

TOWN PLANNING BOARD

Minutes of 667th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 12.3.2021

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 Lawrence K.C. Li

Miss Winnie W.M. Ng

Mr L.T. Kwok

Mr K.W. Leung

Dr Jeanne C.Y. Ng

Dr Venus Y.H. Lun

Mr Y.S. Wong

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

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

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

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

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

Secretary

Absent with Apologies

Dr C.H. Hau

Mr Ricky W.Y. Yu

Dr Conrad T.C. Wong

In Attendance

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

Chief Town Planner/Town Planning Board
Ms Johanna W.Y. Cheng

Assistant Town Planner/Town Planning Board
Ms Charlotte O.C. Ko

Opening Remarks

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

Agenda Item 1

Confirmation of the Draft Minutes of the 666th RNTPC Meeting held on 26.2.2021

[Open Meeting]

2. The draft minutes of the 666th RNTPC meeting held on 26.2.2021 were confirmed without amendments.

Agenda Item 2

Matter Arising

[Open Meeting]

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

Sai Kung and Islands District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/SK-CWBN/10 Application for Amendment to the Approved Clear Water Bay Peninsula North Outline Zoning Plan No. S/SK-CWBN/6, To rezone the application site from “Green Belt” to “Government, Institution or Community (7)” and amend the Notes of the Zone applicable to the site, Various Lots in D.D. 229 and adjoining Government Land, Clear Water Bay, Sai Kung

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

Sha Tin, Tai Po and North District

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/ST/46 Application for Amendment to the Approved Sha Tin Outline Zoning Plan No. S/ST/34, To rezone the application site from “Green Belt” to “Other Specified Uses” annotated “Columbarium(1)”, Lots 499 S.A RP (Part), 500 S.A RP (Part), 503, 504 (Part), 505 (Part), 506 (Part) in D.D. 42 and Adjoining Government Land, 110 Chek Nai Ping Village, Tai Po Road, Ma Liu Shui, Sha Tin
(RNTPC Paper No. Y/ST/46A)

5. The Secretary reported that the application was for columbarium use and Mr K.K. Cheung had declared an interest on the item for his firm being the legal advisor of the Private

Columbaria Licensing Board.

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

7. The Committee noted that the applicant's representative requested on 3.3.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including responses to departmental comments, a revised Traffic Impact Assessment and Management Plan for the columbarium to address departmental comments.

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

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/KTN/2 Application for Amendment to the Approved Kwu Tung North Outline Zoning Plan No. S/KTN/2, To rezone the application site from “Comprehensive Development Area” to “Residential (Group B) 1” and “Residential (Group C)1”, Lots 684 RP, 705 RP, 706 RP, 709 RP (Part), 711 RP (Part), 712, 713 RP, 714 RP, 715, 716, 717 PR (Part), 718 RP (Part), 719, 721 RP (Part) and 2158 RP (Part) in D.D. 92 and adjoining Government Land, Kwu Tung North

(RNTPC Paper No. Y/KTN/2)

9. The Committee noted that the applicant’s representative requested on 3.3.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 6

Section 12A Application

[Open Meeting]

Y/YL-KTS/7 Application for Amendment to the Approved Kam Tin South Outline Zoning Plan No. S/YL-KTS/15, To rezone the application site from “Agriculture” to “Other Specified Uses” annotated “Columbarium”, Lots 2 (Part), 4, 5 (Part), 6 (Part), 7 RP (Part), 8 (Part), 9 (Part), 10 (Part), 11 (Part), 37, 42 (Part) and 43 in D.D. 113, and Adjoining Government Land, Tai Lam, Yuen Long
(RNTPC Paper No. Y/YL-KTS/7)

11. The Secretary reported that the application was for columbarium use. BMT Hong Kong Limited (BMT) was one of the consultants of the applicant. Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with BMT and being the legal advisor of the Private Columbaria Licensing Board.

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

13. The Committee noted that the applicant’s representative requested on 11.2.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including responses to departmental comments and revised technical assessments to address departmental comments.

