “V”

zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. There is no exceptional circumstance to justify approval of the application.”

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/292 Proposed Temporary Eating Place with Private Vehicle Park for a Period of 3 Years, and Filling and Excavation of Land in “Open Space” Zone, Lot 2933 in D.D. 104, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/292)

119. The Secretary reported that the application site was located in Mai Po. Mr K.W. Leung had declared an interest for owning a property in Fairview Park.

120. 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

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

- (a) background to the application;
- (b) proposed temporary eating place with private vehicle park for a period of three years, and filling and excavation 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, 23 objecting

public comments were received from San Tin Rural Committee, village representative of Mai Po Village, local residents and individuals. 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 eating place was not in line with the planning intention of the “Open Space” (“O”) 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 “O” zone as the Director of Leisure and Cultural Services advised that there was no programme for implementing the proposed open space for the time being. The proposed temporary eating place was considered not incompatible with the surrounding land uses. While the site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No. 12C, temporary uses were exempted from the requirement of Ecological Impact Assessment and the Director of Agriculture, Fisheries and Conservation had no comment on the application. Taken into account the nature and scale of the proposed development and filling/excavation of land, significant adverse impacts on the surrounding areas were not expected. Other concerned government departments had no adverse comments on or no objection to the application. Appropriate approval conditions were recommended to address the comments and technical requirements of concerned government departments. Among the eight similar applications covering mainly the same site for similar restaurant/temporary restaurant use but without filling/excavation of land within the same “O” zone, seven were approved. The remaining one for permanent restaurant use was rejected for being not in line with the planning intention. Approval of the current 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.

122. Members had no question on the application.

Deliberation Session

123. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.4.2023, 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. and 8:00 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 the site at any time 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 24.10.2020;
- (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 24.1.2021;
- (e) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.10.2020;
- (f) in relation to (e) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.1.2021;
- (g) in relation to (f) above, the implemented drainage facilities shall 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 the expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 29

Section 16A Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/204-5 Proposed Class B Amendment - Category 19, Extension of time for Compliance with Condition (i) in relation to the Submission of Updated Traffic Impact Assessment Report for the Approved Columbarium under Application No. A/YL-NSW/204 (RNTPC Paper No. A/YL-NSW/204-5)

125. The Secretary reported that that application was for extension of time (EOT) for compliance with an approval condition of an approved columbarium development and Mr K.K. Cheung had declared an interest on the item for his firm being the legal advisor of the Private Columbaria Licensing Board. The Committee noted that Mr K.K. Cheung had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

126. 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) EOT for compliance with approval condition (i) in relation to the submission of updated Traffic Impact Assessment (TIA) report for the approved columbarium under application No. A/YL-NSW/204;
- (c) departmental comments – departmental comments were set out in paragraph 5 of the Paper; and
- (d) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 6 of the Paper. The proposed columbarium use under application No. A/YL-NSW/204 was approved by the Town Planning Appeal Board on 14.11.2017 with conditions. From 2018 to 2019, the Committee approved a total of four applications for EOT for compliance with approval conditions. The compliance period was extended four times to 30 months until 14.5.2020. During that period, six of the seven time-limited conditions had been complied with. Since the granting of the last EOT application on 1.11.2019, the applicant had provided responses-to-comments to the Hospital Authority (HA), Town Planning Board and PlanD to address their comments in respect of approval condition (i). The applicant was currently preparing responses to the Transport Department’s comments and had written to Pok Oi Hospital (POH) for more information about the POH Extension so as to update the TIA report. A fifth EOT was therefore required to allow adequate time for the applicant to obtain relevant information on the proposed extension of POH and prepare responses to relevant departments’ responses. Concerned departments had no objection to the EOT application. The application was considered not inconsistent with the Town Planning Board Guidelines No. 34C (TPB PG-No. 34C) and sympathetic consideration could be given to the application for extending the compliance period for the last time-limited condition for an additional period of six months. No further extension would be granted unless under very special circumstances. Nonetheless,

given the slow and unsatisfactory progress of fulfilling approval condition (i), any application for extension of the time for commencement of development would be assessed having regard to the criteria laid down in TPB PG-No. 35C. The applicant should expedite action to fulfill the approval condition and commence the development. Otherwise, the planning permission might be revoked or lapse.

