

TOWN PLANNING BOARD

Minutes of 653rd Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 1.9.2020

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Stephen L.H. Liu

Vice-chairman

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Dr C.H. Hau

Dr Lawrence K.C. Li

Miss Winnie W.M. Ng

Mr K.W. Leung

Dr Jeanne C.Y. Ng

Dr Venus Y.H. Lun

Mr Conrad T.C. Wong

Mr Y.S. Wong

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

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

Principal Environmental Protection Officer (Strategic Assessment),
Environmental Protection Department
Mr Stanley C.F. Lau

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 L.T. Kwok

Mr Ricky W.Y. Yu

In Attendance

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

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

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

Opening Remarks

1. The Chairman said that the meeting would be conducted with video conferencing arrangement.

Agenda Item 1

Matters Arising

[Open Meeting]

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

Sha Tin, Tai Po and North District

Agenda Item 2

Section 12A Application

[Open Meeting]

Y/ST/45 Application for Amendment to the Approved Sha Tin Outline Zoning Plan No. S/ST/34, To rezone the application site from “Village Type Development” to “Government, Institution or Community (1)”, Lots 63, 296 (Part), 331 RP (Part) and 393 S.B RP (Part) in D.D. 185, Sheung Wo Che No. 198, Sha Tin
(RNTPC Paper No. Y/ST/45)

3. The Secretary reported that the application was to rezone a site from “Village Type Development” to “Government, Institution or Community (1)” to continue the religious institution and columbarium use on site. Mr K.K. Cheung had declared an interest on the item for his firm being the legal advisor of the Private Columbaria Licensing Board.

4. The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr K.K. Cheung was indirect, the Committee agreed that he could stay in the meeting.

5. The Committee noted that the applicant’s representative requested on 2.7.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information to address departmental and public comments. It was the first time that the applicant requested deferment of the application.

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

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

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/NE-KTS/13

Application for Amendment to the Approved Kwu Tung South Outline Zoning Plan No. S/NE-KTS/16, To amend the Notes of the "Comprehensive Development Area" Zone on the Approved Kwu Tung South Outline Zoning Plan No. S/NE-KTS/16, Lots 1124 RP, 1125 RP, 1126 and 1127 RP (Part) in D.D. 92, Lots 343 RP, 344A S.1 RP (Part), 402 S.A RP, 404 RP, 407 S.A RP, 407 S.A ss.1 RP, 408 S.A RP, 408 S.C ss.2 RP, 408 S.D ss.1, 408 S.D RP and 408 RP in D.D. 94 and Adjoining Government Land, Hang Tau Tai Po, Kwu Tung South (RNTPC Paper No. Y/NE-KTS/13)

7. The Secretary reported that the application site was located in Kwu Tung South. LWK & Partners Architects Limited (LWK) and BMT Hong Kong Limited (BMT) were two 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 LWK and BMT; and

Dr Lawrence K.C. Li - being a member of the Hong Kong Golf Club, which was located to the north of the site.

8. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr K.K. Cheung had no involvement in the application and the interest of Dr Lawrence K.C. Li was indirect, the Committee agreed that they could stay in the meeting.

9. The Committee noted that the applicant's representative requested on 19.7.2020 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.

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

Tuen Mun and Yuen Long West District

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/YL-PN/9

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

(RNTPC Paper No. Y/YL-PN/9B)

11. The Secretary reported that the application was to rezone a site from “Coastal Protection Area” and an area shown as ‘Road’ to “Government, Institution or Community” to facilitate a columbarium use. Mr K.K. Cheung had declared an interest on the item for his firm being the legal advisor of the Private Columbaria Licensing Board.

12. The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr K.K. Cheung was indirect, the Committee agreed that he could stay in the meeting.

13. The Committee noted that the applicant’s representative requested on 26.6.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. The RNTPC meeting originally scheduled for 24.7.2020 had been rescheduled in light of the situation of COVID-19 and the special work arrangement for government departments. On 25.8.2020, the applicant’s representative confirmed that the deferral request was still valid. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to provide responses to departmental comments.

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

Sai Kung and Islands District

Agenda Item 5

Section 16 Application

[Open Meeting]

A/SK-HC/318 Proposed Houses in "Residential (Group E)" Zone and an area shown as 'Road', Lot 503 (Part) in D.D. 210, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/318)

15. The Committee noted that the applicant's representative requested on 7.7.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. The RNTPC meeting originally scheduled for 24.7.2020 had been rescheduled in light of the situation of COVID-19 and the special work arrangement for government departments. It was the first time that the applicant requested deferment of the application.

16. 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.

Sha Tin, Tai Po and North District

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

Agenda Item 6

Section 16 Application

[Open Meeting]

A/MOS/125 Proposed School with Recreational Area in "Other Specified Uses" annotated "Educational and Recreational Development" Zone, Various lots in D.D.167 and Adjoining Government Land, Nai Chung, Ma On Shan

(RNTPC Paper No. A/MOS/125B)

17. The Secretary reported that the application was submitted by Prolong Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHKP). Llewelyn-Davies Hong Kong Limited (LD), AECOM Asia Company Limited (AECOM) and Archiplus International (HK) Limited (Archiplus) were three 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 Company (1933) Limited (KMB) and SHKP was one of the shareholders of KMB;
- Mr Conrad T.C. Wong - having current business dealings with SHKP;
- Mr K.K. Cheung - his firm having current business dealings with SHKP and Archiplus;
- Dr C.H. Hau - having past business dealings with AECOM; and
- Mr Ricky W.Y. Yu - having past business dealings with LD.

18. The Committee noted that the applicant had requested deferment of consideration of the application, and Miss Winnie W.M. Ng had not yet arrived to join the meeting and Mr Ricky W.Y. Yu had tendered an apology for being unable to attend the meeting. As the interest of Mr Conrad T.C. Wong was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion. As Dr C.H. Hau and Mr K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

19. The Committee noted that the applicant's representative requested on 16.7.2020 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 third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including various revised technical assessments.

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

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

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/979 Proposed Eating Place in “Village Type Development” Zone, 248 Pai
Tau Village, Sha Tin
(RNTPC Paper No. A/ST/979A)

Presentation and Question Sessions

21. Ms Hannah H.N. Yick, STP/STN, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed eating place;
- (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, 46 comments were received from members of the Sha Tin District Council, indigenous inhabitant representatives and villagers of Pai Tau Village, and Designing Hong Kong Limited objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper.

The proposed eating place to provide commercial uses serving the needs of the villagers was generally in line with the planning intention of the “Village Type Development” (“V”) zone and was considered not incompatible with the land uses in the vicinity. The proposed eating place was not anticipated to cause significant adverse impacts on pedestrian flow, environmental, drainage, sewerage and fire safety aspects. The Commissioner for Transport (C for T) advised that additional vehicular access or parking provision would not be allowed and the existing public footpath should not be affected. The Director of Environmental Protection advised that the applicant should follow and observe the relevant environmental guidelines. The Director of Food and Environmental Hygiene advised that a suitable food business licence should be obtained and no nuisance should be caused to the surrounding environment. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

22. A Member enquired on how the concerns raised by C for T could be addressed. In response, Ms Hannah H.N. Yick, STP/STN, said that the applicant had not proposed any additional vehicular access or parking space in the submitted proposal. Regarding pedestrian traffic, as there were an existing footpath and an open space adjoining the site, no adverse impact was envisaged.

23. In response to the same Member’s concern on the alternative use of the application site as village office as suggested in the public comments, Ms Hannah H.N. Yick, STP/STN, said that Member should consider whether the applied use of eating place as submitted by the applicant was acceptable at the application site from the planning perspective. The District Officer/Shu Tin, Home Affairs Department had no objection to the proposed use in the application. Should the site be used as a village office, no planning permission from the Board was required as village office was a Column 1 use which was always permitted within the “V” zone.

Deliberation Session

24. 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 1.9.2024, 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 fire services installations before the operation of the proposed development to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) the implementation of the sewerage connections works identified in the sewerage impact assessment before the operation of the proposed development to the satisfaction of the Director of Drainage Services or of the TPB.”

