

TOWN PLANNING BOARD

Minutes of 664th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 22.1.2021

Present

Director of Planning
Mr Ivan M.K. Chung

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

Miss Winnie W.M. Ng

Mr L.T. Kwok

Mr K.W. Leung

Dr Jeanne C.Y. Ng

Dr Venus Y.H. Lun

Dr Conrad T.C. Wong

Mr Y.S. Wong

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

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

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

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

Secretary

Absent with Apologies

Dr Lawrence K.C. Li

Mr Ricky W.Y. Yu

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

In Attendance

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

Chief Town Planner/Town Planning Board
Ms Fannie F.L. Hung

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

Agenda Item 1

Confirmation of the Draft Minutes of the 663rd RNTPC Meeting held on 8.1.2021

[Open Meeting]

1. The draft minutes of the 663rd RNTPC meeting held on 8.1.2021 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Sha Tin, Tai Po and North District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/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/45A)

3. The Secretary reported that the application was to rezone the application site from “Village Type Development” to “Government, Institution or Community (1)” zone to continue the religious institution and columbarium use on the 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 (PCLB).

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

5. The Committee noted that the applicant requested on 4.1.2021 deferment of consideration of the application for two months so as to allow time to prepare further information to address the comments of the Food and Environmental Hygiene Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/TP/28

Application for Amendment to the Approved Tai Po Outline Zoning Plan S/TP/28, To Rezone the Application Site from “Residential (Group C) 10” to “Residential (Group B)11”, Various lots in D.D. 34 and D.D. 36 and adjoining Government land, Tsiu Hang, Tai Po
(RNTPC Paper No. Y/TP/28C)

7. The Secretary reported that the application site was located in Tai Po. The

application was submitted by Ford World Development Limited, which was a subsidiary of Henderson Land Development Company Limited (HLD). AECOM Asia Company Limited (AECOM) was one of the consultants of the applicant. The following Members had declared interests on the item:

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

8. The Committee noted that the applicant had requested deferment of consideration of the application. The Committee also noted that Dr Lawrence K.C. Li had tendered an apology for being unable to attend the meeting. As the interest of Mr Peter K.T. Yuen was indirect, Mr K.K. Cheung and Dr C.H. Hau had no involvement in the application and the property owned by Dr Venus Y.H. Lun had no direct view of the application site, the Committee agreed that they could stay in the meeting.

9. The Committee noted that the applicant's representative requested on 12.1.2021 deferment of consideration of the application for two months in order to allow time for preparation of further information to address the comments from government departments. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental and public comments.

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

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/TP/32 Application for Amendment to the Approved Tai Po Outline Zoning Plan S/TP/28, To rezone the application site from "Village Type Development" to "Government, Institution or Community (3)", Lots 738 S.A ss. 1, 738 S.A RP, 738 S.B, 738 S.C and 738 S.C ss.1 in D.D. 6, 71-75 Kam Shan Road, Tai Po
(RNTPC Paper No. Y/TP/32)

11. The Secretary reported that the application site was located in Tai Po and the application was to regularise the existing columbarium use. The following Members had declared interests on the item:

Mr K.K. Cheung - his firm being the legal advisor of the Private Columbaria Licensing Board (PCLB); and

Dr Venus Y.H. Lun - owning a property in Tai Po.

12. The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr K.K. Cheung in relation to PCLB was indirect, and the property owned by Dr Venus Y.H. Lun had no direct view of the application site, the Committee agreed that they could stay in the meeting.

13. The Committee noted that the applicant's representative requested on 8.1.2021 deferment of consideration of the application for two months in order to allow time for preparation of further information to address the departmental comments. It was the first time that the applicant requested deferment of the application.

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

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 6

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/13A)

15. 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;
- Mr Ricky W.Y. Yu - having past business dealings with LWK; and
- Dr Lawrence K.C. Li - being a member of the Hong Kong Golf Club, which was located to the north of the Site.

16. The Committee noted that the applicant had requested deferment of consideration of the application. The Committee also noted that Dr Lawrence K.C. Li and Mr Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

17. The Committee noted that the applicant's representative requested on 14.1.2021 deferment of consideration of the application for two months so as to allow time to prepare further information to address comments from government departments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address the departmental comments.

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

Sai Kung and Islands District

[Mr Kenneth C.K. Yeung, Senior Town Planner/Sai Kung and Islands (STP/SKIs), was invited to the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting]

A/SK-HC/316 Proposed Houses with Minor Relaxation of Building Height Restriction in “Residential (Group E)” Zone, Various Lots in D.D. 210 and Adjoining Government Land, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/316B)

19. The Secretary reported that CYS Associates (HK) Limited (CYS) was one of the consultants of the applicant and Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with CYS.

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

21. The Committee noted that the applicant’s representative requested on 18.1.2021 deferment of consideration of the application for two months so as to allow time for preparation of further information to address the departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a revised Sewerage and Drainage Impact Assessment, a revised Environmental Assessment and supplementary information to the Traffic Impact Assessment.

22. 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 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/SLC/167 Proposed Public Utility Installation (Underground Power Cable) and Excavation and Filling of Land in "Coastal Protection Area" Zone, Government land in DD316L, Chi Ma Wan Road, near Ham Tin Kau Tsuen, Lantau Island
(RNTPC Paper No. A/SLC/167)

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

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

24. As the interests of Dr Jeanne C.Y. Ng and Dr Conrad T.C. Wong were direct, the Committee agreed that they should be invited to leave the meeting temporarily for the item. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

[Dr Jeanne C.Y. Ng and Dr Conrad T.C. Wong left the meeting temporarily at this point.]

Presentation and Question Sessions

25. Mr Kenneth C.K. Yeung, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed public utility installation (underground power cable) and excavation and filling of land;
- (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, three public comments were received from World Wild Fund Hong Kong, Designing Hong Kong Limited and an individual objecting to the application. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. There was a general presumption against development in the “Coastal Protection Area” (“CPA”) zone. The applicant failed to justify that the proposed installation was to support the conservation of the existing natural landscape or scenic quality of the area or was an essential infrastructure project with overriding public interest. The Chief Town Planner/Urban Design and Landscape, PlanD had reservation on the application as there was an existing tree located in close proximity to the Site. The Director of Agriculture, Fisheries and Conservation also advised that appropriate tree protection measures should be undertaken during the construction stage to avoid causing any damage to the existing tree. The two previous applications for proposed public utility installation, being part of the

sewerage project commissioned by the Drainage Services Department, were approved as they were considered to be essential infrastructure project in the public interest and there would be no adverse ecological, environmental, noise, air, landscape and visual impacts on the surrounding areas. There were also five similar applications, of which, four related to the provision of essential infrastructures to the area were approved while one (No. A/SLC/162) related to the provision of electricity to a storage use at a private lot was rejected mainly for the reasons of being not in line with the planning intention of the “CPA” zone and setting undesirable precedent. Granting of approval to the subject application would set an undesirable precedent for similar applications to provide utility installation for uses not permitted within the “CPA” zone and the cumulative effect of approving such applications would result in a general degradation of the natural environment and landscape of the area. Rejecting the subject application was in line with the Committee’s previous decision on the similar application. Regarding the public comments, the comments of government departments and planning assessments above were relevant

[Miss Winnie W.M. Ng joined the meeting during the presentation session.]

26. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed installation is not in line with the planning intention of the “Coastal Protection Area” (“CPA”) zone which is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It is also intended to safeguard the beaches and their immediate hinterland and to prevent haphazard ribbon development along the South Lantau Coast.

There is a general presumption against development in this zone. The proposed installation is to provide electricity for drying wet cloth at Lots 2574 and 2576 in D.D. 316L which is not a permitted use within the “CPA” zone. The applicant fails to demonstrate that the proposed installation is to support the conservation of the existing natural landscape or scenic quality of the area or is an essential infrastructure project with overriding public interest; and

- (b) approval of the application would set an undesirable precedent for similar applications to provide utility installation for uses not permitted within the “CPA” zone and the cumulative effect of approving such similar applications would result in a general degradation of the natural environment and landscape of the area.”

[The Chairman thanked Mr Kenneth C.K. Yeung, STP/SKIs, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

Sha Tin, Tai Po and North District

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

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

28. 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 wholesale conversion of two existing industrial buildings (for shop and services\ eating place\ motor-vehicle showroom on ground floor \ art studio\ information technology and telecommunications industries\ office \ research, design and development centre);
- (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

comments were 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 proposed wholesale conversion of two existing six-storey industrial buildings constituted no change to the existing bulks of the buildings, including GFA, site coverage and building height upon conversion. No less than 10% of the converted floor space were for “specific uses” prescribed by the Government under the new revitalisation scheme for industrial buildings announced in the 2018 Policy Address. The Secretary for Development supported the application in principle and the Director-General of Trade and Industry had no comment on the application noting the Government's policy on revitalisation of industrial buildings; the application would not alter the current “Industrial (1)” (“I(1)”) zoning of the Site and clean/non-polluting industries were proposed to be included in the proposal. As the approval would be for the lifetime of the existing buildings only, and upon redevelopment, the Site would need to conform with the zoning and development restrictions on the extant Outline Zoning Plan, the proposal under the application would not jeopardise the long-term planning intention of the “I(1)” zone. Also, the proposed commercial uses through wholesale conversion were generally in compliance with the Town Planning Board Guidelines No. 25D. Approval of the application was in line with the Board's previous decisions on similar applications within the same “I(1)” zone covering Siu Lek Yuen Industrial Area.

[Dr Conrad T.C. Wong returned to join the meeting at this point.]