127. Members had no question on the application.

Deliberation Session

128. After deliberation, the Committee decided to approve the application for extension of time for compliance with approval condition (i) from the original 6 months to 36 months until 14.11.2020, as proposed by the applicant. The Committee also agreed to advise the applicant to expedite action on fulfilling the approval condition and provide timely response to concerned departments/parties. Since a total of 36 months had been allowed for compliance with approval condition (i), no further extension would be granted unless under very special circumstances. Whilst the validity of the planning permission was until 14.11.2021, it might be revoked or lapse if any of the approval conditions was not complied with or the development had not commenced accordingly.

Agenda Item 30

Section 16 Application

[Open Meeting]

A/YL-NSW/278 Temporary Shop and Services (Sales of Private Cars) for a Period of 3 Years in “Undetermined” Zone, Lots 751 (Part), 763 (Part), 764 S.A RP (Part) in D.D. 115, Castle Peak Road - Yuen Long Section, Yuen Long
(RNTPC Paper No. A/YL-NSW/278)

129. The Committee noted that the applicant’s representative requested on 14.4.2020 deferment of consideration of the application for two months in order to allow time

for preparation of further information to address the Transport Department's comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/400 Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years in "Village Type Development" Zone, Lots 2212 RP and 2213 in D.D. 104, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/400)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary public vehicle park (excluding container vehicle) 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, two objecting comments were received from a village representative of San Wai Village 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. Although the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the proposed vehicle park can provide parking spaces to serve the local residents, there was no Small House application approved or under processing within the site and approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “V” zone. The proposed development was not incompatible with the surrounding land uses. Concerned government departments had no adverse comments on or no objection to the application. Appropriate approval conditions were recommended to mitigate potential environmental impacts on the surrounding areas and technical requirements of concerned government departments. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

132. Members had no question on the application.

Deliberation Session

133. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.4.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicle is allowed to queue back to or reverse onto/from the site at any

time during the planning approval period;

- (b) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to be parked on the site at any time during the planning approval period;
- (d) the provision of boundary fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 24.10.2020;
- (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 24.10.2020;
- (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 24.1.2021;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.10.2020;
- (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 24.1.2021;
- (j) if any of the above planning conditions (a), (b), (c) 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 (d), (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.”

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

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/401 Proposed Pond Filling for Permitted Open Storage of Construction Materials (Tiles and Metal Equipment) in “Open Storage” Zone, Lot 2259 (Part) in D.D. 102, San Tin, Yuen Long
(RNTPC Paper No. A/YL-NTM/401)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed pond filling for permitted open storage of construction materials (tiles and metal equipment);
- (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 comments were received from San Tin Rural Committee 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. Although the proposed open storage use was always permitted in the “Open Storage” zone, pond filling at the site required planning permission to ensure that it would not result in adverse drainage impacts on the surrounding areas. While the Director of Agriculture, Fisheries and Conservation had reservation on the application from fish culture perspective, he had no strong view from nature conservation perspective as the ecological value of the site was deemed to be limited. Other concerned government departments had no adverse comments on or no objection to the application. Approval conditions were recommended to address the concerns of Drainage Services Department (DSD). Six similar applications for proposed pond filling for permitted open storage uses in the vicinity were approved. Approval of the application was in line with the Committee's previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

136. In response to a Member's enquiries, Ms Emily P.W. Tong, STP/FSYLE, said that the concerned area for pond filling at the site was part of a larger pond. The area of the pond outside the site boundary would unlikely be affected by the related pond filling. The related drainage proposal should also be implemented to the satisfaction of DSD so that it would not affect the nearby area.

Deliberation Session

137. Noting two Member's concerns regarding the impact of the proposed pond filling on adjacent ponds, the Chairman supplemented that apart from the implementation of a drainage proposal to the satisfaction of DSD, as pond filling in adjacent areas required

planning permission, any unauthorised pond filling works would also be subject to planning enforcement action taken by the Planning Authority.