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

Agenda Items 8 and 9

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/685 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 913 S.B ss.1 in D.D. 8, Ma Po Mei Village, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/685 and 686)

A/NE-LT/686 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 913 S.B RP in D.D. 8, Ma Po Mei Village, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/685 and 686)

26. The Committee noted that the two applications for proposed house (New

Territories Exempted House (NTEH) - Small House) would be considered together as they were similar in nature, and the application sites were located close to each other and within the same “Agriculture” (“AGR”) zone.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) proposed house (NTEH - Small House) at each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. Local views conveyed by the District Officer/Tai Po, Home Affairs Department were set out in paragraph 9.1 of the Paper;
- (d) during the first three weeks of the statutory publication period, four opposing comments on both applications were received from Designing Hong Kong Limited, Hong Kong Bird Watching Society 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 applications based on the assessments set out in paragraph 11 of the Paper. The proposed developments were not in line with the planning intention of the “AGR” zone. The Director of Agriculture, Fisheries and Conservation did not support the applications as there were active agricultural activities in the vicinity, and the sites possessed potential for agricultural rehabilitation. The sites fell within the upper indirect water gathering grounds (WGG). While the applicants proposed to connect the proposed Small Houses to the existing public sewerage system at Ma Po Mei, the Chief Engineer/Mainland North, Drainage Services Department did not support the applications as the applicants failed to demonstrate that the proposed

Small Houses were able to be connected to public sewerage system in the area. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (the Interim Criteria), although more than 50% of the footprint of the proposed Small Houses fell within the ‘village environ’ of Ma Po Mei, the proposed Small Houses did not comply with the Interim Criteria as the applicants failed to address the sewerage issues as stated above. Besides, while land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the Small House demand of 190 Small Houses, it was capable to meet the 40 outstanding Small House applications. Given the adoption of a more cautious approach in considering applications for Small House development in recent years, it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. The proposed development under the current applications were generally the same as those proposed in the last previous application (No. A/NE-LT/647) submitted by the same applicants which was rejected by the Town Planning Board (the Board) on review in 2019. The planning circumstances of the current applications were not similar to the three similar applications approved in 2016 on sympathetic consideration. Regarding the public comments, the comments of relevant government departments and planning assessments above were relevant.

28. In response to two Members’ questions, Ms Kathy C.L. Chan, STP/STN, said that the applications were recommended for rejection mainly on the grounds that (i) the applicants’ failure to demonstrate that the proposed development located within the WGG would be able to be connected to the existing or planned public sewerage system causing no adverse impact on the water quality in the area; and (ii) land was still available within the “V” zone to meet the 40 outstanding Small House applications. With the more cautious approach adopted by the Board in recent years in the consideration of Small House applications, the two applications were recommended for rejection. Hence, even if the technical issue related to sewerage connection could be resolved by the applicants, the applications would still unlikely warrant favourable consideration by the Committee.

Deliberation Session

29. A Member expressed that while some applications were rejected due to several grounds including those relating to technical aspect, it was not uncommon that the applicants of those rejected applications would make new applications after resolving the technical issues with a view to obtaining approvals from the Committee, without realising that the application would still be rejected based on other non-technical reasons. To avoid the applicants' abortive efforts to tackle the technical aspect, the Member enquired whether the sequence of the rejection reasons should be reviewed in accordance with the order of significance.

30. The Chairman explained that the sequence of the recommended rejection reasons as listed in the Paper did not signify the weighting of each reason, and the established practice was to first list out the one relating to the planning intention, followed by the relevant Town Planning Board Guidelines or assessment criteria, and then other technical or case specific grounds. Noting the Member's concern, the Chairman invited Members to express views in that respect.

31. A Member remarked that the application might be approved in the future when the technical issues on sewerage connection were properly addressed and land available within the "V" zone would no longer be able to meet the outstanding Small House applications. The Chairman recapitulated for Members' reference that a more cautious approach in considering applications for Small House development had been adopted by the Board in recent years with a view to concentrating the proposed Small House developments within the "V" zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.

32. Some Members expressed the following views:

- (a) while the sequence of rejection reasons might be perceived to have some indication of weighting, failure to address any of them would still constitute a rejection of the application. It might not be appropriate to determine the sequence according to their 'importance';

- (b) instead of re-arranging the sequence of the rejection reasons, consideration could be given to categorising them into policy related and technical/case specific reasons for easy understanding; and
- (c) should the Committee consider it necessary to rearrange the sequence of rejection reasons as a general practice, it would be more appropriate to discuss the matter in the full Board.

33. A Member considered it not necessary to rearrange the rejection reasons in the sequence of their importance as they reflected a holistic and comprehensive consideration of the Committee/Board. Their sequence should not be interpreted as the Committee/Board's views on their weighting or relative importance.

34. Another Member remarked that there should be careful and thorough consideration when making a decision on the above as the rearrangement of sequence of rejection reasons for the subject applications might lead to a wrong perception that the rejection reasons relating to planning principle/compliance of guidelines could be overridden by technical issues. The Vice-chairman and two other Members concurred, and considered that the current practice as explained by the Chairman was appropriate and could sufficiently serve the purpose of presenting the rejection reasons covering different areas of consideration. Hence, further categorisation or prioritisation of rejection reasons might not be necessary.

35. The Chairman concluded that the Committee in general considered it not necessary to change the sequence of rejection reasons for the subject applications and agreed to follow the current approach in presenting the rejection reasons as a general practice. The Committee agreed.

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

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

for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;

- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the applicant fails to demonstrate that the proposed development located within water gathering grounds would be able to be connected to the existing or planned sewerage system and would not cause adverse impact on the water quality in the area; and
- (c) land is still available within the “Village Type Development” (“V”) zone of Ma Po Mei and Tai Mong Che which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.”

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-HLH/44 Temporary Open Storage of Construction Materials for a Period of 2 Years in “Agriculture” Zone, Lot 629 in D.D. 84, Hung Lung Hang
(RNTPC Paper No. A/NE-HLH/44)

Presentation and Question Sessions

37. 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 open storage of construction materials for a period of two years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 10.1.10 of the Paper;
- (d) during the first three weeks of the statutory publication period, five public comments were received, with four objecting comments from Kadoorie Farm and Botanic Garden, World Wide Fund-Hong Kong, Designing Hong Kong Limited and an individual, and one from a member of the Northern District Council indicating no comment on the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intention of the “Agriculture” zone and the Director of Agriculture, Fisheries and Conservation did not support the application in view of active agricultural activities in the vicinity and the site possessed potential for agricultural rehabilitation. The application did not comply with the Town Planning Board Guidelines No. 13F in that the site fell within Category 3 area where applications would normally not be favourably considered unless with previous planning approvals. The Chief Town Planner/Urban Design and Landscape, PlanD had reservation on the application from landscape planning perspective. The Commissioner for Transport did not support the application as the applicant failed to demonstrate that the development would not generate adverse traffic impact on the surrounding area. The Director of Environmental Protection did not support the application as there was a domestic structure in the vicinity of the site. A previous application for the same use at the site submitted by the same applicant was rejected by the Committee. There had been no major change in planning circumstances of the area since the rejection of the previous application. Regarding the public comments, the comments of government departments

and planning assessments above were relevant.

38. Upon the Chairman's enquiry, Mr Tim T.Y. Fung, STP/STN, confirmed that the proposal of the subject application was the same as that of the previous rejected application submitted by the same applicant.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the development does not comply with the Town Planning Board Guidelines No. 13F for ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ in that there is no previous approval for open storage granted for the site; and there are adverse comments from the relevant government departments and local objections against the application; and
- (c) the applicant fails to demonstrate that the development would not cause adverse traffic impact on the surrounding areas.”

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LK/129 Renewal of Planning Approval for Temporary Public Utility Installation (Telephone Exchange) for a Period of 5 Years in “Agriculture” Zone, Government Land in D.D. 39, Shek Chung Au, Sha Tau Kok
(RNTPC Paper No. A/NE-LK/129)

40. The Secretary reported that the application was submitted by PCCW - HKT Telephone Limited (PCCW). Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with PCCW. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) renewal of planning approval for temporary public utility installation (telephone exchange) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments were received. The Chairman of Sheung Shui District Rural Committee indicated no comment on the application and an individual provided views on the application. Major views 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 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 objection to or no adverse comment on the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

42. In response to the Chairman's question, Mr Tim T.Y. Fung, STP/STN, said that the concerned public utility installation was temporary in nature. The site was the subject of two previously approved applications for similar temporary public utility installation for a period of five years submitted by the same applicant under the current application. This was the second time that a renewal of planning approval was submitted to the Town Planning Board.