29. In response to two Members' questions, Ms Hannah H.N. Yick, STP/STN, made the following main points:

- (a) according to the submitted proposal, ‘dangerous goods stores’ were proposed to be located on 1/F of the development as an ancillary use; and
- (b) ‘eating place’ was a column 2 use of the subject “I(1)” zone which required

planning permission. According to the proposal, eating place was proposed on G/F and 2/F to 5/F of the development. In considering whether eating place was suitable to be accommodated in wholesale conversion of industrial building, factors such as compatibility with surrounding uses, technical feasibility and comments from relevant government departments were relevant considerations.

Deliberation Session

30. 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 22.1.2025, 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 car parking and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission and implementation of fire service installations and water supplies for firefighting proposal to the satisfaction of the Director of Fire Services or of the TPB;
- (c) the submission of a water supply impact assessment and the implementation of upgrading works identified therein to the satisfaction of the Director of Water Supplies or of the TPB;
- (d) the submission of a sewerage impact assessment to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (e) in relation to approval condition (d) above, the implementation of local sewerage upgrading/connection works identified in the sewerage impact assessment to the satisfaction of the Director of Drainage Services or of the TPB.”

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

Agenda Item 10

Section 16 Application

[Open Meeting]

A/NE-LT/688 Proposed Twenty Houses (New Territories Exempted Houses - Small Houses) with an Emergency Vehicular Access in “Agriculture” Zone and an area shown as ‘Road’, Various lots in D.D. 8 and Adjoining Government Land, Sha Pa Village, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/688A)

32. The Committee noted that the applicant’s representative requested on 12.1.2021 deferment of consideration of the application for two months so as to allow time to prepare further information to address the comments from the Transport Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to provide responses to departmental comments.

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

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/672 Proposed Minor Relaxation of Maximum Plot Ratio and Building Height Restrictions for Permitted Public Housing Development in “Residential (Group A) 9” Zone, Government Land at Tai Po Area 9 and Chung Nga Road East, Tai Po
(RNTPC Paper No. A/TP/672)

34. The Secretary reported that the application site was located in Tai Po and the application was submitted by the Hong Kong Housing Authority (HKHA). The following Members had declared interests on the item:

- Mr Gavin C.T Tse - being a representative of the Director of Home Affairs who is a member of the Strategic Planning Committee and Subsidised Housing Committee of HKHA;

- Mr Y.S. Wong - being a member of the Funds Management Sub-Committee of the Finance Committee of HKHA;

- Dr Conrad T.C. Wong - having current business dealings with HKHA;

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

- Mr L.T. Kwok - his serving organisation (Christian Family Social Service Centre) was operating a Social Service Team in Mei Tung Estate of the HKHA. The organisation had openly bid a funding from HKHA; and

Dr Venus Y.H. Lun - owning a property in Tai Po.

35. The Committee noted that the Mr Gavin C.T. Tse had tendered an apology for being unable to attend the meeting. The Committee agreed that as the interests of Dr Conrad T.C. Wong and Mr Y.S. Wong were direct, they should be invited to leave the meeting temporarily for the item. As Mr K.K. Cheung had no involvement in the application, the interest of Mr L.T. Kwok was indirect, and the property owned by Dr Venus Y.H. Lun had no direct view of the application site, the Committee agreed that they could stay in the meeting.

[Dr Conrad T.C. Wong left the meeting temporarily and Mr Y.S. Wong left the meeting at this point.]

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed minor relaxation of maximum plot ratio (PR) and building height (BH) restrictions for permitted public housing development;
- (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, 34 objecting comments were received from local residents and other individuals. 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. The proposed minor relaxation of PR and BH restrictions was in line with

the Government's policy of enhancing the development intensity of public housing sites to increase housing supply where their technical feasibility permitted. The proposed minor increase in PR from 6 to 6.15 (+2.5%) and in BH from 140mPD to 143mPD (+2.14%) for the Site would not result in substantial change to the character of the locality and was considered not incompatible with the surrounding area. The application involving the addition of one storey to Blocks 6, 8 and 9 only would unlikely cause any significant visual impact and it was expected that the proposal would achieve similar ventilation performance at the pedestrian level. The increase in design population was only 204 persons and the overall planned provisions of community facilities and open space would be adequate to serve the need of the population in the proposed development. Relevant government departments had no objection to or no adverse comments on the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

37. In response to a Member's enquiry on the development intensity of public housing developments nearby, Ms Kathy C.L. Chan, STP/STN, said that there was another planned public housing site nearby at Chung Nga Road West which was located within the same "R(A)9" zone and subject to a maximum PR of 6 and a maximum BH of 140mPD, and that development was under the design stage. As regards other existing public housing developments nearby, Chung Nga Court and Fu Heng Estate were located in an area zoned "Residential (Group A)" ("R(A)") to the southwest of the Site and subject to a maximum domestic PR of 5 and a maximum BH of 110mPD.

38. The same Member noted that the Site was not located in a densely developed area and the PR of some public housing developments in other areas were proposed to be increased to 6.5. This Member enquired whether the development intensity of the subject proposed development could be further increased so as to better utilize land resources to increase public housing supply.

39. In response, the Chairman said that the PR of new public housing projects such as those covered by the on-going had generally been maximised in view of the Government's

latest policy of enhancing the development intensity of public housing sites. Ms Kathy C.L. Chan, STP/STN, said that as the piling works for the Site had already been completed at the time the said policy was announced, there was little room for further increase in PR. The proposal to increase one additional storey to three blocks was formulated upon review of technical feasibility of the proposed development at the Site taking into account the existing foundation design.

Deliberation Session

40. In response to a Member's enquiry, Members noted that a consistent approach was adopted in processing planning applications submitted by the public and private sectors in terms of procedure and assessment criteria. There was no differential treatment between the two.

41. 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 22.1.2025, 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.

Agenda Items 12 and 13

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/593 Proposed House (New Territories Exempted House - Small House) in
"Agriculture" Zone, Lot 858 S.A ss.1 in D.D. 9, Yuen Leng Village,
Tai Po

(RNTPC Paper No. A/NE-KLH/593 and 594)

A/NE-KLH/594 Proposed House (New Territories Exempted House - Small House) in
"Agriculture" Zone, Lot 858 S.B ss.2 in D.D. 9, Yuen Leng Village,
Tai Po

(RNTPC Paper No. A/NE-KLH/593 and 594)

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

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the proposed (NTEH - Small House) on each of the Sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments for each application were received. The MTR Corporation Limited raised concerns and Designing Hong Kong Limited objected to the application. Major views 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 Small House developments were not in line with the planning intention of the “AGR” zone and the Director of Agriculture, Fisheries and Conservation did not support the applications as the Sites possessed potential for agricultural rehabilitation. While the Small House developments were not incompatible with their surrounding areas, the Sites fell within the upper indirect water gathering grounds (WGG). Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (the Interim Criteria), more than 50% of the footprint of the proposed Small Houses fell within the ‘village environ’ and the proposed developments within WGG would be able to be

connected to the public sewerage system. The Chief Engineer/Construction, Water Supplies Department and the Director of Environmental Protection had no objection to the applications. While land available within the “Village Type Development” (“V”) zone (about 348 Small House sites) was insufficient to fully meet the future demand of 1,024 Small Houses, it was capable to meet the 166 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. There were 33 similar applications for Small House development in the close proximity to the Sites. The planning circumstances of the current applications were similar to those of the rejected. Regarding the public comments, the comments of relevant government departments and planning assessments above were relevant.

44. Members had no question on the application.

Deliberation Session

45. 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; and
- (b) land is still available within the “Village Type Development” (“V”) zone of Yuen Leng, Kau Lung Hang and Tai Wo 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 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/695 Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years in “Village Type Development” Zone, Lots 214 S.A ss.1 (Part), 214 S.B ss.1 (Part) and 214 S.A RP (Part) in D.D. 28, Lung Mei, Tai Po
(RNTPC Paper No. A/NE-TK/695)

Presentation and Question Sessions

46. 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 eating place (outside seating accommodation (OSA) 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, a total of three objecting public comments were received from individuals. 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 applied use was not totally in line with the planning intention of the “Village Type Development” (“V”) zone, there was at present no Small

House application received in respect of the Site and approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the subject “V” zone and adversely affect the land availability for Small House development. The Site was the subject of two previously approved planning applications and the applied use under the current application was largely the same as that of the latest approved one and was similar in scale except that a temporary structure was included in the current proposal. The applied use was considered not incompatible with its surrounding uses. It was small in scale and was not anticipated to cause significant environmental, traffic, drainage and landscape impact on the surrounding areas. The OSA under application was generally in line with the Town Planning Board Guidelines No. 15A for eating place within the “V” zone. Sympathetic consideration could be given to the application. 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 a temporary basis for a period of 3 years until 22.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 10:30 p.m. and 10:30 a.m., as proposed by the applicants, is allowed on the site during the planning approval period;
- (b) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.7.2021;
- (c) in relation to (b) above, the implementation of the drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.10.2021;

- (d) the submission of a fire service installations and water supplies for fire fighting proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.7.2021;
- (e) in relation to (d) above, the implementation of the fire service installations and water supplies for fire fighting proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.10.2021;
- (f) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (g) if any of the above planning condition (b), (c), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked immediately without further notice.”