138. 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 24.4.2024, 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) no part of the site is allowed to be filled to a depth exceeding 1m as proposed by the applicant;
- (b) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) in relation to (b) above, no pond filling works on site should commence until the implementation of the drainage proposal recommended therein to the satisfaction of the Director of Drainage Services or of the TPB; and
- (d) if any of the above planning conditions (a), (b) or (c) is not complied with, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/569 Proposed Temporary Shop and Services (Retail of Construction Materials) for a Period of 3 Years in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Lot 768 RP (Part) in D.D. 99 and Lots 5 & 6 (Part) in D.D. 105, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/569)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary shop and services (retail of construction materials) 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, six objecting public comments were received from San Tin Rural Committee, World Wide Fund for Nature Hong Kong, Kadoorie Farm and Botanic Garden, The Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. As there was no immediate development proposal for the site, approval of

the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” zone. The proposed small-scale temporary shop and services was not incompatible with the surrounding land uses. While the site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No. 12C, temporary uses were exempted from the requirement of Ecological Impact Assessment and the Director of Agriculture, Fisheries and Conservation had no adverse comment on the application from nature conservation point of view. Appropriate approval conditions were recommended to mitigate potential environmental impacts on the surrounding area and address the technical requirements of the concerned government departments. Among the 13 previous planning applications for various temporary uses, eight were rejected by the Committee. The last application for temporary cargo handling and freight forwarding facilities was rejected by the Committee in 2008. Those previous applications were for uses different from the current application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

141. Members had no question on the application.

Deliberation Session

142. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.4.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 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 vehicle is allowed to queue back to or reserve onto/from the site to the public road at any time during the planning approval period;

- (c) the uncovered area of the site shall not be used for open storage of construction materials, as proposed by the applicant, at any time during the planning approval period;
- (d) the provision of boundary fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 24.10.2020;
- (e) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.10.2020;
- (f) in relation to (e) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.1.2021;
- (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 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 24.10.2020;
- (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 24.1.2021;
- (j) if any of the above planning conditions (a), (b), (c) 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 (d), (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.”

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

[The Chairman thanked Ms 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

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

Agenda Item 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/215 Temporary Recyclable Collection Centre (Including Plastics, Paper and Metals) with Ancillary Factory for a Period of 3 Years in “Residential (Group A) 3” Zone, Lots 1842 (Part), 1844 (Part), 1845 (Part) and 1846 (Part) in D.D.125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/215)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) temporary recyclable collection centre (including plastics, paper and metals) with ancillary factory 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 comment from an individual providing views was received. Major views 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. Whilst the applied use was not in line with the planning intention of “Residential (Group A) 3” (“R(A)3”) zone, the implementation programme for that part of New Development Area (NDA) was still being formulated and the Project Manager (West), Civil Engineering and Development Department had no objection to the temporary use for a period of three years at the site. In that regard, approval of the application on a temporary basis of three years would not jeopardise the long-term development of the site. The applied use was not incompatible with the surrounding land uses. The application was generally in line with the Town Planning Board Guidelines No. 13F in that the site fell within the Hung Shui Kiu and Ha Tsuen NDA and previous planning approvals were given under the previous Outline Zoning Plans. While the previous planning permission under application No. A/YL-HT/1071 was revoked due to non-compliance with approval conditions on the implementation of landscaping and fire services installations proposals, relevant proposals were included in the current submission and concerned departments had no adverse comments on the application. The applicant had committed to the compliance with the relevant approval conditions. Moreover, the current application had a different layout with reduced number of structures. Sympathetic consideration might be given. Appropriate approval conditions were

recommended to address the concerns on the possible environmental nuisance or technical requirements of concerned departments. Seven previous planning applications for various open storage and recyclable collection centre uses at the site and seven similar applications for various open storage of recyclable materials/recyclable collection centre uses in the same “R(A)3” zone were approved. Approval of the subject application was in line with the Committee’s previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

145. Members had no question on the application.

Deliberation Session

146. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.4.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 6:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no melting of plastic materials activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) 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 24.7.2020;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;

- (f) the submission of a landscape proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 24.7.2020;
- (g) relation to (f) above, the implementation of the landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 24.10.2020;
- (h) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.7.2020;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.10.2020;
- (j) if any of the above planning conditions (a), (b), (c) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (d), (f), (g), (h) or (i) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 35

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/396 Temporary Shop and Services with Ancillary Storage Area and Office for a Period of 3 Years in “Residential (Group D)” Zone, Lots 1211 S.C (Part), 1248 (Part) and 1249 (Part) in D.D 130, Fuk Hang Tsuen, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/396)