Deliberation Session

43. The Committee noted that while there was provision for application for a permanent approval for the applied use, the applicant had decided to renew the planning approval on a temporary basis as the service demand in the area was not high at the moment.

44. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 1.9.2025, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the existing drainage facilities implemented under application No. A/NE-LK/98 on the site shall be maintained properly at all times during the planning approval period;
- (b) the existing fire services installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;

- (c) the submission of a record of 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 1.12.2020;
- (d) if any of the above planning conditions (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (e) if the above planning condition (c) 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 V of the Paper.

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/727 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1584 S.G in D.D.76, Kan Tau Tsuen, Fanling
(RNTPC Paper No. A/NE-LYT/727)

Presentation and Question Sessions

46. 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 IV of the Paper. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 9.1 of the Paper;
- (d) during the first three weeks of the statutory publication period, three public comments were received, with the Chairman of Sheung Shui District Rural Committee indicating no comment on the application, Designing Hong Kong Limited objecting to the application and an individual providing views. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While the proposed Small House development was not in line with the planning intention of the “Agriculture” zone and the Director of Agriculture, Fisheries and Conservation did not support the application from the agricultural development point of view as the site possessed potential for agricultural rehabilitation, the proposed Small House development was not entirely incompatible with the surrounding environment. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (the Interim Criteria), the footprint of the proposed Small House fell entirely within the ‘village environ’ of Kan Tau Tsuen. Land available within the “Village Type Development” zone was insufficient to meet the Small House demand but was capable to meet the outstanding Small House applications. Nonetheless, the site was in close proximity to the existing village proper of Kan Tau Tsuen and there were also existing village houses to the west of the site, and approved Small House applications to the north, east and south at different stages of development. The implementation of those approved Small Houses was forming a new village cluster in the locality. In that regard, sympathetic consideration might be given to the application. Other concerned government departments had no objection to or no adverse comment on the application. Among the 41 similar applications in the close proximity, the circumstances

of the current application were similar to those of the seven similar applications approved between 2015 and 2019. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

47. Members had no question on the application.

Deliberation Session

48. 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 1.9.2024, 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.

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

Agenda Items 13 and 14

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/728 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1773 S.A ss. 1 in D.D. 76, Ma Mei Ha Leng
Tsui, Fanling
(RNTPC Paper No. A/NE-LYT/728 and 729)

A/NE-LYT/729 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1773 S.A ss. 3 in D.D. 76, Ma Mei Ha Leng
Tsui, Fanling
(RNTPC Paper No. A/NE-LYT/728 and 729)

50. The Committee noted that the two applications for proposed house (New Territories Exempted House (NTEH) - Small House) would be considered together as they were similar in nature, and the application sites were located close to each other and within the same “Agriculture” (“AGR”) zone.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) proposed House (NTEH - Small House) at each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 9.1 of the Paper;
- (d) during the first three weeks of the statutory publication period, five public comments on both applications were received, with four opposing comments from the Chairman and the First Vice Chairman of Fanling District Rural Committee, Designing Hong Kong Limited and an individual, and one from the Sheung Shui District Rural Committee indicating no comment on the applications. 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

applications based on the assessments set out in paragraph 11 of the Paper. While the proposed Small Houses were not in line with the planning intention of the “Agriculture” zone and the Director of Agriculture, Fisheries and Conservation did not support the applications from the agricultural development point of view as the site possessed potential for agricultural rehabilitation, the proposed Small Houses were not entirely incompatible with the surrounding environment. The Commissioner for Transport considered that the proposed developments involving two Small Houses could be tolerated. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories (the Interim Criteria), more than 50% of the footprints of the proposed Small Houses fell within the ‘village environ’ of Ma Mei Ha Leng Tsui and Leng Pei Tsuen. Land available within the “Village Type Development” (“V”) zone was insufficient to meet the outstanding Small House applications and 10-year Small House demand forecast. The applications were considered in compliance with the Interim Criteria. There were 53 approved similar applications for Small House development in close proximity to the sites. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

52. Members had no question on the applications.

Deliberation Session

53. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 1.9.2024, 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. Each of the permissions 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.”

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

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/641 Temporary Open Storage of Construction Materials and Machinery for a Period of 3 Years in “Agriculture” Zone, Lots 50 and 51 in D.D. 77, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/641)

55. The Secretary reported that the application site was located in Ta Kwu Ling and Mr Conrad T.C. Wong had declared an interest on the item for being the director of Yau Lee Construction Company Limited which owned a piece of land in Ta Kwu Ling. As the property owned by Mr Conrad T.C. Wong’s company had no direct view of the site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

56. 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 open storage of construction materials and machinery for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Local views conveyed by the District Officer (North),

Home Affairs Department were set out in paragraph 10.1.10 of the Paper;

- (d) during the first three weeks of the statutory publication period, four public comments were received, with three objecting comments from Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature Hong Kong and an individual, and one from the Chairman of Sheung Shui District Rural Committee indicating no comment on the application. Major objection grounds were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as there were active agricultural activities in the vicinity and the site possessed potential for agricultural rehabilitation. The application did not comply with the Town Planning Board Guidelines No. 13F in that the site fell within Category 3 area where applications would normally not be favourably considered unless with previous planning approvals. The site was not the subject of a previous planning approval for open storage use. The Chief Town Planner/Urban Design and Landscape, PlanD had reservation on the application as the development was not entirely compatible with the surrounding landscape character within the “AGR” zone. The Commissioner for Transport did not support the application as there was insufficient information to demonstrate that the applied use would not generate significant adverse traffic impact on the surrounding area. The Director of Environmental Protection did not support the application as there were some temporary domestic structures in the vicinity of the site. There were two similar applications for temporary open storage rejected by the Committee. The circumstances of the current application were similar to those of the two rejected applications. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

57. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of the “Agriculture” zone, which is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the application does not comply with the Town Planning Board Guidelines No. 13F for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance in that there is no previous planning approval for open storage use granted at the site; there are adverse comments from the relevant government departments and local objections against the application; and
- (c) the applicants fail to demonstrate that the development would have no adverse traffic impact on the surrounding areas.”

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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/584A)

Presentation and Question Sessions

59. 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) temporary warehouse with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, three public comments were received, with two objecting comments from Nam Wa Po Village Committee and Designing Hong Kong Limited, and one from an individual providing views. Major objection grounds and 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. While the applied use was not in line with the planning intention of the “Green Belt” (“GB”) zone, it was considered not incompatible with the surrounding uses. The Chief Town Planner/Urban Design & Landscape, PlanD had no objection to the application as direct conflict between the applied use and the existing

landscape resources was not anticipated. While the Director of Environmental Protection did not support the application, appropriate approval conditions were recommended to address the concerns on the possible environmental nuisance generated by the applied use. There were five approved similar applications for warehouse uses within the same “GB” zone. The consideration of the applied use under the current application was similar to that of the previously approved applications. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

60. In response to a Member’s enquiry, Mr Tony Y.C. Wu, STP/STN, said that the site was zoned as “GB” since the first gazette of the outline zoning plan in 1994 as it was part of a vegetated area to the north. The on-going temporary land uses and public works in the area had led to a gradual degradation of the environment and hence the coverage of vegetation had been reduced. Opportunity would be taken to review the zoning of the area to reflect the existing condition where appropriate.

61. In response to the enquiries of the Chairman and a Member, Mr Tony Y.C. Wu, STP/STN, made the following main points:

- (a) the site and the adjoining open storage site to the south were under the ownership of the applicant and shared a common access from Tai Wo Service Road West and common areas for loading/unloading activities;
- (b) heavy goods vehicles would not be allowed to enter or park on the site and the loading/unloading activities would be carried out on the adjoining open storage site to the south to minimize possible environmental nuisance to the residents in a nearby village house; and
- (c) the site was covered by previous planning approvals since 2011 and had been hard paved for parking of vehicles for a long period of time.

62. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 1.9.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. and 8:00 a.m. from 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) the existing stormwater drainage facilities on the site should be maintained at all times during the planning approval period;
- (d) no excavation works should be carried out unless prior written approval from the Director of Water Supplies is obtained, and no sinking of wells, blasting, drilling or piling works are allowed on the site at any time during the planning approval period;
- (e) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;
- (f) 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;
- (g) the submission of a sewerage connection proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 1.3.2021;
- (h) in relation to (g) above, the implementation of sewerage connection proposal within 9 months from the date of planning approval to the

satisfaction of the Director of Drainage Services or of the TPB by 1.6.2021;

- (i) the submission of a proposal for fire services 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 1.3.2021;
- (j) in relation to (i) above, the implementation of the proposal for fire services 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 1.6.2021;
- (k) the implementation of protective measures against pollution or contamination to the water gathering grounds, as proposed by the applicant, within 6 months from the date of planning approval to the satisfaction of the Director of Water Supplies or of the TPB by 1.3.2021;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (g), (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) 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.”