49. The Committee also agreed to advise the applicant 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-LK/135 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1406 S.A ss. 1 in D.D. 39, Ma Tseuk Leng,
Sha Tau Kok
(RNTPC Paper No. A/NE-LK/135)

Presentation and Question Sessions

50. Mr Tim T.Y. Fung, STP/STN, presented the application and covered the

following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed house (New Territories Exempted House - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 9.1.13 of the Paper;
- (d) during the first three weeks of the statutory publication period, five public comments were received, with one from the Chairman of Sheung Shui District Rural Committee indicating no comment on the application, and four objecting comments from Designing Hong Kong Limited, Kadoorie Farm and Botanic Garden Corporation and two individuals. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the Site possessed potential for agricultural rehabilitation. The proposed Small House development was not entirely incompatible with the surrounding environment. While land available within the “Village Type Development” (“V”) zone of Ma Tseuk Leng, Ma Tseuk Leng San Uk Ha and Shek Kiu Tau village cluster was insufficient to fully meet the future Small House demand of 575 Small Houses, there was still available land within the “V” zone (about 89 Small House site) to meet the 57 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. While the Site formed part of the subject of a

previously approved planning application (A/NE-LK/94) for a Small House submitted by a different applicant before the adoption of a cautious approach by the Board, the planning permission had lapsed. As the current application was submitted by a different applicant and land was still available within the “V” zone of Ma Tseuk Leng for Small House development, the application might not warrant sympathetic consideration. Among the 17 similar applications in the vicinity of the Site, 16 were approved mainly on the grounds of generally complying with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories. After the adoption of the more cautious approach, only one application was approved in consideration of the previous planning application submitted by the same applicant. It was considered that the circumstances of the current application were different from the recently approved application. Regarding the public comments, the comments of relevant government departments and planning assessments above were relevant.

51. Members had no question on the application.

Deliberation Session

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

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

[Dr Conrad T.C. Wong returned to join the meeting at this point.]

Agenda Item 16

Section 16 Application

[Open Meeting]

A/NE-LYT/739 Proposed Temporary Golf Training Centre for a Period of 3 Years in
“Agriculture” Zone, Lot 1828 (Part) in D.D. 76, Ma Mei Ha, Fanling
(RNTPC Paper No. A/NE-LYT/739)

53. The Committee noted that the applicant’s representative requested on 13.1.2021 deferment of consideration of the application for two months in order to allow time for preparation of further information to address the departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/740 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1676 S.H RP in D.D. 76, Leng Pei Tsuen,
Fanling
(RNTPC Paper No. A/NE-LYT/740)

Presentation and Question Sessions

55. 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) - Small House;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 9.1.13 of the Paper;
- (d) during the first three weeks of the statutory publication period, five public comments were received with one from the Chairman of Sheung Shui District Rural Committee indicating no comment on the application, and four objecting comments from Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited and two individuals. 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” (“AGR”) and the Director of Agriculture, Fisheries and Conservation did not support the application as

the Site possessed potential for agricultural rehabilitation, the proposed Small House development was not incompatible with the surrounding environment. The Chief Town Planner/Urban Design & Landscape of PlanD had no objection to the application as significant adverse impact arising from the proposed use was not anticipated. The Commissioner for Transport considered that the application only involving the development of one Small Houses could be tolerated on traffic grounds. Other relevant government departments had no adverse comment on or no objection to the application. The planning circumstances of the current application was similar to the approved similar applications in the vicinity. The site was also the subject of a previously approved application (No. A/NE-LYT/597) submitted by the same applicant as the current application and there was no major change in planning circumstances of the area since the approval of the similar and previous applications. Regarding the public comments, the comments of relevant government departments and planning assessments above were relevant.

56. In response to a Member's enquiry, Mr Tim T.Y. Fung, STP/STN, said that there was a typographical error in paragraph 5.1 of the Paper and clarified that the previous application (No. A/NE-LYT/597) was approved by the Committee on 15.7.2016.

Deliberation Session

57. 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 22.1.2025, 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 drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

Agenda Item 18

Section 16 Application

[Open Meeting]

A/NE-LYT/741 Temporary Public Vehicle Park for Private Cars and Medium Goods Vehicles and Warehouse for Storage of Construction Materials for a Period of 3 Years in “Agriculture” Zone, Lots 1445 S.B RP (Part), 1489, 1490 (Part), 1492 (Part) and 1494 in D.D. 76 and Adjoining Government Land, Ng Uk Tsuen, Sha Tau Kok Road, Fanling
(RNTPC Paper No. A/NE-LYT/741)

59. The Committee noted that the applicant’s representative requested on 12.1.2021 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 applicant requested deferment of the application.

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

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MUP/154 Proposed Temporary Shop and Services (Selling of Agricultural Products) for a Period of 3 Years in “Agriculture” Zone, Lots 813, 823 S.B RP (Part) and 824 S.B RP (Part) in D.D. 46 and Adjoining Government Land, Sha Tau Kok
(RNTPC Paper No. A/NE-MUP/154A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary shop and services (selling of agricultural products) 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, five public comments were received, with one from the Chairman of Sheung Shui District Rural Committee indicated no comment on the application, and four objecting comments from the Kadoorie Farm and Botanic Garden Corporation, Hong Kong Bird Watching Society, World Wide Fund For Nature Hong Kong and an individual. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed use 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. There was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis. The proposed use was considered not entirely compatible with the landscape character of the area. Approval of the application would set an undesirable precedent of landscape character alteration and erection of structures prior to planning approval. The cumulative impact of such approval would further degrade the landscape quality of the surrounding environment. The Commissioner for Transport did not support the application as the proposed car parking provisions were inadequate to meet the demand of the proposed use. The planning circumstances of the current application were similar to that of a rejected application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

62. In response to a Member's question, Mr Tim T.Y. Fung, STP/STN, said that the Site was subject to planning enforcement action previously, and the registered owner of the Site was convicted and fined on 23.12.2020.

63. Noting the same Member's concern on public awareness of unauthorised development (UD), the Chairman explained that prosecution of UD and processing of planning application were processed under different provisions of the Town Planning Ordinance (the Ordinance). The Central Enforcement and Prosecution Section of PlanD would take necessary enforcement and prosecution action against UD according to the Ordinance and would continue to raise public awareness of the matter.

64. In response to another Member's enquiry regarding the structure at the Site, Mr Tim T.Y. Fung, STP/STN, said that an existing structure covering the Site and an adjoining piece of land to the southeast had existed before the gazettal of the relevant Interim Development Permission Area Plan and was currently used for storage.

Deliberation Session

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

were:

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” (“AGR”) zone, which is 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 applicant fails to demonstrate that the proposed development would not cause adverse traffic impact on the surrounding areas; and
- (c) approval of the application would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MUP/157 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 762 in D.D. 46, Loi Tung, Sha Tau Kok
(RNTPC Paper No. A/NE-MUP/157)

Presentation and Question Sessions

66. Mr Tim T.Y. Fung, STP/STN, drew Members’ attention that the District Lands Officer/North, Lands Department (DLO/N, LandsD) had provided an updated number of outstanding Small House applications after the issue of Paper. The relevant figure shown on P.4 and P.7 of the Paper should be updated as ‘31’ instead of ‘30’. He then 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 9.1.13 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, and two objecting comments from Designing Hong Kong Limited and an individual. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While the proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the Site possessed potential for agricultural rehabilitation, the proposed Small House development was not incompatible with the surrounding area. The Chief Town Planner/Urban Design and Landscape of PlanD had no objection to the application as significant adverse impact on existing landscape resources arising from the proposed development was not anticipated. The Commissioner for Transport had reservation on the application but considered that the application involving a NTEH only could be tolerated. While land available within the “Village Type Development” (“V”) zone (about 70 Small House sites) of the concerned village was insufficient to fully meet the future Small House demand of 507, it was sufficient to meet the 31 outstanding Small House applications. Though it was considered more appropriate to concentrate the proposed Small House developments within the “V” for more orderly development pattern, efficient use of land and provision of infrastructures and services,

sympathetic consideration might be given to the application as the Site was bounded by a number of existing Small Houses to the east and west and the boundary of the “V” zone to its south and further proliferation of Small House development to the north of the Site outside the village environ (‘VE’) of Loi Tung Village was unlikely. Moreover, two similar applications for Small House developments (No. A/NE-MUP/144 and 145) were approved by the Committee mainly on sympathetic considerations that the locations of the proposed Small Houses were sandwiched between the boundary of the “V” zone and ‘VE’ of Loi Tung Village, and there were a number of existing Small Houses and Small House grant applications in close proximity of the Site approved/being processed by District Lands Officer/North, Lands Department (LandsD) and forming a new village cluster in the locality. The planning circumstances of the subject application were similar to the approved similar applications. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

67. In response to a Member’s enquiry, Mr Tim T.Y. Fung, STP/STN, said that the plant nursery located to the north of the Site was outside ‘VE’. As Small House grant application outside ‘VE’ would normally not be considered by LandsD, future expansion of NTEH development to the plant nursery site was unlikely.

Deliberation Session

68. The Members noted that the Site was surrounded by domestic uses which were annotated as “DOM” on Plan A-2a of the Paper, and the Site was located in an area with a number of existing Small Houses and approved planning applications for Small House developments. A new village cluster in the locality was forming in the proximity. As the Site was sandwiched between the boundary of the “V” zone and ‘VE’, and given that the land in the area had largely been developed, there was little room for further expansion.

69. 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 22.1.2025, 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 drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

[Dr Conrad T.C. Wong left the meeting temporarily at this point.]

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/653 Temporary Animal Boarding Establishment for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Taxlord Lot T14 RP (Part) in D.D. 82, Ping Che, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/653)

71. The Secretary reported that the Site was located in Ta Kwu Ling. Dr Conrad T.C. Wong had declared an interest for being the director of Yau Lee Construction Company Limited which owned a piece of land in Ta Kwu Ling. The Committee noted that Dr Conrad T.C. Wong had left the meeting temporarily.