Presentation and Question Sessions

148. 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) temporary shop and services with ancillary storage area and 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 public comment was received from 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. Whilst the applied use was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no known development programme at the site and the applied shop and services use could meet any such demand in the area. Approval of the application on a temporary basis for three years would not jeopardise the planning intention

of the “R(D)” zone. The applied use was not incompatible with the surrounding land uses. Concerned government departments had no adverse comments on or no objection to the application. Appropriate approval conditions were recommended to minimise any potential environmental nuisances and address the technical requirements of the concerned government departments. The planning permission of the previous application No. A/TM-LTYYY/320 submitted by the same applicant for the same use was revoked due to non-compliance with the approval condition on the implementation of drainage proposal. The applicant had submitted a drainage proposal with photographic evidence showing the completed drainage facilities and the Chief Engineer/Mainland North, Drainage Services Department had no objection to the application. Sympathetic consideration might be given to the current application. Nevertheless, shorter compliance periods were recommended in order to closely monitor the progress of compliance with approval conditions. Should the applicant fail to comply with any of the approval conditions again resulting in the revocation of planning permission, sympathetic consideration would not be given to any further application. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

149. Members had no question on the application.

Deliberation Session

150. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.4.2023, 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 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium or heavy goods vehicles, exceeding 5.5 tonnes 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) the existing fencing of the site shall be maintained at all times during the planning approval period;
- (d) the existing tree planting within the site shall be maintained in good condition at all times during the planning approval period;
- (e) the submission of a revised drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.7.2020;
- (f) in relation to (e) 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 24.10.2020;
- (g) 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 planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.7.2020;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.10.2020;
- (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.”

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

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1104 Proposed Temporary Development and Learning Centre for Graphene with Ancillary Office for a Period of 3 Years in “Agriculture” and “Residential (Group D)” Zones, Lots 130, 131, 132 (Part), 260 (Part), 261, 262, 263, 264 and 268 in D.D.128 and Adjoining Government Land, Yuen Long
(RNTPC Paper No. A/YL-HTF/1104)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary development and learning centre for graphene 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, six objecting comments were received from Kadoorie Farm & Botanic Garden Corporation, the Hong Kong Bird Watching Society, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and two individuals.

Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the applications based on the assessments set out in paragraph 11 of the Paper. The proposed temporary development and learning centre for graphene with ancillary office use was not in line with the planning intentions of the “Agriculture” and “Residential (Group D)” zones and the applicant did not provide any justifications on the suitability of the site for the proposed development. The Director of Agriculture, Fisheries and Conservation did not support the application as the site had high potential for agricultural rehabilitation. There was no strong planning justification for a departure from the planning intentions, even on a temporary basis. The Chief Town Planner/Urban Design and Landscape, PlanD had reservation on the application. The proposed use was not entirely compatible with the surrounding landscape character and the approval of the application would set an undesirable precedent to encourage other similar applications with site modification prior to obtaining planning permission. The cumulative impact of which would result in a general degradation of the surrounding rural environment. The Director of Environmental Protection did not support the application as it involved the use of medium goods vehicles and there were sensitive receivers of residential use in the vicinity. Besides, the Commissioner for Transport raised concerns over the traffic impact of the proposed development which were not addressed by the applicant. The site was the subject of eight previous applications rejected by the Committee or on review by the Board. 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.

153. Members had no question on the application.

Deliberation Session

154. After deliberation, the Committee decided to reject the application. The reasons

were:

- “(a) the proposed development is not in line with the planning intentions of the “Agriculture” (“AGR”) and “Residential (Group D)” (“R(D)”) zones. The planning intention of the “AGR” zone is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and also to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. The planning intention of the “R(D)” zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. There is no strong planning justification in the submission for a departure from such planning intentions, even on a temporary basis;
- (b) the applicant fails to demonstrate that the proposed development would not generate adverse environmental and traffic impacts on the surrounding areas; and
- (c) approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “AGR” zone, the cumulative effect of which will result in a general degradation of the rural environment of the area.”