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

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

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/587 Proposed 9 Houses (New Territories Exempted Houses) in
“Agriculture” Zone, Lot 95 in D.D. 16, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-KLH/587)

Presentation and Question Sessions

64. 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 nine houses (New Territories Exempted Houses (NTEHs));
- (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 from Designing Hong Kong Limited and an individual opposing the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone. The Director of Agriculture, Fisheries and Conservation did not support the application from agricultural point of view as the site possessed potential for agricultural rehabilitation. The Chief Town Planner/Urban Design & Landscape, PlanD had reservation on the application as the proposed development was considered not entirely

compatible with the landscape character within and surrounding the site and adverse impact on existing landscape resources was anticipated. The Director of Environmental Protection and the Chief Engineer/Construction, Water Supplies Department objected to the application as there was insufficient information to demonstrate that the small sewerage treatment plants proposed by the applicants had a capacity to treat the sewage to meet the required standards. The Head of Geotechnical Engineering Office, Civil Engineering and Development Department did not support the application as the applicants had not submitted a Geotechnical Planning Review Report. Other concerned government departments had no objection to or no adverse comment on the application. The proposed development did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories. While there were two approved similar applications in the “AGR” zone, the grounds of approval were not applicable to the current application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

65. In response to a Member’s question, Mr Tony Y.C. Wu, STP/STN, clarified that the application was not for the development of Small Houses by indigenous villagers under the New Territories Small House Policy. The proposed houses were considered as NTEHs as they met the building height and roofed-over area criteria for exemption from the requirement of building plan submission under the Buildings Ordinance.

66. A Member enquired if there were any examples of approved applications for NTEH (not Small Houses) and whether they were for replacing the existing domestic building on site or being the subject of a previous approval. In response, Mr Tony Y.C. Wu, STP/STN, said that there were two such approved applications in Kau Lung Hang (No. A/NE-KLH/381 and 545). They involved the same site located to the southeast of the application site, and both applications were not for replacing the existing domestic building. These applications were supported with mitigation measures to address the landscape and traffic impacts and a proposal for connecting with future public sewers. Furthermore, the subject lots had building entitlement. The planning circumstances of these approved applications were not applicable to the current case.

Deliberation Session

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

- “ (a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the site located within water gathering grounds would not be able to be connected to the existing or planned public sewerage system in the area. The applicants also fail to demonstrate that the proposed development would not cause adverse landscape, geotechnical and water quality impacts on the area.”

Agenda Item 18

Section 16 Application

[Open Meeting]

A/NE-PK/139 Temporary Private Car Park (Private Car and Light Goods Vehicle) for a Period of 3 Years in “Village Type Development” Zone, Lot 2366 RP (Part) in D.D. 91, Ping Kong, Sheung Shui
(RNTPC Paper No. A/NE-PK/139)

68. The Committee noted that the applicants’ representative requested on 16.7.2020 deferment of consideration of the application for two months in order to allow time

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

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

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-SSH/136 Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years in "Village Type Development" Zone, Lots 1046, 1047 and 1051 (Part) in D.D.165 and Adjoining Government Land, Tseng Tau Village, Shap Sze Heung
(RNTPC Paper No. A/NE-SSH/136)

Presentation and Question Sessions

70. 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) renewal of planning approval for temporary eating place (outside seating

accommodation of a restaurant) 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 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 Town Planning Board Guidelines No. 34C (TPB PG-No. 34C) in that there had been no major change in planning circumstances since the last approval. The application was also generally in line with the TPB PG-No. 15A for application for eating place within the “Village Type Development” zone. Concerned government departments had no objection to or no adverse comment on the application.

71. Members had no question on the application.

Deliberation Session

72. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 1.9.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 9:30 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the existing drainage facilities on the site shall be maintained in efficient working order at all times during the planning approval period;
- (c) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period; and

- (d) if any of the above planning conditions (a), (b) or (c) is not complied with at any time during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

Agenda Item 20

Section 16 Application

[Open Meeting]

A/NE-TK/678 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) with Ancillary Facilities and Eating Place for a Period of 5 Years and Filling of Land in “Agriculture” Zone and area shown as ‘Road’, Lots 605 (Part), 606 (Part), 607, 608 (Part), 610 (Part), 611, 612, 613 (Part), 614 (Part), 622 (Part), 623, 624 S.A (Part), 625 S.A (Part), 626, 627 S.A & S.B, 628 S.A, 628 RP, 629, 630, 631 S.A, 631 RP, 632 S.A, 632 S.B RP, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644 S.A, 644 S.B (Part), 645 (Part), 646 (Part), 656 (Part), 657, 658 (Part), 662, 663, 664, 665, 666, 667 RP, 668 RP, 669, 690 RP, 1274 RP, 1275, 1276, 1277 RP, 1278, 1343 S.B ss. 1 (Part), 1346 S.A RP, 1346 S.B ss. 1 (Part) and 1347 S.A (Part) in D.D. 17, and Adjoining Government Land, Ting Kok Road, Tai Po
(RNTPC Paper No. A/NE-TK/678A)

74. The Committee noted that the applicant’s representative requested on 17.7.2020 deferment of consideration of the application for a period of two months in order to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including responses to departmental comments.

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

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/684 Temporary Public Vehicle Park (Private Cars only) for a Period of 3 Years in "Village Type Development" and "Recreation" Zones, Lots 1604 S.B and 1604 S.C RP (Part) in D.D. 17, Lo Tsz Tin Village, Tai Po
(RNTPC Paper No. A/NE-TK/684)

Presentation and Question Sessions

76. 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) temporary public vehicle park (private cars only) 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. While the applied use was not entirely in line with the planning intentions of the “Recreation” and “Village Type Development” (“V”) zones, it was to serve the visitors to the recreational facilities in the vicinity as well as the villagers nearby. As there was no application for Small House on the site received by the District Lands Officer/Tai Po, Lands Department, approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of “V” zone. Concerned government departments had no objection to or no adverse comments on the application. There was one similar application rejected by the Committee mainly on the ground of adverse geotechnical impact on the concerned site and its surrounding areas. The reason for rejecting the similar application was not applicable to the current application. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

77. Members had no question on the application.

Deliberation Session

78. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 1.9.2023, 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 or enter/exit the site at any time during the planning approval period;

- (b) only private cars as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (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/stored on or enter/exit the site at any time during the planning approval period;
- (d) the provision of peripheral 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 1.3.2021;
- (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 1.3.2021;
- (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 1.6.2021;
- (g) the submission of proposals for fire services installations (FSIs) 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 1.3.2021;
- (h) in relation to (g) above, the implementation of proposals for FSIs 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 1.6.2021;

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

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

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/685 Proposed House (New Territories Exempted House - Small House) in
“Green Belt” and “Village Type Development” Zones, Lots 1397 RP
and 1398 RP in D.D. 17, Lo Tsz Tin Village, Tai Po
(RNTPC Paper No. A/NE-TK/685)

Presentation and Question Sessions

80. 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 house (New Territories Exempted House (NTEH) - Small House)
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper;

- (d) during the first three weeks of the statutory publication period, three objecting public comments were received, with two from the adjacent lot owners and one from an individual. Major objection grounds were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The site was partly zoned “Village Type Development” (“V”) and partly “Green Belt” (“GB”). The proposed development was not in line with the planning intention of the “GB” zone as there was a general presumption against development though the proposed development was not incompatible with the surrounding landscape character. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories (the Interim Criteria), while the proposed Small House footprint fell entirely outside the ‘village environ’ of Lo Tsz Tin, more than 50% of the Small House footprint fell within the “V” zone of the same village. Although land available within the “V” zone was insufficient to fully meet the future Small House demand, it was capable to meet the outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. After the adoption of the more cautious approach in considering applications for Small House development, two applications were approved, but the circumstances of the current application were different from those of the approved applications. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

81. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” zone, which is primarily for defining the limits of urban and suburban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zone of Lo Tsz Tin which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 23

Section 16 Application

[Open Meeting]

A/NE-TK/686 Proposed 7 Houses (New Territories Exempted Houses) in “Agriculture” Zone, Lots 253 S.A ss.1, 253 S.A ss.2, 253 S.A ss.3, 253 S.A ss.4, 253 S.A ss.5, 253 S.A ss.6 and 253 S.A RP in D.D. 23, Ting Kok, Tai Po
(RNTPC Paper No. A/NE-TK/686)

83. The Committee noted that the applicant’s representative requested on 8.7.2020 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.