Presentation and Question Sessions

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

- (a) background to the application;

- (b) temporary animal boarding establishment for a period of five years and filling of land;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 9.1.11 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments were received, with the Chairman of Sheung Shui District Rural Committee indicating no comment, and an individual providing views on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While 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 the Site possessed potential for agricultural rehabilitation, the animal boarding establishment was temporary in nature for a period of five years, approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “AGR” zone. The temporary development was not incompatible with the surrounding area and the Chief Town Planner/Urban Design and Landscape, PlanD had no objection to the application as significant adverse landscape impact arising from the applied use was not envisaged. The Commissioner for Transport considered that the traffic impact induced by the temporary development was tolerable. Appropriate approval conditions on environmental mitigation measures were recommended. Although the proposed uses of the two previously approved applications (No. A/NE-TKL/319 and 336) were different from that of the current application, their nature of use and associated impacts on the surrounding area were similar. The planning circumstances of the current application were similar to those of the two approved applications. Regarding the

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

73. A Member enquired whether land filling was also involved in the last previously approved application, as well as the criteria for considering applications that involved land filling. In response, Mr Tim T.Y. Fung, STP/STN, made the following main points:

- (a) the previous application for proposed temporary dog club (No. A/NE-TKL/336) did not involve land filling;
- (b) the Site was currently used as animal shelter and the land under the structures had been paved. The application was submitted mainly to regularise the temporary animal boarding establishment use as well as the paved area; and
- (c) the concerned land filling was associated with the applied use for temporary animal boarding establishment. As there was no objection from relevant departments, the application which was temporary in nature could be considered favourably.

74. At the request of the Chairman, Mr Tim T.Y. Fung provided the following main points relating to departmental views on drainage and sewerage treatment aspects:

- (a) the Chief Engineer/Mainland North, Drainage Services Department had no objection to the application but considered that a condition requesting the applicant to submit and implement a drainage proposal for the Site should be included in the approval to ensure that the operation of the Site would not cause adverse drainage impact on the adjacent area; and
- (b) while the Director of Environmental Protection (DEP) had no objection to the application, approval condition requiring the applicant to implement relevant environmental mitigation measures including properly managing the disposal of wastewater and excrement of dogs/cats by septic tanks/connection to the public sewer was recommended.

Deliberation Session

75. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 22.1.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) all animals shall be kept inside the enclosed structures on the Site, as proposed by the applicant, during the planning approval period;
- (b) no public announcement system, portable loudspeaker, any form of audio amplification system, or whistle blowing is allowed to be used on the Site at any time during the planning approval period;
- (c) all existing trees on Site shall be maintained in good condition at all times during the planning approval period;
- (d) the peripheral fencing shall be maintained on the Site at all times during the planning approval period;
- (e) the implementation of environmental mitigation measures, as proposed by the applicant, within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 22.10.2021;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.7.2021;
- (g) in relation to (f) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.10.2021;
- (h) the submission of a 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 22.7.2021;

- (i) in relation to (h) above, the implementation of the run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 22.10.2021;
- (j) the submission of proposals for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.7.2021;
- (k) in relation to (j) above, the implementation of the proposals for fire service installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.10.2021;
- (l) if any of the above planning condition (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning condition (e), (f), (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.”

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

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

left the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 22

Section 16 Application

[Open Meeting]

A/FLN/18 Proposed Minor Relaxation of Maximum Plot Ratio and Building Height Restrictions for Permitted Commercial/Residential Development with Public Transport Interchange, and Proposed Shop and Services, Eating Place, School (not elsewhere specified) and Place of Entertainment in “Other Specified Uses” annotated “Commercial/Residential Development with Public Transport Interchange (2)” Zone, Lots 247, 255 (Part), 257 (Part), 267, 406 (Part), 408 (Part), 409, 414 (Part), 415 (Part), 416 (Part), 418 (Part), 420 (Part), 424 (Part), 425 (Part), 426 (Part), 427 (Part), 434 (Part) and 435 (Part) in D.D. 51 and Adjoining Government Land, Fanling North (RNTPC Paper No. A/FLN/18B)

77. The Secretary reported that the application was submitted by Keep York Limited, which was the subsidiary of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD), Archiplus International (Hong Kong) Limited (AIL) and Black & Veatch Hong Kong Limited (B&V) 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 SHK was one of the shareholders of KMB;
- Mr K.K. Cheung - his firm having current business dealings with SHK, AIL and B&V;
- Dr Conrad T.C. Wong - having current business dealings with SHK; and
- Mr Ricky W.Y. Yu - having past business dealings with LD.

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

79. The Committee noted that the applicant's representative requested on 7.1.2021 deferment of consideration of the application for two months so as to allow time for preparation of further information to review and update the relevant technical assessments 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 responses to departmental comments and revised traffic impact assessment.

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

[Ms S.H. Lam, Ms Ivy C.W. Wong and Ms Irene W.S. Lai, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

Agenda Item 23

Section 16 Application

[Open Meeting]

A/KTN/72

Temporary Shop and Services and Open Storage (for Storage and Sale of Construction Materials including Ancillary Office and Staff Accommodation) for a Period of 3 Years in “Other Specified Uses” annotated “Business and Technology Park” Zone and an area shown as ‘Road’, Government Land at D.D. 95, Kwu Tung North
(RNTPC Paper No. A/KTN/72)

81. The Secretary reported that the application site was located in Kwu Tung North. Dr C.H. Hau had declared an interest for owning a property in Kwu Tung North area.

82. The Committee noted that the applicant had requested deferment of consideration of the application. As the property owned by Dr C.H. Hau had no direct view of the application site, the Committee agreed that he could stay in the meeting.

83. The Committee noted that the applicant’s representative requested on 6.1.2021 deferment of consideration of the application for two months so as to allow time to prepare further information to address public comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address public comments.

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. 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.

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

Agenda Item 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/490 Temporary Place of Recreation, Sports or Culture (Hobby Farm and Adventure Centre) with Ancillary Private Car Parking for a Period of 3 Years in “Green Belt” and “Recreation” Zones, Lot 2031 RP in D.D. 92, Kam Tsin Village, Sheung Shui
(RNTPC Paper No. A/NE-KTS/490A)

85. The Secretary reported that the application site was located in Kwu Tung South. Dr Lawrence K.C. Li had declared an interest for being a member of the Hong Kong Golf Club, which was located in Kwu Tong South and in the vicinity of the application site.

86. The Committee noted that Dr Lawrence K.C. Li had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary place of recreation, sports or culture (hobby farm and adventure centre) with ancillary private car parking 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, three public comments were received, with one indicating no comment from an individual and two objecting comments from a North District Council member and an individual. Major views were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The applied use was considered not entirely in conflict with the planning intention of the “Green Belt” (“GB”) zone and the approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “GB” zone. The applied use was considered not incompatible with the surrounding rural character and the Director of Agriculture, Fisheries and Conservation had no strong view on the application. The temporary use did not contravene the Town Planning Board Guidelines No. 10 on application for development within “GB” zone. It would unlikely cause significant adverse impacts on the surroundings and concerned government departments had no adverse comment on the application. Approval conditions were recommended to minimise any possible environmental nuisance generated by the applied use and address the technical requirements of the concerned departments. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

88. Members had no question on the application.

Deliberation Session

89. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “ (a) no land filling is allowed on the Site during the planning approval period;

- (b) no operation between 7:30 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the Site at any time during the planning approval period;
- (d) the existing trees on the Site shall be maintained at all times during the planning approval period;
- (e) no vehicle other than private car, as proposed by the applicant, is allowed to/from the Site at any time during the planning approval period;
- (f) the submission of a record of the existing drainage facilities on the Site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.4.2021;
- (g) the submission of fire service installations and water supplies for fire fighting proposals within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.7.2021;
- (h) in relation to (g) above, the implementation of the fire service installations and water supplies for fire fighting proposals within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.10.2021;
- (i) if any of the above planning condition (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;
- (j) if any of the above planning condition (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; and

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

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

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/719 Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 5 Years in “Village Type Development” Zone, Lots 554 S.A, 555 S.A ss.1, 1435 S.A and 1451 (Part) in D.D. 109, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/719B)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary public vehicle park (excluding container vehicle) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, four objecting public comments from individuals were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the

application based on the assessments set out in paragraph 11. While the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, there was no Small House application approved or under processing at the Site. As such, temporary approval of the application would not frustrate the long-term planning intention of the “V” zone. The applied use was considered not incompatible with the surrounding area. Appropriate approval conditions were recommended to minimize any possible environmental nuisance generated by the applied use and address the technical requirements of the concerned departments. There were eight similar applications on three sites for temporary public vehicle parks within the same “V” zone approved with conditions by the Committee between 1999 and 2018. Approval of the current application was in line with the Committee’s previous decisions on similar applications. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

92. In response to a Member’s question on the car parking provision, Ms Ivy C.W. Wong, STP/FSYLE, said that while more car parking spaces was originally proposed when the application was submitted, the number of parking spaces was reduced to 42 taking into account the capacity of nearby road network.

Deliberation Session

93. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 22.1.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;

- (b) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be

parked/stored on the Site at any time during the planning approval period;

- (c) a notice should be posted at a prominent location of the Site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the Site at all times during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the 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 22.7.2021;
- (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 22.10.2021;
- (g) in relation to (f) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.7.2021;
- (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 22.10.2021;
- (j) if any of the above planning condition (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/741 Proposed Temporary Shop and Services for a Period of 5 Years in “Industrial (Group D)” Zone, Lots 670 S.A RP and 670 S.B in D.D.107, Fung Kat Heung, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/741)

Presentation and Question Sessions

95. 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 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, three objecting public comments from a Yuen Long District Council member and two individuals were received. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Industrial (Group D)” (“I(D)”) zone, it was considered that temporary approval of the application would not frustrate the long-term planning intention of the “I(D)”) zone. The proposed use was considered not incompatible with the surrounding areas. Appropriate approval conditions were recommended to address the technical requirements of the concerned departments. Approval of the current application was in line with the Committee's previous decision on similar applications within the same “I(D)”) zone. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

96. Members had no question on the application.

Deliberation Session

97. Members noted that the Site was a piece of vacant private land with some structures for storage. The “I(D)”) zone where the Site was located covered a relatively large area in Fung Kat Heung and there was still vacant land in the “I(D)”) zone to serve the intended industrial uses.

98. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 22.1.2026 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 22.7.2021;
- (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 22.10.2021;

- (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 22.7.2021;
- (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 22.10.2021;
- (g) if any of the above planning condition (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 condition (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.”

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

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/742 Renewal of Planning Approval for Temporary Open Storage of Vehicles (Lorries, Vans and Private Cars) for Sale for a Period of 3 Years in “Residential (Group D)” Zone, Lots 666 S.B (Part) and 667 (Part) in D.D. 110, Kam Tin Road, Yuen Long
(RNTPC Paper No. A/YL-KTN/742)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) renewal of planning approval for temporary open storage of vehicles (lorries, vans and private cars) for sale for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, two objecting public comments from individuals were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Approval of the application on a temporary basis would not frustrate the planning intention of the “Residential (Group D)” (“R(D)”) zone. The application was in line with the Town Planning Board Guidelines No. 13F and 34C. Relevant government departments consulted 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.

101. Members had no question on the application.

Deliberation Session

102. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 27.1.2021 to 26.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying and other workshop activities shall be carried out on the Site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container 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;
- (e) no vehicle is allowed to queue back to or reverse onto/ from public road at any time during the planning approval period;
- (f) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of the record of the existing drainage facilities on the Site within 3 months from the date of the renewed planning approval to the

satisfaction of the Director of Drainage Services or of the TPB by 27.4.2021;

- (h) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) within 6 weeks from the date of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.3.2021;
- (i) the submission of a fire service installations proposal within 6 months from the date of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 27.7.2021;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 27.10.2021;
- (k) if any of the above planning condition (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning condition (g), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/743 Proposed Temporary Animal Boarding Establishment with Ancillary Office for a Period of 3 Years in “Agriculture” Zone, Lots 1486 (Part) and 1489 (Part) in D.D. 107 and adjoining Government Land, Yuen Long
(RNTPC Paper No. A/YL-KTN/743)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary animal boarding establishment with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual objecting to the application was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While the proposed use was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the Site possessed potential for agricultural rehabilitation, approval of the application on a temporary basis for a period of three years would not jeopardize the long-term planning intention of the “AGR” zone. The

proposed use was considered not incompatible with the surrounding area. Appropriate approval conditions were recommended to minimize any possible environmental nuisance generated by the proposed use and address the technical requirements of the concerned departments. Approval of the application was in line with the Committee's previous decisions in similar applications within the "AGR" zone. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

105. Members had no question on the application.

Deliberation Session

106. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. and 9:00 a.m. (except overnight animal boarding), as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) all animals shall be kept inside the enclosed animal boarding establishment on the Site between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, at all times during the planning approval period;
- (c) no public announcement system, portable loudspeaker, any form of audio amplification system, or whistle blowing is allowed to be used on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a 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 22.7.2021;

- (f) in relation to (e) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.10.2021;
- (g) in relation to (f) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.7.2021;
- (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 22.10.2021;
- (j) if any of the above planning condition (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning condition (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon 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.”

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

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/840 Temporary Open Storage of Construction Materials and Machinery, Office, Staff Rest Room and Store Room for a Period of 3 Years in “Agriculture” Zone, Lot 133 RP (Part) in D.D. 113 and Adjoining Government Land, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/840)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary open storage of construction materials and machinery, office, staff rest room and store room 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, four objecting comments from Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited, World Wide Fund for Nature Hong Kong and an individual were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The applied use 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 as the Site possessed potential for agricultural rehabilitation. No strong planning justification had been

given in the submission for a departure from the planning intention, even on a temporary basis. The development was not entirely compatible with the surrounding areas. The application did not comply with the Town Planning Board Guidelines No. 13F in that the Site fell within Category 3 area, there was no previous approval for open storage use granted at the Site and there were adverse departmental comments on the application. The Chief Town Planner/Urban Design & Landscape, PlanD had reservation on the application as approval of the application might encourage similar site modification prior to planning permission, and resulting in irreversible changes to the existing landscape character in the area and might have potential risk of encroachment into the nearby “Green Belt” zone. Hence, the current application did not warrant sympathetic consideration. As compared with the last rejected application No. A/YL-KTS/786, the current application was for the same applied use, site area, layout and floor area. Two similar applications for storage use within the same “AGR” zone were also rejected. Rejection of the current application was in line with the previous decisions of the Committee/the Board on previous and similar applications. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

109. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. This zone is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;

- (b) the application does not comply with the Town Planning Board Guidelines No. 13F in that there is no previous approval granted at the Site and there are adverse departmental comments on the application; and
- (c) approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such similar applications would result in a general degradation of the rural environment of the area.”

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/863 Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Village Type Development” Zone, Lots 339 S.A and 339 S.B in D.D. 109, Kam Tin South, Yuen Long
(RNTPC Paper No. A/YL-KTS/863A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary shop and services (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication periods, six objecting public comments from a Yuen Long District Council member, Owner’s Committee of Super King Court and individuals were received.

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

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, and there were two Small House applications under processing by the District Lands Officer/Yuen Long, Lands Department (LandsD) at the Site. The applicant stated that he would implement the Small House developments once they were approved by LandsD. It was considered that approval of the application on a temporary basis of three years would not jeopardize the long-term planning intention of the “V” zone. The applied use was considered not incompatible with the surrounding areas. Given the nature and the small scale of the operation, the use was not expected to cause significant adverse environmental impact on the surrounding areas. Appropriate approval conditions were recommended to minimize any possible environmental nuisance and address the technical requirements of the concerned departments. There were eight similar approved applications for temporary shop and services use in the same and adjoining “V” zones. Approval of the application was in line with the decision of the Committee on similar applications. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

112. Members had no question on the application.

Deliberation Session

113. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

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

- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the 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 22.7.2021;
- (d) in relation to (c) 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 22.10.2021;
- (e) in relation to (d) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (f) 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 22.7.2021;
- (g) in relation to (f) 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 22.10.2021;
- (h) the submission of modification works proposal of the existing public footpath and associated street furniture at the proposed entrance to the west of the Site within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 22.7.2021;
- (i) in relation to (h) above, the implementation of the modification works proposal of the existing public footpath and associated street furniture at the proposed entrance to the west of the Site within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 22.10.2021;

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

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

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/869 Proposed Temporary Animal Boarding Establishment for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Lots 512 S.A-S.B and 512 S.C-S.E in D.D. 113, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/869)

Presentation and Question Sessions

115. 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 animal boarding establishment 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, six public comments from the World Wide Fund for Nature Hong Kong, Hong Kong Bird Watching Society, Designing Hong Kong Limited, Kadoorie Farm & Botanic Garden Corporation and individuals were received, with one providing comments on the application and five objecting to the application. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While the proposed use was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the Site possessed potential for agricultural rehabilitation, approval of the application on a temporary basis for a period of five years would not jeopardize the long-term planning intention of the “AGR” zone. The proposed development was considered not incompatible with the surrounding area. Appropriate approval conditions were recommended to minimise any possible environmental nuisance generated by the proposed use and address the technical requirements of the concerned departments. As compared with the previous application rejected by the Committee in 2020, the current application was submitted by a different applicant for a different use. There was a similar application for proposed temporary animal boarding establishment (dog kennel) within the same “AGR” zone approved on 8.1.2021. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

116. In response to a Member's enquiry on the comments from DAFC, Ms Ivy C.W. Wong, STP/FSYLE, said that DAFC provided their comments from the agricultural point of view as the Site was located in an area zoned “AGR”.

Deliberation Session

117. While indicating no objection to the application, a Member expressed concern on comments given by DAFC, as on the one hand they did not support the application from the

agricultural point of view and on the other hand, they did not provide any views on the proposed animal boarding establishment given animal health and hygiene matters were also under DAFC's jurisdiction. Noting the Member's concern, the Chairman remarked that comments from DAFC were provided by different teams. In the future processing of similar applications, further liaison with DAFC, where appropriate, could be conducted to better understand their overall views on the use under application.

118. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 22.1.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. and 9:00 a.m. (except for overnight animal boarding), as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) all animals shall be kept inside the enclosed structures on the Site, as proposed by the applicant, at all times during the planning approval period;
- (c) no public announcement system, portable loudspeaker, any form of amplification system, or whistle blowing is allowed to be used on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.7.2021;
- (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 22.10.2021;
- (g) in relation to (f) above, the implemented drainage facilities on the Site

shall be maintained at all times during the planning approval period;

- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.7.2021;
- (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 22.10.2021;
- (j) if any of the above planning condition (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning condition (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon 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.”