Agenda Item 37

Section 16 Application

[Open Meeting]

A/YL-LFS/361 Renewal of Planning Approval for Temporary Warehouse for Storage of Animal Feed for a Period of 3 Years in “Recreation” Zone, Lots 2075 (Part), 2076 (Part), 2082 (Part) and 2083 (Part) in D.D. 129, Lau Fau Shan, Yuen Long

(RNTPC Paper No. A/YL-LFS/361)

155. The Secretary reported that given the situation of COVID-19, all fieldwork had been suspended during the special work arrangement and some relevant background information of the application site was not yet available. The Planning Department (PlanD) thus recommended deferment of the consideration of the application until such information became available.

156. After deliberation, the Committee decided to defer a decision on the application as recommended by PlanD. The Committee agreed that the application should be submitted for its consideration as soon as practicable after the fieldwork was resumed and the required background information of the application site could be made available.

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary education/holiday camp 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 periods, 58 objecting public comments were received from Kadoorie Farm and Botanic Garden, Hong Kong Bird Watching Society, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited, TrailWatch and individuals. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The applied use was not in line with the planning intention of the “Coastal Protection Area” (“CPA”) zone, and there was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis. The site was situated in an area of rural coastal plain landscape character and was not compatible with the surrounding environment. The Chief Town Planner/Urban Design and Landscape, PlanD had reservation on the application as approval of the application would set an undesirable precedent to encourage other similar applications to carry out vegetation clearance and form the site prior to obtaining planning permission. The cumulative effect of which would result in a general degradation of the rural coastal plain landscape character of the area. The applicant had not addressed the concerns of the Director of Agriculture, Fisheries and Conservation and the Director of Environmental Protection, and failed to demonstrate that the applied use would not have adverse ecological and environmental impact on the surrounding areas. Two previous applications were rejected by the Committee and there was no similar application within the same “CPA” zone. Approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “CPA” zone. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

158. In response to a Member's enquiry, Ms Bonnie K.C. Lee, STP/TMYLW, said that the applicant was not a charitable institution or trust of a public character registered under section 88 of the Inland Revenue Ordinance.

Deliberation Session

159. 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 “Coastal Protection Area” (“CPA”) zone which is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. There is a general presumption against development in this zone. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the applicant fails to demonstrate that the applied use would not generate adverse ecological and environmental impacts on the surrounding areas; and
- (c) approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “CPA” zone, the cumulative effect of which will result in a general degradation of the rural environment of the area.”

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PN/60 Proposed Utility Installation for Private Project (Electricity Transformer Room) Use and Excavation of Land in “Coastal Protection Area” Zone, Lot 10 (Part) in D.D. 135, Sheung Pak Nai, Yuen Long
(RNTPC Paper No. A/YL-PN/60)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed utility installation for private project (electricity transformer room) and excavation of land;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, three objecting comments were received from Hong Kong Bird Watching Society, World Wide Fund for Nature Hong Kong and an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While the application was not entirely in line with the planning intention of the “Coastal Protection Area” (“CPA”) zone, the proposed electricity transformer room was required for the provision of the necessary electricity supply to support the future aquaponics farm which, according to the Director of Agriculture, Fisheries and Conservation, could be considered as an agricultural use always permitted within the “CPA” zone. The proposed electricity transformer room was relatively small in scale and was considered not incompatible with the surrounding areas. Concerned government departments had no adverse comments on or no objection to the application. Relevant approval conditions were recommended to address the technical requirements of the concerned departments. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

161. In response to a Member’s enquiries, Ms Bonnie K.C. Lee, STP/TMYLW, made

the following main points:

- (a) the proposed use was an essential utility facility serving an aquaponics farm to be developed at the remaining portion of the lot to provide reliable supply of electricity for artificial lighting, air-conditioning and other ancillary facilities for the farm's operation, which could not be supported by the current electricity supply in the area;
- (b) the site for the aquaponics farm was currently vacant, with on-going construction work underway; and
- (c) according to the information provided by the applicant, a total of 22 agricultural structures were proposed at the aquaponics farm site. Relevant details had been submitted to the Agriculture, Fisheries and Conservation Department for processing of the application for Letter of Approval for Agricultural Structures.

162. In response to another Member's enquiry, Ms Bonnie K.C. Lee, STP/TMYLW, clarified that there was currently no structure at the site according to the site photos taken in April 2020. The structures at the site as shown on the aerial photos taken at an earlier time had already been demolished.