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

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

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

Fanling, Sheung Shui and Yuen Long East District

[Ms Ivy C.W. Wong, Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE), was invited to the meeting at this point.]

Agenda Item 24

Section 16 Application

[Open Meeting]

A/YL-KTN/714 Proposed Public Utility Installation (Solar Energy and Wind Power Generation System) in "Agriculture" Zone, Lot 157 RP (Part) in D.D.110, Tsat Sing Kong, Kam Tin North, Yuen Long
(RNTPC Paper No. A/YL-KTN/714)

85. The Committee noted that the applicant requested on 13.7.2020 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.

86. 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 25

Section 16 Application

[Open Meeting]

A/YL-KTN/715 Proposed Temporary Site Office and Plant Nursery with Ancillary Open Storage of Building Materials, Tools and Equipment, Landscaping Equipment and Hardware and Ancillary Staff Car Park for a Period of 3 Years in "Comprehensive Development Area (1)" Zone, Lots 1555 S.A (Part), 1555 S.B RP (Part), 1557 RP (Part), 1558 (Part) and 1559 (Part) in D.D. 107, Cheung Chun San Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/715)

87. The Secretary reported that the application was submitted by Bright Strong Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHKP). The following Members had declared interest on the item:

Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Company (1933) Limited (KMB) and SHKP was one of the shareholders of KMB;

Mr Conrad T.C. Wong - having current business dealings with SHKP;
and

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

88. The Committee noted that the applicant had requested deferment of consideration of the application and Miss Winnie W.N. Ng had not yet arrived to join the meeting. As the interest of Mr Conrad T.C. Wong was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion. As Mr. K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

89. The Committee noted that the applicant's representative requested on 13.7.2020 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.

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

Agenda Item 26

Section 16 Application

[Open Meeting]

A/YL-KTN/716 Proposed Temporary Animal Boarding Establishment for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lot 1093 in D.D. 107, Kam Tin North, Yuen Long
(RNTPC Paper No. A/YL-KTN/716)

91. The Committee noted that the applicant requested on 16.7.2020 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.

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

Agenda Item 27

Section 16 Application

[Open Meeting]

A/YL-KTN/717 Proposed Temporary Eating Place and Public Car Park (excluding Container Vehicle) for a Period of 3 Years in “Village Type Development” Zone, Lots 594 RP and 595 RP in D.D. 109, Chi Ho Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/717)

93. The Committee noted that the applicant requested on 16.7.2020 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.

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

Agenda Item 28

Section 16 Application

[Open Meeting]

A/YL-KTS/850 Proposed House in “Residential (Group D)” Zone, Lot 1285 RP in D.D. 106, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/850)

95. The Committee noted that the applicant's representative requested on 16.7.2020 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.

96. 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 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/846 Proposed Temporary Wholesale Trade (Food) for a Period of 5 Years
in "Open Storage" Zone, Lots 854 (Part), 856 (Part), 857, 858 and 874
in D.D. 111 and Adjoining Government Land, Ha Che, Pat Heung,
Yuen Long

(RNTPC Paper No. A/YL-PH/846)

Presentation and Question Sessions

97. 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 wholesale trade (food) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While the proposed wholesale trade use was not entirely in line with the planning intention of the “Open Storage” (“OS”) zone, it was not incompatible with the intended uses in the zone. Approval of the application on a temporary basis for a period of five years would not jeopardise the long-term planning intention of the “OS” zone. The proposed development was not incompatible with the surrounding area. Concerned government departments had no objection to or no adverse comment on the application. Appropriate approval conditions were recommended to address the technical requirements of the concerned government departments. As there were 13 previous applications approved for various temporary open storage or container trailer/tractors uses, approval of the current application was in line with the Committee’s previous decisions.

98. Members had no question on the application.

Deliberation Session

99. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 1.9.2025, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

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

- (b) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 1.3.2021;
- (c) in relation to (b) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 1.6.2021;
- (d) in relation to (c) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.3.2021;
- (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 1.6.2021;
- (g) if any of the above planning conditions (a) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning conditions (b), (c), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/847 Proposed Temporary Shop and Services (Vehicle Parts) with Ancillary Storage and Office for a Period of 5 Years in “Open Storage” Zone, Lots 861 S.A (Part) and 861 S.C (Part) in D.D. 111, Ha Che, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/847)

Presentation and Question Sessions

101. 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 shop and services (vehicle parts) with ancillary storage and office for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, one objecting public 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 had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not entirely in line with the planning intention of the “Open Storage” (“OS”) zone, it was not incompatible with the intended uses in the zone and surrounding land uses. Temporary approval of the application for a period of five years would not

jeopardize the long-term planning intention of the “OS” zone. Appropriate approval conditions were recommended to address the technical requirements of the concerned government departments. The site was the subject of a previous application (No. A/YL-PH/797) for temporary shop and services (vehicle parts) (one-storey structure only) approved in 2018, and the current application was for largely the same applied use with a smaller area and increased total floor area, building height and number of storeys. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

102. In response to a Member’s enquiries on the height of the surrounding structures and the scale of operation of the proposed use, Ms Ivy C.W. Wong, STP/FSYLE, made the following main points:

- (a) there was no building height restriction for the “OS” zone where the site was located;
- (b) the temporary structures in the surrounding area, as illustrated in the site photos on Plan A-4 of the Paper, were of two storeys in height;
- (c) according to the proposal submitted by the applicant, the proposed development involved a four-storey temporary structure (about 15m) with a total floor area of about 2,456m²; and
- (d) the applicant intended to provide enclosed floor space for vehicle parts retailer. The site was to serve as a vehicle parts retail hub to cater for the demand from vehicle repair workshops in the Pat Heung area.

Deliberation Session

103. Three Members were concerned about the proposed building height and its compatibility with the surroundings. The Chairman drew Members’ attention to the following information in relation to the current application to facilitate Members’ discussion:

- (a) the previous application was submitted by the same applicant for the same use, with a building height of one storey (about 11m) and a larger site area as compared with the current application;
- (b) the planning permission obtained under the previous application in 2018 was still valid;
- (c) concerned government departments had no objection to or adverse comment on the proposed scale of development under the current application; and
- (d) prior approval from the Buildings Authority was required before commencement of any building works on site.

104. A Member remarked that while the applicant had submitted a scheme with a proposed four-storey structure to meet the operational needs, it was for the Committee to assess whether the proposed development would be out-of-scale and incompatible with the surrounding context.

105. The Committee noted from the aerial photo illustrated on Plan A-3 of the Paper that the surrounding area was predominated by a mixture of open storage yards, warehouse, workshop and unused/vacant land. Covered structures were commonly found in the area. The previously approved application concerning the site involved a one-storey structure of about 11m. Besides, an application (No. A/YL-PH/804) for proposed temporary wholesale trade (food) use with a structure of about 18m, which was located to the south of the site, was previously approved by the Committee in 2019.

106. Members in general considered that the current application with a proposed building height of about 15m was acceptable as the 4m increase in building height as compared with the previous approval was not substantial and the applied use was temporary in nature. The building height of the proposed structure was also similar to that of the nearby structures.

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

temporary basis for a period of 5 years until 1.9.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (b) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 1.3.2021;
- (c) in relation to (b) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 1.6.2021;
- (d) in relation to (c) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.3.2021;
- (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 1.6.2021;
- (g) if any of the above planning conditions (a) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning conditions (b), (c), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

set out at Appendix IV of the Paper.

[Miss Winnie W.M. Ng arrived to join the meeting during the deliberation session.]