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

Agenda Item 32

Section 16 Application

[Open Meeting]

A/YL-KTS/870 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Lots 1720 S.A, 1720 S.B, 1720 S.C, 1720 RP, 1721 (Part), 1723, 1724 and 1725 S.A RP in D.D. 106, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/870)

120. The Committee noted that the applicant’s representative requested on 14.1.2021 deferment of consideration of the application for two months in order to allow time for preparation of further information to address the departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/869 Proposed Temporary Open Storage of Construction Machinery for a Period of 3 Years in “Residential (Group D)” Zone, Lot 55 (Part) in D.D. 108, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/869)

Presentation and Question Sessions

122. 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 open storage of construction machinery 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, four public comments from a local villager and individuals were received, with one providing views and the other three objecting to the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. While the proposed use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no known programme for long-term development at the Site. Approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “R(D)” zone. The proposed development was considered not incompatible with the surrounding land uses. Appropriate approval conditions were recommended to minimize any potential environmental nuisance generated by the proposed development and address the technical requirements of the concerned departments. The proposed use was in line with the Town Planning Board Guidelines No. 13F (TPB PG-No. 13F) in that the Site fell within Category 2 areas and there were no adverse departmental comments. The previous applications were rejected as the Site fell within Category 3

areas under the then TPB PG-No. 13D and 13E and did not comply with the then guidelines. Six similar applications were rejected on the grounds of not complying with TPB PG-No.13E as the sites fell within Category 3 areas and no previous approval was granted at the sites. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

123. Members had no question on the application.

Deliberation Session

124. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the Site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of a stormwater 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 22.7.2021;

- (g) in relation to (f) above, the implementation of the stormwater 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 22.10.2021;
- (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 provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.3.2021;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.7.2021;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.10.2021;
- (l) if any of the above planning condition (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning condition (f), (g), (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.”

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

Agenda Item 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/870 Proposed Temporary Shop and Services (Retail Shop of Second-Hand Tyres) for a Period of 3 Years in “Village Type Development” Zone, Lots 2007(Part) and 2018 S.A (Part) in D.D. 111, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/870)

Presentation and Question Sessions

126. 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 (retail shop of second-hand tyres) 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 comment from an individual objecting to the application was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the District Lands Officer/Yuen Long, Lands Department advised that there was no Small House application approved or under processing at the Site. Temporary approval of the application would not frustrate the long-term planning

intention of the “V” zone. The proposed use was considered not incompatible with the surrounding land uses. Appropriate approval conditions were recommended to minimize any environmental nuisance generated by the proposed development and address the technical requirements of the concerned departments. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

127. Members had no question on the application.

Deliberation Session

128. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.1.2024 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 operation on Fridays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying and other workshop activities 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 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 22.7.2021;
- (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 22.10.2021;

- (g) in relation to (f) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.7.2021;
- (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 22.10.2021;
- (j) if any of the above planning condition (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning condition (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 35

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/871 Renewal of Planning Approval for Temporary Private Vehicle Park for Private Car for a Period of 3 Years in “Village Type Development” Zone, Lot 744 S.B ss.4 (Part) in D.D. 111, Sheung Che Tsuen, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/871)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) renewal of planning approval for temporary private vehicle park for private car 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, four objecting public comments from Sheung Che Tsuen villagers and an individual were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Temporary approval of the application would not frustrate the long-term planning intention of the “Village Type Development” (“V”). The application was in line with Town Planning Board Guidelines No. 34C. Relevant 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.

131. Members had no question on the application.

Deliberation Session

132. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 17.3.2021 to 16.3.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (b) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the Site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the Site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the Site at all times during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (f) the submission of a record of the existing drainage facilities on the Site

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 17.6.2021;

- (g) the existing landscape plantings within the Site shall be maintained in a healthy condition at all times during the planning approval period;
- (h) the existing fire service installations implemented on the Site shall be maintained in efficient working order at all times during the planning approval period;
- (i) if any of the above planning condition (a), (b), (c), (d), (e), (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
- (j) if the above planning condition (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 36

Section 16 Application

[Open Meeting]

A/YL-PH/872 Temporary Private Car Park for a Period of 3 Years in “Village Type Development” Zone, Lot 761 (Part) in D.D. 111, Sheung Che Tsuen, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/872)

134. The Committee noted that the applicant’s representative requested on 13.1.2021 deferment of consideration of the application for two months in order to allow time

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

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

Agenda Item 36A

Additional Item

Section 16 Application

[Open Meeting]

A/YL-ST/578 Temporary Container and Goods Vehicle Park and Open Storage of Construction Materials with Ancillary Tyre Repair Area, Site Office, Staff Canteen and Storage Uses for a Period of 18 Months in "Other Specified Uses" annotated "Comprehensive Development to include Wetland Restoration Area" Zone, Lot 769 RP (Part) in D.D. 99, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/578A)

136. The Committee noted that the applicant's representative requested on 7.1.2021 deferment of consideration of the application for two months so as to allow time to prepare a revised Environmental Assessment to address the comments of relevant government departments. It was the second time that the applicant requested deferment of the application.

137. 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 submission of further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information as requested by the applicant, 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/YL-ST/581 Renewal of Planning Approval for Temporary Public Vehicle Park
(Excluding Container Vehicle) for a Period of 3 Years in
"Undetermined" Zone, Lot 244 S. B RP (Part) in D.D.99 and Adjoining
Government Land, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/581)

Presentation and Question Sessions

138. Ms Irene W.S. Lai, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) renewal of planning approval of temporary public vehicle park (excluding container vehicle) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;

- (d) during the first three weeks of the statutory publication period, two objecting public comments were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the 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 “Undetermined” (“U”) zoning for the Site was for planning and development of the Sheung Shui to Lok Ma Chau Spur Line and the proposed Northern Link (NOL) railway system. As the programme and alignment of NOL were still under review, renewing the planning permission for a period of three years would not frustrate the long term planning intention of the “U” zone. The application was in line with the Town Planning Board Guidelines No. 34C. Relevant government departments consulted had no objection to or no adverse comment on the application.

139. Members had no question on the application.

Deliberation Session

140. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 24.1.2021 to 23.1.2024 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 Ordinance is allowed to be parked/stored on the Site at any time during the planning approval period;
- (b) no vehicle other than private car and light goods vehicle is allowed to access the Site;
- (c) a notice shall be posted at a prominent location of the Site to indicate that no medium or heavy goods vehicle (i.e. exceeding 5.5 tonnes) including

container trailers/tractors as defined in the Road Traffic Ordinance is allowed to be parked/stored on the Site at any time during the planning approval period;

- (d) no car washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the Site at any time during the planning approval period;
- (e) the paving and boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (f) the trees and landscape plantings on the Site shall be maintained at all times during the planning approval period to the satisfaction of the Director of Planning;
- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (h) the submission of a record of the existing drainage facilities on the Site 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 24.7.2021;
- (i) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (j) the existing fire service installations implemented on the Site shall be maintained in efficient working order at all times during the planning approval period;
- (k) if any of the above planning condition (a), (b), (c), d), (e), (f), (g), (i) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

- (l) if the above planning condition (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (m) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

[The Chairman thanked Ms S.H. Lam, Ms Ivy C.W. Wong and Ms Irene W.S. Lai, STPs/FSYLE, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

[The meeting was adjourned for a short break of ten minutes.]

[Dr Conrad T.C. Wong returned to join the meeting at this point.]

Tuen Mun and Yuen Long West District

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

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/265 Proposed Temporary Shop and Services for a Period of 6 Years in
“Village Type Development” Zone, Lots 1865 S.C. and 1865 RP in
D.D. 120 and Adjoining Government Land, Tai Shu Ha Road East,
Yuen Long
(RNTPC Paper No. A/YL/265B)

Presentation and Question Sessions

142. Ms Carol K.L. Kan, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed temporary shop and services for a period of six 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, two public comments from individuals were received, with one objecting to and one expressing views on the application. 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. While the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the District Lands Officer/Yuen Long, Lands Department advised that there was currently no Small House application under processing at the Site. Approval of the development on a temporary basis would not frustrate the long-term planning intention of the “V” zone. The proposed development was not incompatible with the surrounding uses. Appropriate approval conditions were recommended to minimise any possible environmental nuisances on the surrounding areas and to address the technical requirements of the concerned departments. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

143. In response to a Member’s enquiry on the duration of approval for the proposed temporary use, Ms Carol K.L. Kan, STP/TMYLW, said that planning permission was not required for temporary uses expected to be less than five years according to the covering

Notes of the subject Yuen Long Outline Zoning Plan (OZP), which was an OZP for new town. There was no restriction on the duration of temporary approval sought for Column 2 uses and it was up to the applicant to propose an appropriate period. For the subject application, a duration of six years was proposed by the applicant according to the operational need of the use.

144. A Member enquired if there were sufficient land for development of Small Houses in the “V” zone. In response, Ms Carol K.L. Kan said that there was currently no Small House application under processing at the Site. There was a total of 4.4ha of available land within the ‘village environ’ of Ma Tin Tsuen and it was estimated to be sufficient to accommodate about 176 Small House developments. The Lands Department was processing 18 Small House grant applications at the moment.

Deliberation Session

145. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 6 years until 22.1.2027 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (c) no vehicle 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 and sewerage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.7.2021;

- (e) in relation to (d) above, the implementation and maintenance of the drainage and sewerage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.10.2021;
- (f) in relation to (e) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.7.2021;
- (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 22.10.2021;
- (i) if any of the above planning condition (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 condition (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.”

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

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/625 Temporary Public Vehicle Park for Private Car & Light Goods Vehicle for a Period of 3 Years in “Village Type Development” and “Other Specified Uses” annotated “Heritage and Cultural Tourism Related Uses” Zones, Lots 384 (Part), 387 S.C ss.1 RP (Part), 387 S.C ss.2 RP (Part), 387 S.C ss.3 RP (Part), 388 (Part) and 390 (Part) in D.D. 122 and Adjoining Government Land, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/625)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary public vehicle park for private car and light goods vehicle for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, three objecting public comments from individuals were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the District Lands Officer/Yuen Long, Lands Department advised that there was no Small House application approved or under processing at the Site and approval of

the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. The use was not incompatible with the surrounding area. Appropriate approval conditions were recommended to minimise any potential environmental nuisances and address the technical requirements of the concerned departments. There were five previous applications for the same use at the Site and 25 similar applications within the same “V” zone approved by the Committee. 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.