Deliberation Session

163. 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 24.4.2024, 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 provision of water supplies for firefighting and fire service installations

to the satisfaction of the Director of Fire Services or of the TPB.”

164. 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]

A/YL-TT/493 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years and Filling of Land in “Agriculture”, “Green Belt” and “Open Storage” Zones, Various Lots in D.D. 117 and Adjoining Government Land, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/493)

165. The Committee noted that the applicant’s representative requested on 2.4.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 41

Section 16 Application

[Open Meeting]

A/YL-TT/494 Renewal of Planning Approval for Temporary Shop and Services (Retail Shop for Pet Food) for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” Zone, Lots 3586 S.B RP (Part), 3587 (Part) and 3588 (Part) in D.D.116 and Adjoining Government Land, Yuen Long
(RNTPC Paper No. A/YL-TT/494)

167. The Secretary reported that given the situation of COVID-19, all fieldwork had been suspended during the special work arrangement and some relevant background information of the application site was not yet available. The Planning Department (PlanD) thus recommended deferment of the consideration of the application until such information became available.

168. After deliberation, the Committee decided to defer a decision on the application as recommended by PlanD. The Committee agreed that the application should be submitted for its consideration as soon as practicable after the fieldwork was resumed and the required background information of the application site could be made available.

Agenda Item 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1007 Proposed Temporary Warehouse for Storage of Machinery and Spare Parts with Ancillary Site Office for a Period of 3 Years in “Undetermined” Zone, Lots 805 RP (Part) and 806 RP (Part) in D.D. 117 and Adjoining Government Land, Kung Um Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/1007)

Presentation and Question Sessions

169. Mr Steven Y.H. Siu, STP/TMYLW, presented the application and covered the

following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed temporary warehouse for storage of machinery and spare parts with ancillary site 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, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was not in conflict with the planning intention of the “Undetermined” (“U”) zone. Whilst the site mainly fell within the Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD and the Project Manager (West), Civil Engineering and Development Department had no objection to the proposed temporary use for three years. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The proposal was generally not incompatible with the surrounding uses in the “U” zone. Concerned government departments had no adverse comments on or no objection to the application. Appropriate approval conditions were recommended to minimise the potential environmental nuisances or to address the technical requirements of other concerned departments. Given that three previous approvals for the same use on the site had been granted and 111 similar applications in the same part of the “U” zone had been approved since 2008, approval of the current application was in line with the Committee's previous decisions.

170. Members had no question on the application.

Deliberation Session

171. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.4.2023, 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., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no open storage, packaging, repairing, dismantling or other workshop activities, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) all existing trees within the site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the

satisfaction of the Director of Drainage Services or of the TPB by 24.7.2020;

- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.10.2020;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.1.2021;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 43

Section 16 Application

[Open Meeting]

A/YL-TYST/1008 Temporary Vehicle Repair Workshop and Open Storage of Scrap Metal, Construction Machinery and Building/Recycling Materials with Ancillary Workshop and Packaging Activities for a Period of 3 Years in “Undetermined” Zone, Various Lots in D.D. 119 and D.D. 121 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1008)

173. The Secretary reported that given the situation of COVID-19, all fieldwork had been suspended during the special work arrangement and some relevant background information of the application site was not yet available. The Planning Department (PlanD) thus recommended deferment of the consideration of the application until such information became available.

174. After deliberation, the Committee decided to defer a decision on the application as recommended by PlanD. The Committee agreed that the application should be submitted for its consideration as soon as practicable after the fieldwork was resumed and the required background information of the application site could be made available.

Agenda Item 44

Section 16 Application

[Open Meeting]

A/YL-TYST/1009 Temporary Warehouse for Storage of Food and Electronic Goods for a Period of 3 Years in “Undetermined” Zone, Lots 490 RP (Part), 709, 710, 711, 723, 724, 725, 729, 730, 731 and 732 in D.D. 119, Pak Sha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1009)

175. The Committee noted that the applicant’s representative requested on 16.4.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

176. 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 45

Section 16 Application

[Open Meeting]

A/YL-TYST/1010 Temporary Eating Place (Outside Seating Accommodation of a Licensed Restaurant) for a Period of 3 Year in "Residential (Group A)" Zone, Government Land in front of Shops No. 4-5, G/F, Blocks 1-9, Treasure Court, 8 Ying Fuk Street, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/YL-TYST/1010)