Agenda Item 31

Section 16 Application

[Open Meeting]

A/YL-NSW/274 Proposed Residential (Flat) and Community Hub (Shop and Services, Eating Place, School, Place of Recreation, Sports or Culture and Public Transport Terminus) Development in “Undetermined” Zone, Lots 592 S.C ss.1 S.A, 592 S.C ss.4 and 1252 S.C in D.D. 115, Tung Shing Lei, Yuen Long
(RNTPC Paper No. A/YL-NSW/274)

109. The Committee noted that the consideration of the application had been rescheduled.

Agenda Item 32

Section 16 Application

[Open Meeting]

A/YL-ST/574 Proposed Temporary Shop and Services (Retail Shops and Convenient Store) for a Period of 3 Years in “Village Type Development” Zone, Lots 3049 RP (Part) and 3050 RP (Part) in D.D.102 and Adjoining Government Land, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/574)

110. The Committee noted that the applicant’s representative requested on 10.7.2020 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.

111. After deliberation, the Committee decided to defer a decision on the application

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

[The Chairman thanked Ms Ivy C.W. Wong, STP/FSYLE, for her attendance to answer Members' enquiries. She left the meeting at this point.]

Tuen Mun and Yuen Long West District

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

Agenda Item 33

Section 16 Application

[Open Meeting]

A/TM-LTY Y/401 Proposed Temporary Shop and Services for a Period of 3 Years in
"Village Type Development" Zone, Lot 3866 S.B in D.D. 124, Shun
Tat Street, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/401)

112. The Committee noted that the applicant's representative requested on 6.7.2020 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.

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

Agenda Item 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-SKW/108 Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in "Village Type Development" Zone, Lot 638 RP in D.D. 375, So Kwun Wat, Tuen Mun
(RNTPC Paper No. A/TM-SKW/108)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) renewal of planning approval for temporary shop and services (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph

10 of the Paper;

- (d) during the first three weeks of the statutory publication period, three public comments were received, with two supportive comments from two village representatives, and one objecting comment from a member of the Tuen Mun District Council. 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 objection to or no adverse comment on the application. Appropriate approval conditions were recommended to minimise any possible nuisance and address the technical requirements of concerned departments. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

115. Members had no question on the application.

Deliberation Session

116. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 1.9.2023, 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 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no structure within 7m from the western boundary of the site, as proposed by the applicant, is allowed at any time during the planning approval period;

- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing fire service installations implemented on the site should be maintained in an efficient working order at all times during the planning approval period;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period; and
- (f) 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.”

117. 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/HSK/230 Proposed Temporary Reinforcing Steel Processing Workshop with Ancillary Office for a Period of 3 Years in “Other Specified Uses” annotated “Logistics Facility” Zone, Lot 1262 (Part) in D.D. 124, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/230)

Presentation and Question Sessions

118. 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) proposed temporary reinforcing steel processing workshop with ancillary office for a period of three years;
- (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 providing views. Major views 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. Although the proposed development was not in line with the planning intention of the “Other Specified Uses” annotated “Logistic Facility” zone, the Project Manager (West), Civil Engineering and Development Department had no objection to the proposed development for temporary use. The proposed development was small in scale and not incompatible with the surrounding uses. It could help meet some of the demand for reinforced steels by the construction industry, especially during the implementation of the Hung Shui Kiu/Ha Tsuen New Development Area project. As such, sympathetic consideration might be given to the application. There was no adverse comment on the application from concerned government departments, except the Director of Environmental Protection. Appropriate approval conditions were recommended to address the concerns on the possible environmental nuisances generated by the proposed development and technical requirements of the concerned departments. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

119. Members had no question on the application.

Deliberation Session

120. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 1.9.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) 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 1.3.2021;
- (e) in relation to (d) 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 1.6.2021;
- (f) the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.3.2021;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.6.2021;
- (i) if any of the above planning conditions (a), (b), (c) or (f) is not complied

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

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

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

Agenda Item 36

Section 16 Application

[Open Meeting]

A/HSK/231 Proposed Temporary Warehouse and Open Storage of New Vehicles (Private Cars, Taxis, Light Goods Vehicles and Light Buses) for a Period of 3 Years in “Other Specified Uses” annotated “Enterprise and Technology Park” Zone, Various Lots in D.D. 124 and Adjoining Government Land, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/HSK/231)

122. The Committee noted that the applicant’s representative requested on 25.8.2020 deferment of consideration of the application for one month in order to allow time for concerned departments to review his submission. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/232 Renewal of Planning Approval for Temporary Open Storage of Trucks and Goods Compartments of Dump Trucks for a Period of 3 Years in "Residential (Group A) 3" Zone, Lots 799 (Part) and 800 (Part) in D.D. 125 and Lot 3300 (Part) in D.D. 129, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/232)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) renewal of planning approval for temporary open storage of trucks and goods compartments of dump trucks 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 public comment was received from an individual providing views. 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 further period of three years based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 34C (TPB PG-No. 34C) in that there had been no major change in planning circumstances since the last approval and TPB PG-No. 13F in that the site fell within the Hung Shui Kiu New Development Area and previous planning approval had been given. All the approval conditions under the last approved application had been complied with. As there was no major change in planning circumstances since the last planning approval, sympathetic consideration might be given to the current application. Appropriate approval conditions were recommended to address the possible environmental nuisances and technical requirements of the concerned government departments. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

125. Members had no question on the application.

Deliberation Session

126. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 23.9.2020 to 22.9.2023, 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 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no repair and workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no public vehicle park, as proposed by the applicant, is allowed on the site

at any time during the planning approval period;

- (e) the existing boundary fencing on site shall be maintained at all times during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the landscape planting on the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on site shall be maintained at all times during the planning approval period;
- (i) the existing fire services installations shall be maintained in efficient working order at all times during the planning approval period;
- (j) the submission of a condition record of existing drainage facilities within 3 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.12.2020;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if the above planning condition (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.”

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

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1106 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Land Filling in “Agriculture” Zone, Lots 420 RP, 420 S.A, 421, 422 (Part), 424, 427, 428 S.A, 428 RP, 429 (Part), 430 (Part) and 431 (Part) in D.D. 128, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-HTF/1106)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary place of recreation, sports or culture (hobby farm) for a period of five years and filling of land;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, five objecting public comments were received from Hong Kong Bird Watching Society, Kadoorie Farm and Botanic Garden, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposal involving agriculture/farming use and filling of land was

considered not in conflict with the planning intention of the “Agriculture” (“AGR”) zone and the proposed development was not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application and appropriate approval conditions were recommended to address the technical requirements of the concerned departments. The Committee had approved two similar applications for hobby farm use (No. A/YL-HTF/1090 and 1091) for a period of three years within the same “AGR” zone, and approval of the current application was in line with the previous decisions of the Committee. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

129. In response to two Member’s enquiries regarding land filling and treatment of the site after the approval period, Ms Bonnie K.C. Lee, STP/TMYLW, made the following main points:

- (a) according to the definitions of terms, land filling referred to the depositing or placing of earth, gravel or any other substances on land, which resulted in an elevation of ground level. According to the Notes of the OZP for the concerned “AGR” zone, except laying of soil not exceeding 1.2m in thickness for cultivation, any filling of land required planning permission from the Board. According to the applicant, about 22% of the site would be hard paved with a depth of not more than 0.2m for site formation of structures, vehicle manoeuvring space and footpath. Hence, planning application was required;
- (b) according to the applicant, about 60% of the site area was for planting use in the hobby farm, and about 22% proposed to be hard paved for the construction of eight temporary structures, vehicle manoeuvring space and footpath. For the current application, a substantial portion of the land (more than half of the site) was for agriculture use. The applicant had also provided information to justify the need to hard pave the area concerned;

- (c) the site was currently hard paved and were partly used for open storage of construction materials. Implementation of the proposal required removal of the existing hard paving/soil/gravel and filling of soil for the farming use. An approval condition was recommended requiring the applicant to reinstate the site to an amenity area upon expiry of the planning permission; and
- (d) the site was subject to enforcement action against unauthorised development involving filling of land and a reinstatement notice had been served.

Deliberation Session

130. Two Members expressed that the proposal was considered acceptable. Despite the fact that the site was subject to enforcement action, the unauthorised development had been discontinued and the site had been partially reinstated, they considered that the application could be considered favourably.

131. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 1.9.2025, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, is allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the submission of a 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 1.3.2021;

- (e) in relation to (d) 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 1.6.2021;
- (f) the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (g) all existing trees within the site shall be maintained in good condition 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 1.3.2021;
- (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 1.6.2021;
- (j) if any of the above planning conditions (a), (b), (c), (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;
- (k) if any of the above planning conditions (d), (e), (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.”