148. Members had no question on the application.

Deliberation Session

149. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.1.2024 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 medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (c) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the Site, as proposed by the applicant, at any time during the planning approval period;
- (d) a notice shall be posted at a prominent location of the Site at all times to indicate that no medium and heavy goods vehicles exceeding 5.5 tonnes, container tractors/trailers, as defined in the Road Traffic Ordinance are

allowed to be parked/stored on or enter/exit the Site at all times during the planning approval period;

- (e) no vehicle washing, repairing, dismantling, paint spraying and other workshop activity, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing fencing of the Site shall be maintained at all times during the planning approval period;
- (h) the existing trees within the Site shall be maintained in good condition at all times during the planning approval period;
- (i) the implementation of the accepted 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 22.10.2021;
- (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 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 22.7.2021;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.10.2021;
- (m) if any of the above planning condition (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;

- (n) if any of the above planning condition (i), (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.”

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

Agenda Item 40

Section 16 Application

[Open Meeting]

A/TM-LTY Y/400 Proposed Temporary Place of Recreation, Sports or Culture (Sports Training Ground) for a Period of 3 Years in “Green Belt” Zone, Government Land (Former Lam Tei Gospel School) in D.D. 130, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/400A)

151. The Committee noted that the applicant’s representative requested on 5.1.2021 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information providing responses to departmental comments and a new Geotechnical Planning Review Report.

152. 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 further

information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 41

Section 16 Application

[Open Meeting]

A/TM-LTY Y/406 Proposed Temporary Shop and Services for a Period of 5 Years in “Residential (Group B) 2” Zone, Lot 3055 in D.D. 124, Wo Ping San Tsuen, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/TM-LTY Y/406A)

153. The Committee noted that the applicant’s representative requested on 5.1.2021 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information providing responses to departmental comments.

154. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of 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 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/386 Proposed Filling of Land and Pond in “Coastal Protection Area” Zone,
Lots 1945 S.B RP and 1945 S.C in D.D.129, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/386)

Presentation and Question Sessions

155. 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 and pond;
- (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 public comments from Kadoorie Farm and Botanic Garden Corporation, the World Wide Fund for Nature Hong Kong, Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual were received raising concern on or objecting to the application. Major views were set out in paragraph 10 of the Paper;
- (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 filling of land and pond was not in line with the planning intention of the “Coastal Protection Area” (“CPA”) zone. There was a general presumption against development in the zone and in general, only developments that were needed to support the conservation of the existing natural landscape or scenic quality of the area or were essential infrastructure projects with overriding public interest might be permitted.

The applicant did not provide any justifications for the genuine need of filling of land and pond and whether there were other alternatives for the applicant to combat the mosquito breeding issue. As such, there was no strong planning justification in the submission for a departure from the planning intention of the “CPA” zone. While the proposed filling of land and pond was considered not entirely incompatible with the landscape character of the surrounding area. However, the Chief Town Planner/Urban Design & Landscape, PlanD had reservation on the application as vegetation clearance had been observed in the southern portion of the Site. Approval of the application would encourage similar site alteration and tree removal prior to obtaining planning approval within the area. The cumulative impact of approving such similar application would result in further degradation of the landscape quality of the surrounding environment in the “CPA” zone. There was a similar application for pond filling and agricultural use within the same “CPA” zone rejected by the Committee. Rejection of the application was considered in line with the Committee’s previous decision. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

156. In response to two Members’ enquiries, Ms Bonnie K.C. Lee, STP/TMYLW, confirmed that the structures shown on Plan A-4a of the Paper fell within the Site and there was no information as to whether they were illegal structures or not. The hatched area shown on Plan A-2 of the Paper was subject to an active enforcement case with alleged unauthorised development (UD) of pond filling. Enforcement Notice had been issued and the UD discontinued. A Reinstatement Notice was also issued requiring removal of fill materials from the pond.

Deliberation Session

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

“(a) the proposed filling of land and pond is not in line with the planning

intention of the “Coastal Protection Area” (“CPA”) zone which is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment with a minimum of built development. There is a general presumption against development in this zone. There is no strong planning justification in the submission for a departure from the planning intention; and

- (b) approval of the application would set an undesirable precedent for similar applications for filling of land/pond within the “CPA” zone and the cumulative effect of approving such similar applications would result in a general degradation of the natural environment and landscape of the area.”

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PN/64 Temporary Service Area (including Vehicular Access, Manoeuvring Space, Car Parking and Loading and Unloading Bay) for a Period of 3 Years in “Agriculture” Zone and area shown as ‘Road’, Lot 8 (Part) in D.D.135 and Adjoining Government Land, Sheung Pak Nai, Yuen Long
(RNTPC Paper No. A/YL-PN/64)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary service area (including vehicular access, manoeuvring space, car parking and loading and unloading bay) 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, 25 public comments were received, with 13 supporting comments from individuals and 12 objecting comments from World Wide Fund-Hong Kong, Kadoorie Farm and Botanic Garden and individuals. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11. The applied use 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 as the Site had potential for agricultural rehabilitation. There was no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis. The extensive hard paving within the Site was incompatible with the landscape character of the surrounding area. The Chief Town Planner/Urban Design & Landscape, PlanD had reservation on the application as approval of the application would set an undesirable precedent to encourage other similar applications with site modification prior to planning permission was obtained. The Director of Environmental Protection did not support the application as there were sensitive receivers of residential use in the vicinity of the Site. The Commissioner for Transport (C for T) also raised traffic concerns on the applied use involving the use of heavy goods vehicles on Nim Wan Road and Deep Bay Road which were single track roads. The applicant failed to demonstrate that the applied use would not have adverse environmental and traffic impacts on the surrounding areas. Rejection of the application was in line with the previous decisions of the Committee on three rejected similar applications for various temporary open storage or warehouse uses within the same “AGR” zone. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

159. In response to a Member's enquiry, Ms Bonnie K.C. Lee, STP/TMYLW, said that the Site was currently hard paved and occupied for the applied use. Regarding the warehouse located to the south of the Site, as access to the warehouse would need to route through the Site, there might be implications on access to the warehouse should the application be rejected.

Deliberation Session

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

- “(a) the applied use is not in line with the planning intention of the “Agriculture” (“AGR”) zone. The planning intention of the “AGR” zone is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and also to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis; and
- (b) the applicant fails to demonstrate that the applied use would not generate adverse landscape, environmental and traffic impacts on the surrounding areas.”

Agenda Item 44

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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/1038A)

Presentation and Question Sessions

161. 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 and warehouse for storage of furniture, exhibition materials, construction materials/machinery and household detergent 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 from an individual providing views was received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone.

Whilst the Site fell within an area zoned as “Other Specified Uses” annotated “Mixed Use”, “Local Open Space” and an area shown as ‘Road’ on the Revised Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD and Project Manager (West), Civil Engineering and Development Department had no objection to the application. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The applied was generally in line with the Town Planning Board Guidelines No. 13F, where the Site fell within Category 1 areas. The Director of Environmental Protection did not support the application as environmental nuisance from the applied use was expected. However, there was no environmental complaint in the past 3 years. Appropriate approval conditions were recommended to minimise any potential environmental nuisances and address the technical requirements of the concerned departments. The previous approved application (No. A/YL-TYST/904) for the same use and with a similar site layout was revoked due to non-compliance with a time-limited approval condition on the implementation of fire service installations (FSIs) proposal. Given that the current application was submitted by a different applicant, and the applicant had submitted FSIs proposal for the current application of which the Director of Fire Services had no in-principle objection to, sympathetic consideration might be given to the current application. Approval of the application was generally in line with the Committee’s previous decisions on six previous applications and 103 similar applications. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

162. Members had no question on the application.

Deliberation Session

163. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.1.2024 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) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (d) no container tractor/trailer, as defined in the Road Traffic Ordinance, is 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) the existing trees on the Site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities on the Site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.4.2021;
- (i) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.3.2021;
- (j) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire

Services or of the TPB by 22.4.2021;

- (k) the implementation of the fire service installations proposal within 6months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.7.2021;
- (l) if any of the above planning condition (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning condition (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.”

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

Agenda Item 45

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1064 Proposed Temporary Shop and Services for a Period of 3 Years in “Residential (Group D)” Zone, Lots 641 (Part), 701 (Part) and 702 RP (Part) in D.D. 121 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1064)

Presentation and Question Sessions

165. 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 shop and services 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 from individuals were received, with one objecting to and one providing views on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was generally not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone. Given the inconspicuous location of the Site, the proposal did not appear to serve a local clientele. No strong planning justification had been given in the submission to justify a departure from the planning intention of the “R(D)” zone, even on a temporary basis. Moreover, no justification was given on why the proposed use must be located at the subject location. Although the proposal was considered not incompatible with the surrounding areas, most of the existing storage yards and warehouses in the area were suspected unauthorised developments subject to enforcement action. The consideration of the previously rejected application (No. A/YL-TYST/1047) remained relevant and applicable to the current application. Two approved similar applications (No. A/YL-TYST/820 and 998) straddling the same zone were smaller in scale and more in keeping with the surrounding areas. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

166. In response to a Member’s enquiry regarding the catchment area of the proposed shop and services use, Mr Steven Y.H. Siu, STP/TMYLW, with the use of Plans A-1a and A3 of the Paper, made the following main points:

- (a) the two similar approved applications for shop and services use were located in proximity to residential clusters. For application No. A/YL-TYST/820, the application site was located near the residential cluster along Tong Yan San Tsuen Road and Sha Tseng Road; while the application site under application No. A/YL-TYST/998 was located near the village cluster of Lam Hau Tsuen and Sha Ha Tsuen;
- (b) the Site of the current application was quite inaccessible. It was located at a walking distance of about 700m away from the nearest residential cluster near Sha Tseng Road. Access to the Site was convoluted and quite secluded; and
- (c) some warehouse and open storage uses located to the south of the Site were suspected unauthorised developments.