177. The Committee noted that the applicant's representative requested on 17.4.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 46

Section 16 Application

[Open Meeting]

A/YL-TYST/1011 Proposed Temporary Logistics Centre and Warehouse for Storage of Recycle Materials for a Period of 3 Years in “Industrial (Group D)” Zone, Lots 2008 S.B RP, 2008 S.C ss.1, 2008 S.E RP and 2008 S.F ss.1 RP in D.D. 121, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1011)

179. The Committee noted that the applicant’s representative requested on 14.4.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 47

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1012 Renewal of Planning Approval for Temporary Warehouse and Open Storage of Exhibition Materials for a Period of 3 Years in “Undetermined” Zone, Lot 1263 (Part) in D.D. 119 and Adjoining Government Land, Pak Sha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1012)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) renewal of planning approval for temporary warehouse and open storage of exhibition materials 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, no public comment was received; 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 conflict with the planning intention of the “Undetermined” (“U”) zone. Whilst the site fell within the Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD and the Project Manager (West), Civil Engineering and Development Department had no objection to the proposed temporary

use for a further three years. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. Although there were residential structures in the vicinity, the development was generally not incompatible with the surrounding uses in the “U” zone. The application was in line with the Town Planning Board Guidelines No. 13F (TPB PG-No. 13F) in which the site fell within Category 1 areas. The application was generally in line with TPB PG-No. 34C in that there had been no major change in planning circumstances since the last approval, and the approval conditions of the last approval had been complied with. Concerned government departments had no adverse comments on or no objection to the application. Approval conditions were recommended to address the technical requirements of the concerned departments.

182. Members had no question on the application.

Deliberation Session

183. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 29.4.2020 to 28.4.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no repairing, dismantling, spraying, cleaning or other workshop activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including

container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (g) all existing trees within the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.7.2020;
- (j) the existing fire service installations implemented on the site should be maintained in efficient working order at all times during the planning approval period;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if the above planning condition (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.”

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

Agenda Item 48

Section 16 Application

[Open Meeting]

A/YL-TYST/1013 Temporary Open Storage of Construction Materials (Gravels, Bricks, Sand, Cement in Bags and Paints) with Vehicle Repair Workshop for a Period of 3 Years in “Undetermined” Zone, Lots 2357 S.B RP and 2358 RP in D.D. 120, Tin Liu Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1013)

185. The Secretary reported that given the situation of COVID-19, all fieldwork had been suspended during the special work arrangement and some relevant background information of the application site was not yet available. The Planning Department (PlanD) thus recommended deferment of the consideration of the application until such information became available.

186. After deliberation, the Committee decided to defer a decision on the application as recommended by PlanD. The Committee agreed that the application should be submitted for its consideration as soon as practicable after the fieldwork was resumed and the required background information of the application site could be made available.

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

Agenda Item 49

Any Other Business

[Open Meeting]

(i) Section 16A Application

A/YL-KTS/810-3 Application for Extension of Time for Compliance with Planning Conditions

Lots 760 RP, 762 RP, 795 RP, 797 RP, 798, 799 ,800, 801, 802 and 803 in D.D. 103 and adjoining Government land, Kam Tin, Yuen Long (RNTPC Paper No. A/YL-KTS/810-3)

187. The Committee noted that an application for extension of time for compliance with approval conditions (e) and (h) for three months up to 4.7.2020 was received by the Town Planning Board on 2.4.2020, and there were only two working days before expiry of the specific time limit for the relevant approval conditions (i.e. 4.4.2020).

188. After deliberation, the Committee decided not to consider the section 16A application as the deadline for compliance with approval conditions (e) and (h) had already expired on 5.4.2020, and the planning approval for the subject application had ceased to have effect and had on the same date been revoked.

(ii) Information relating to Planning Applications

189. A Member enquired whether requiring applicants to submit information to confirm their non-profit making status (e.g. registration under section 88 of the Inland Revenue Ordinance) for the Committee's consideration was in line with the Town Planning Ordinance. In response, the Chairman said that while there was no such statutory requirement, the Planning Department would request the applicants to provide such information during the processing of the applications as and when required.

190. There being no other business, the meeting closed at 5:55 p.m..