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

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/365 Proposed Filling of Land for Permitted Agricultural Use in “Village Type Development” Zone, Lots 2818, 2822 and 2823 in D.D. 129 and Adjoining Government Land, Sha Kong Wai, Yuen Long
(RNTPC Paper No. A/YL-LFS/365)

Presentation and Question Sessions

133. 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 filling of land for permitted agricultural use;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, four objecting public comments were received from villagers and an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed filling of land for agricultural use was considered not incompatible with the surrounding area. While the Director of Food and Environmental Hygiene had reservation on the application, other concerned government departments had no objection to or no adverse comment on the application. Appropriate approval conditions were recommended to address the technical requirements of the concerned departments. The Committee had approved a similar application for the same use in 2015 to

the immediate south of the site within the same “Village Type Development” zone. Approval of the current application was in line with the previous decision of the Committee. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

134. Members had no question on the application.

Deliberation Session

135. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 1.9.2024, 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 shall be filled other than soil to a depth exceeding 1.5 m, as proposed by the applicant;
- (b) no part of the site shall be filled to a level higher than the adjoining area;
- (c) no land filling works shall be carried out on the hard-paved area within the site;
- (d) the submission of a drainage proposal including drainage mitigation measures before commencement of land filling works on the site to the satisfaction of the Director of Drainage Services or of the TPB;
- (e) the implementation of the drainage proposal including drainage mitigation measures identified therein upon completion of the land filling works on the site to the satisfaction of the Director of Drainage Services or of the TPB; and
- (f) if any of the above planning conditions (d) or (e) is not complied with

before commencement or upon completion of the land filling works, respectively, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

[Mr Raymond K.W. Lee, the Chairman, left the meeting at this point.]

137. Members noted that the Chairman had to attend an urgent meeting and was unable to chair the remaining part of the meeting. Mr Stephen L.H. Liu, the Vice-chairman, took over the chairmanship at this point.

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/264 Proposed House (New Territories Exempted House - Small House)
in “Comprehensive Development Area” Zone, Tai Kiu Lot 77 RP in
D.D.120, Tai Kiu Tsuen, Yuen Long
(RNTPC Paper No. A/YL/264)

Presentation and Question Sessions

138. 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 house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 11 and Appendix V of the Paper;

- (d) during the first three weeks of the statutory publication period, two public comments were received from the Indigenous Inhabitants Representative and an individual providing views. Major views were set out in paragraph 12 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 13 of the Paper. While the proposed development was not in line with the planning intention of the “Comprehensive Development Area” (“CDA”) zone, the proposal was only for redevelopment of an existing village house, which was small in scale and the site had a building status for house use under the lease. There was currently no valid planning approval/Master Layout Plan covering the subject “CDA” zone nor any known development/redevelopment proposal for the area. Hence, the proposed development would not significantly jeopardise the long-term development of the subject “CDA” zone. The proposed development was considered not incompatible with the surrounding area. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories, the site and the footprint of the proposed Small House fell entirely within the ‘village environ’ of Tai Kiu. As there was no “Village Type Development” zone for Tai Kiu, the 10-year Small House demand forecast could not be met. As such, sympathetic consideration could be given to the current application based on its individual circumstances. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

139. Members had no question on the application.

Deliberation Session

140. 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 1.9.2024, 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 septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB.”

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

Agenda Item 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/491 Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years in “Village Type Development” Zone, Lot 1213 (Part) in D.D. 117, Tai Tong Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TT/491A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary public vehicle park for private cars and light goods vehicles for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;

- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual providing views. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the proposal could help meet the parking demand in the area. Approval of the application for a temporary period of three years would not frustrate the long-term planning intention of the area. The applied use was considered not incompatible with the surrounding area. Concerned government departments had no objection to or no adverse comments on the application. Appropriate approval conditions were recommended to minimise any potential nuisance and address the technical requirements of concerned departments. While the previous approval at the site for the same use was revoked due to non-compliance with approval conditions, the applicant of the current application, who claimed to be the new tenant of the site, submitted landscaping, drainage and fire service installations (FSIs) proposals, of which the FSIs proposal was accepted by the Director of Fire Services. Hence, sympathetic consideration might be given to the application. One similar application within the same “V” zone had been approved by the Committee, approval of the subject application was generally in line with the Committee's previous decision. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

143. Members had no question on the application.

Deliberation Session

144. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 1.9.2023, on the terms of the application as

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

- “(a) only private cars and light goods vehicles, as defined in the Road Traffic Ordinance, are allowed to enter/be parked on the site, as proposed by the applicant, at any time during the planning approval period;
- (b) no vehicle without valid licences issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (c) no open storage, vehicle repairing, loading and unloading, dismantling or other workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the provision of boundary fencing on the site within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 1.12.2020;
- (f) the submission of a run-in/out proposal within 3 months from the date of the planning approval to the satisfaction of the Director of Highways or of the TPB by 1.12.2020;
- (g) in relation to (f) above, the implementation of the run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 1.3.2021;
- (h) 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 1.12.2020;
- (i) in relation to (h) above, the implementation of the revised drainage proposal

within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 1.3.2021;

- (j) in relation to (i) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (k) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.3.2021;
- (l) if any of the above planning conditions (a), (b), (c), (d) 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
- (m) if any of the above planning conditions (e), (f), (g), (h), (i) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/497 Renewal of Planning Approval for Temporary Canteen for a Period of 3 Years in “Village Type Development” Zone, Lots 1187 S.O (Part), 1187 S.Q (Part) and 1187 S.R (Part) in D.D. 117 and Adjoining Government Land, Shap Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-TT/497)

Presentation and Question Sessions

146. 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 canteen 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 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 (TPB PG-No. 34C) in that there had been no major change in planning circumstances since the last approval. The application was also generally in line with the TPB PG-No. 15A in that the eating place was located at the fringe of Tai Tong Tsuen and abutted Tai Tong Shan Road. Concerned government departments had no objection to or no adverse comment on the application. Appropriate approval conditions were recommended to address the technical requirements of the concerned departments.

147. Members had no question on the application.

Deliberation Session

148. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 1.9.2023, 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 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, 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;
- (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 drainage facilities on the site should be maintained at all times during the planning approval period;
- (e) all existing trees within the site shall be maintained at all times during the planning approval period;
- (f) the submission of a 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 1.12.2020;
- (g) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.3.2021;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.6.2021;
- (i) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby

given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/499 Renewal of Planning Approval for Temporary Forklift Training Centre with Ancillary Facilities for a Period of 3 Years in “Agriculture” Zone, Lots 2270 S.A (Part), 2273 (Part), 2274 (Part) and 2275 in D.D. 118 and Adjoining Government Land, Sung Shan New Village, Tai Tong, Yuen Long

(RNTPC Paper No. A/YL-TT/499)

Presentation and Question Sessions

150. 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 forklift training centre with ancillary facilities 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 public comment was received from an individual providing views. 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. 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 objection to or no adverse comment on the application. Appropriate approval conditions were recommended to address the technical requirements of concerned departments. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

151. Members had no question on the application.

Deliberation Session

152. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 1.9.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. and 8:30 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 forklift truck is allowed to be driven into/out from the site, as proposed by the applicant, at any time during the planning approval period;
- (d) no workshop activities, as proposed by the applicant, is allowed on the site

at any time during the planning approval period;

- (e) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time 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 1.12.2020;
- (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.”

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

Agenda Item 44

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1005 Temporary Open Storage of Construction Machinery, Construction Materials and Ancillary Office and Repair Workshop for a Period of 3 Years in “Undetermined” Zone, Lots 2387 RP (Part), 2388 (Part), 2389 (Part), 2391 (Part), 2408 (Part), 2411 S.AB & C (Part), 2412 (Part), 2414 (Part) and 2415 (Part) in D.D. 120, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1005A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary open storage of construction machinery, construction materials and ancillary office and repair workshop 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. Both the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD and the Project Manager (West), Civil Engineering and Development Department had no objection to the application. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The proposed development was generally not incompatible with the surrounding uses and was in line with the Town Planning Board Guidelines No. 13F. While the planning permission under the last application (No. A/YL-TYST/957) submitted by the same applicant was revoked due to non-compliance with approval conditions on the submission and implementation of Fire Service Installations (FSIs) proposals, FSIs had been submitted under the current application and the Director of Fire Services had no in-principle objection to the application. As such, sympathetic consideration might be given to the application. Shorter compliance periods were recommended for the current application in order to closely monitor the progress on compliance with associated approval conditions. There was no adverse comment on the application from concerned government departments, except the Director of Environmental Protection (DEP). DEP did not support the application as there were sensitive receivers in the vicinity and environmental nuisances were expected. Relevant approval conditions were recommended to minimise any potential environmental nuisance generated by the proposed development and address the technical requirements of the concerned departments. Given that ten previous approvals for open storage uses had been granted to the site and 20 similar applications had been approved since 2015, approval of the current application was generally in line with the Committee's previous decisions.