Deliberation Session

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

“the proposed use is not in line with the planning intention of the “Residential (Group D)” zone which is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings and for low-rise, low-density residential development. No strong planning justification has been given in the submission to justify a departure from the planning intention, even on a temporary basis.”

Agenda Item 46

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1065 Renewal of Planning Approval for Temporary Open Storage of Construction Materials and Metal Ware for a Period of 3 Years in “Open Space” Zone, Lots 2813 (Part), 2814 (Part), 2815 RP (Part) and 2816 RP (Part) in D.D. 120, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1065)

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 materials and metal ware 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 raising concern on the impact of the applied use was received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was generally in line with the Town Planning Board Guidelines No. 13F and No. 34C. Concerned government departments including Director of Leisure and Cultural Services and Project Manager (West) of Civil Engineering and Development Department had no objection to or no adverse comment on the application. Appropriate approval conditions were recommended to

address the technical requirements of concerned government departments.

169. Members had no question on the application.

Deliberation Session

170. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 3.3.2021 to 2.3.2024 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 or public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no workshop activities, as proposed by the applicant, are allowed on the Site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (g) the 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 2.6.2021;
- (j) the existing fire services installations implemented on the Site shall be maintained in efficient working order at all times during the planning approval period;
- (k) if any of the above planning condition (a), (b), (c), (d), (e), (f), (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.”

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 47

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/278 Proposed Temporary Shop and Services (Pet Goods and Foods) with Ancillary Pet Garden for a Period of 3 Years in “Village Type Development” and “Open Space” Zones and area shown as ‘Road’, Lots 1809 RP (Part), 1810 RP (Part), 1813 RP (Part), 1814 (Part), 1815, 1816 and 1817 (Part) in D.D. 124 and Adjoining Government Land, San Lee Uk Tsuen, Tin Ha Road, Yuen Long
(RNTPC Paper No. A/HSK/278)

Presentation and Question Sessions

172. 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 shop and services (pet goods and food) with ancillary pet garden 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 from an individual raising concern on the application was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed use was not in line with the planning intention of the “Village Type Development” (“V”) zone and there was no strong planning justification given in the submission for a departure from the planning intention of the “V” zone, even on a temporary basis. Although the

proposed use was considered not incompatible with the surroundings, there were open storage yard and parking of vehicles in the vicinity of the Site, most of which were suspected unauthorized developments. Insufficient information had been included in the submission on the need and detailed facilities for the proposed pet garden use. A similar application for temporary shop and services with ancillary office use within the same “V” zone was rejected by the Committee in 2020 for reasons of not in line with the planning intention of the “V” zone and setting of undesirable precedent for similar applications. Rejection of the application was in line with the Committee’s previous decision on the similar application. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

173. In response to a Member’s enquiries regarding the ancillary pet garden, Mr Simon P.H. Chan, STP/TMYLW, said that according to the applicant, the proposed pet garden was for members only. Customers who purchased goods of \$500 could become members. Information regarding the arrangement and management of the concerned pet garden was not provided by the applicant. As the Site was privately owned, maintenance and monitoring work of environmental hygiene was unlikely to be carried out by the Food and Environmental Hygiene Department

174. In response to a question raised by the Vice-chairman regarding the public works programme in the area, Mr Simon P.H. Chan, STP/TMYLW, said that the Site partly fell within the boundary of the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) and was within a site under the Remaining Phase development in the latest programme of HSK/HT NDA. The concerned site formation and engineering infrastructure works would only commence in 2030.

Deliberation Session

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

“(a) the proposed use is not in line with the planning intention of the “Village

Type Development” (“V”) zone which is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. No strong planning justification has been given in the submission for a departure from such planning intention, even on a temporary basis; and

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

Agenda Item 48

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/279 Temporary Open Storage of Construction Materials and Public Vehicle Park (Private Cars, Light Goods Vehicles and Medium/Heavy Goods Vehicles) for a Period of 3 Years in “Residential (Group A) 3” and “Open Space” Zones, Lots 1824 S.B RP (Part) and 1824 S.C (Part) in D.D. 125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/279)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary open storage of construction materials and public vehicle park (private cars, light goods vehicles and medium/heavy goods vehicles) for a period of three years;
- (c) departmental comments – departmental comments were set out in

paragraph 10 of the Paper;

- (d) during the first three weeks of the statutory publication period, four public comments from individuals raising concern on or objecting to the application were received. Major views were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not in line with the planning intention of the “Residential (Group A) 3” zone, the implementation programme for that part of New Development Area was still being formulated, and the Project Manager (West), Civil Engineering and Development Department had no objection to the temporary use at the Site. Approval of the application on a temporary basis of three years would not jeopardize the long-term development of the Site. The applied use was generally not incompatible with the surrounding major land uses and the application was generally in line with the Town Planning Board Guidelines No. 13F. The Site was partly for similar open storage use of the last approved application No. A/HSK/210 and the planning permission of which was still valid. Sympathetic consideration might be given to 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 concerns on the possible environmental nuisances or the technical requirements of the concerned departments. There were 14 previous applications approved for open storage and/or parking of vehicles use at the Site and three similar applications approved within the same zone. 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.

177. Members had no question on the application.

Deliberation Session

178. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road 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) the implementation of the accepted 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 22.10.2021;
- (f) in relation to (e) above, the implemented drainage facilities on Site shall be maintained at all times during the planning approval period;
- (g) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.3.2021;
- (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 22.7.2021;

- (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 22.10.2021;
- (j) if any of the above planning condition (a), (b), (c), (d) or (f) is not complied with during the approval period, the planning approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning condition (e), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 49

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/280 Renewal of Planning Approval for Temporary Open Storage of Construction Materials with Ancillary Workshop for a Period of 3 Years in “Government, Institution or Community” and “Open Space” Zones, Lots 34 RP (Part), 35 (Part), 36 (Part), 37 (Part), 38 (Part), 39 (Part) and 41 (Part) in D.D. 128, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/280)

Presentation and Question Sessions

180. 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 construction materials with ancillary 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, two public comments were received from individuals raising concern on or objecting to the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not in line with the planning intention of the “Government, Institution or Community” zone, approval of the application on a temporary basis of three years would not jeopardize the long-term development of the Site. The renewal application was generally in line with Town Planning Board Guidelines No. 34C. Appropriate approval conditions were recommended to address the concerns on the possible environmental nuisance or the technical requirements of the concerned departments.

181. In response to a Member’s enquiry, Mr Simon P.H. Chan, STP/TMYLW, said that the First Phase development of the Hung Shui Kiu/Ha Tsuen New Development Area, which mainly involved site formation and infrastructure works of the advance works phase and the dedicated rehousing estate, was targeted for completion as well as first population intake in 2024. Site formation and engineering infrastructure works for the Remaining Phase development, which covered the Site, would commence in 2030.

Deliberation Session

182. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 17.3.2021 to 16.3.2024 on the

terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing landscape planting on the Site shall be maintained at all times during the planning approval period;
- (e) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (f) the existing fire services installations shall be maintained in efficient working order at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities on 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 17.6.2021;
- (h) if any of the above planning condition (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if the above planning condition (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

183. 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/HSK/282 Renewal of Planning Approval for Temporary Warehouse for Storage of Food Provision for a Period of 3 Years in “Open Space” Zone, Lots 673 (Part), 674 (Part), 675 S.A, 675 S.B and 676 (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/282)

Presentation and Question Sessions

184. 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 warehouse for storage of food provision for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments from individuals raising concern on or objecting to the application were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied use could be tolerated for a further period of three years based on

the assessments set out in paragraph 12 of the Paper. Approval of the application on a temporary basis of three years would not jeopardize the long-term development of the Site. The renewal application was generally in line with Town Planning Board Guidelines No. 34C. Appropriate approval conditions were recommended to address the concerns on the possible environmental nuisance or the technical requirements of the concerned departments.

185. Members had no question on the application.

Deliberation Session

186. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 3.3.2021 to 2.3.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 7:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation 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 existing landscape planting on the Site shall be maintained at all times during the planning approval period;
- (e) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (f) the existing fire services installations shall be maintained in efficient working order at all times during the planning approval period;

- (g) the submission of a condition record of the existing drainage facilities on 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 3.6.2021;
- (h) if any of the above planning condition (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if the above planning condition (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

Agenda Item 51

Any Other Business

[Open Meeting]

Streamlined Processing of Renewal Applications

188. The Secretary reported that applications for renewal of planning approval, though rather simple and straightforward in nature, were currently processed in a manner similar to other s.16 applications. A full paper would be submitted to the Committee for consideration and the Planning Department would make a presentation at the meeting followed by Question & Answer session before deliberation on the application. In order to save Members’ time in considering this kind of application, it was proposed to process renewal applications in a

streamlined approach. Similar to the deferral cases, the Secretary would briefly summarize the applications and seek Members' approval in one go. In the next stage, a simplified paper format for renewal applications would be adopted for use when ready.

189. The Committee agreed to the proposed streamlined approach which would take effect from the next meeting. The Committee also agreed to the adoption of a simplified paper format for the renewal applications when ready.

190. There being no other business, the meeting was closed at 5:00 p.m..