155. Members had no question on the application.

Deliberation Session

156. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 1.9.2023, 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 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no storage and handling (including loading and unloading) of electrical appliances and electronic/computer parts (including cathode-ray tubes), as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) all existing trees within the site shall be maintained at all times, as proposed by the applicant, during the planning approval period;
- (g) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 1.12.2020;

- (j) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.10.2020;
- (k) the submission of a revised 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 1.12.2020;
- (l) in relation to (k) 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 1.3.2021;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 45

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1030 Temporary Warehouse for Storage of Food and Electronic Goods for a Period of 3 Years in “Undetermined” Zone, Lots 1343 (Part), 1344 (Part), 1345 (Part), 1349 (Part), 1351 (Part), 1353 (Part) in D.D. 119 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long (RNTPC Paper No. A/YL-TYST/1030)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary warehouse for storage of food and electronic goods 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 a member of the Yuen Long District Council and the other from an individual providing views. 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. The proposal was not in conflict with the planning intention of the “Undetermined” (“U”) zone. Whilst the site fell partly within areas zoned as “District Open Space” and

“Residential - Zone 2 (with Commercial)” on the Revised Recommended Outline Development Plan of Yuen Long South, both the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD and the Project Manager (West), Civil Engineering and Development Department had no objection to the application. 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 subject “U” zone. The application was generally in line with the Town Planning Board Guidelines No. 13F in that the site fell within Category 1 areas. The Director of Environmental Protection did not support the application as there were sensitive receivers of residential use in the vicinity of the site. Appropriate approval conditions were recommended to minimise any potential environmental nuisance on the surrounding areas and address the technical requirements of the concerned departments. Given that one previous approval for warehouse use had been granted to the site and 72 similar applications had been approved in the “U” zone since 2015, approval of the current application was generally in line with the Committee’s previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

159. Members had no question on the application.

Deliberation Session

160. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 1.9.2023, 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 repairing, dismantling, spraying, cleansing, other workshop activities and storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or electronic waste, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 1.12.2020;
- (g) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.3.2021;
- (h) 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
- (i) if any of the above planning conditions (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 46

Section 16 Application

[Open Meeting]

A/YL-TYST/1032 Temporary Warehouse for Storage of Construction Materials and Electrical Goods for a Period of 3 Years in “Undetermined” Zone, Lots 2720 RP (Part), 2722 RP (Part), 2723 (Part), 2724 (Part), 2725, 2726, 2727 (Part), 2735 (Part) and 2736 RP (Part) in D.D. 120, Yuen Long (RNTPC Paper No. A/YL-TYST/1032)

162. The Committee noted that the applicant’s representative requested on 25.8.2020 deferment of consideration of the application for two months in order to allow time for preparation of submission of the fire service installations proposal. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 47

Section 16 Application

[Open Meeting]

A/YL-TYST/1034 Temporary Warehouse for Storage of Construction Materials and Electronic Goods for a Period of 3 Years in “Undetermined” Zone, Lot 1368 (Part) in D.D. 119 and Adjoining Government Land, Yuen Long (RNTPC Paper No. A/YL-TYST/1034)

164. The Committee noted that the applicant’s representative requested on 27.8.2020 deferment of consideration of the application for two months in order to allow time for preparation of submission of the fire service installations proposal. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 48

Section 16 Application

[Open Meeting]

A/YL-TYST/1035 Proposed Temporary Public Vehicle Park (excluding Container Vehicle and Heavy Goods Vehicle) for a Period of 3 Years in “Residential (Group B) 1” and “Residential (Group D)” Zones, Various Lots in D.D. 121, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1035)

166. The Committee noted that the applicant’s representative requested on 25.8.2020 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.

167. 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 49

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1036 Renewal of Planning Approval for Temporary Open Storage of Construction Machinery and Material for a Period of 3 Years in “Undetermined” Zone, Various Lots in D.D. 120 and Adjoining Government Land, Shan Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1036)

Presentation and Question Sessions

168. 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 open storage of construction machinery and material 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 public comment was received from an individual providing views. 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. The application was generally in line with the Town Planning Board Guidelines No. 13F (TPB PG-No. 13F) in that the site fell within the Yuen Long South Development Area and previous planning approvals for similar open storage use had been given. The application was also in line with the TPB PG-No. 34C in that

approval of the application would not pre-empt the long-term development of the site. Concerned government departments had no objection to or no adverse comment on the application. Appropriate approval conditions were recommended to address any possible environmental nuisance and technical requirements of concerned departments. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

169. Members had no question on the application.

[Mr Y.S. Wong left the meeting at this point.]

Deliberation Session

170. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 27.9.2020 to 26.9.2023, 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 operation on Sundays or public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no repairing, dismantling, spraying, cleansing, other workshop activities and storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or electronic waste, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (d) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, 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) all existing trees within the site shall be maintained at all times during the planning approval period;
- (g) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (h) the existing fire services installations shall be maintained in efficient working order at all times during the planning approval period;
- (i) the submission of a revised drainage proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 27.3.2021;
- (j) in relation to (i) above, the implementation of the revised drainage proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 27.6.2021;
- (k) in relation to (j) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (k) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (i) 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.”

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

Agenda Item 50

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1037 Proposed Temporary Warehouse for Storage of Furniture, Electronic Goods and Construction Materials for a Period of 3 Years in “Undetermined” Zone, Lots 1449 (Part), 1450 (Part), 1453, 1454 (Part), 1458 (Part) and 1459 (Part) in D.D. 119, Yuen Long
(RNTPC Paper No. A/YL-TYST/1037)

Presentation and Question Sessions

172. 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 furniture, electronic goods and construction materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, three public comments were received, with two objecting comments from a member of the Yuen Long District Council and a village representative of Muk Kiu Tau Tsuen, and one from an individual providing views. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the development was not in line with the planning intention of the “Open Space” (“O”) zone on the extant Outline Zoning Plan (OZP), the Project Manager (West), Civil Engineering and Development Department had no objection to the application as the site was not expected to be resumed within the next three years for Stage 2 Phase 2 Yuen Long South Development. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The proposed development was generally not incompatible with the surrounding uses. There was no adverse comment on the application from concerned government departments, except the Director of Environmental Protection (DEP). DEP did not support the application as there was a sensitive receiver in the vicinity and environmental nuisances were expected. Relevant approval conditions were recommended to minimise any potential environmental nuisance and other technical requirements. Given that three similar applications had been approved in the “O” zone since 2015, approval of the current application was in line with the Committee's previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

173. In response to a Member's enquiry, Mr Steven Y.H. Siu, STP/TMYLW, explained that the site previously fell within an area zoned “Undetermined” on the approved Tong Yan San Tsuen OZP No. S/YL-TYST/12 at the time when the application was submitted. The site had subsequently been rezoned to “O” and an area shown as ‘Road’ on the draft Tong Yan San Tsuen OZP No. S/YL-TYST/13 gazetted in July 2020.

Deliberation Session

174. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 1.9.2023, 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 dismantling, cleaning, repairing, spraying, other workshop activities and storage of used electronic goods and recyclable materials, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (d) no heavy goods vehicle exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (e) 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 implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 1.3.2021;
- (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 1.3.2021;
- (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 1.6.2021;

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

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

Agenda Item 51

Section 16 Application

[Open Meeting]

A/YL-TYST/1038 Temporary Open Storage and Warehouse for Storage of Furniture, Exhibition Materials, Construction Materials/Machinery and Household Detergent for a Period of 3 Years in “Undetermined” Zone, Lots 1198 S.C (Part), 1198 S.D (Part), 1198 S.E (Part), 1198 S.G (Part), 1201 (Part), 1202 RP (Part), 1210 S.F RP (Part), 1225 (Part), 1226 (Part), 1238 (Part), 1239 (Part) and 1252 (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1038)

176. The Committee noted that the applicant’s representative requested on 25.8.2020 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.

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

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

Agenda Item 52

Any Other Business

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