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

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

Sai Kung and Islands District

[Mr Richard Y.L. Siu, Senior Town Planner/Sai Kung and Islands (STP/SKIs) and Ms Vicky L.K. Ma, Town Planner/Sai Kung and Islands (TP/SKIs) were invited to the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/I-LI/32 Proposed Public Utility Installation (Sewage Pumping Station) in
 “Open Space” Zone, Government Land in D.D. 4 LM, Hung Shing Ye,
 Lamma Island
 (RNTPC Paper No. A/I-LI/32)

15. The Secretary reported that the application was submitted by the Drainage Services Department (DSD). AECOM Asia Company Limited (AECOM) was the consultant of the applicant. Dr C.H. Hau had declared an interest on the item for having past business dealings with AECOM and currently conducting contract research projects for DSD.

16. The Committee noted that Dr C.H. Hau had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

17. Mr Richard Y.L. Siu, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed public utility installation (sewage pumping station);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, two public comments from Lamma Island (North) Rural Committee and an individual expressing concerns on the application 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 sewage pumping station (SPS) was not entirely in line with the planning intention of the “Open Space” zone, the site was currently occupied by an existing Hung Shing Yeh Beach Sewage Treatment Plant (HSYBSTP) providing simple local sewage treatment to serve the beach facilities of Hung Shing Yeh Beach. The site abutted the existing changing room block at the beach. The proposed SPS would replace the existing HSYBSTP upon its decommission and its scale would be smaller than that of the existing HSYBSTP. Having comprehensively considered the technical constraints, the applicant considered that the application site was the most suitable location to develop the SPS. The proposed SPS with landscaping and façade treatment was considered not incompatible with the surrounding environment and significant visual impact was not anticipated. Relevant government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

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

18. Members had no question on the application.

Deliberation Session

19. 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 12.3.2025, 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 condition :

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

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

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/SK-HC/321 Proposed Public Utility Installation (Underground Cable) and Excavation and Filling of Land in “Conservation Area” Zone, Government Land in D.D. 247, Tai Lam Wu, Sai Kung
(RNTPC Paper No. A/SK-HC/321B)

21. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited, which was a subsidiary of CLP Holdings Limited (CLP). Kum Shing (K.F.) Construction Company Limited (KF) was the consultant of the applicant. 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 and KF.

22. The Committee noted that Dr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting. As the interest of Dr Jeanne C.Y. Ng was direct, the Committee agreed that she 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 left the meeting temporarily at this point.]

Presentation and Question Sessions

23. Ms Vicky L.K. Ma, TP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed public utility installation (underground cable) and excavation and filling of land;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication period, four public comments from Designing Hong Kong Limited, a Sai Kung District Council member and an individual (submitted twice) objecting to/raising concerns on the application were received. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the

application based on the assessments set out in paragraph 10 of the Paper. There was a general presumption against development in the “Conservation Area” (“CA”) zone. The applicant failed to justify that the proposed works and the scope of works which would extend into a natural slope were essential with overriding public interest. The Chief Town Planner/Urban Design and Landscape of PlanD had reservation on the application from landscape planning perspective. The Director of Agriculture, Fisheries and Conservation’s concerns on the proposal had not been addressed. The impacts of the proposed works on the natural vegetation, including a rare and precious plant, on the application site and its vicinity could not be comprehensively assessed and effectively mitigated. Whilst there was one similar application approved within the same “CA” zone, the applicant of the current application failed to demonstrate that the proposal was essential in terms of its routing through the natural vegetated areas in the “CA” zone and would not cause adverse landscape impacts on the application site and its surrounding areas. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

24. In response to a Member’s enquiry, Mr Richard Y.L. Siu, STP/SKIs and Ms Vicky L.K. Ma, TP/SKIs, with reference to the aerial photo (Plan A-3 of the Paper), explained that portions of the application site were located on natural slopes partly covered by dense vegetation. Although no above ground structure was proposed on the application site, the associated excavation and filling of land for the underground cables would adversely affect the natural landscape on the application site. The applicant had not provided information on the proposed landscape treatments to minimise the adverse impact on the existing landscape resources nor provided any reinstatement proposals upon completion of the proposed underground cable.

Deliberation Session

25. A Member expressed concern that no reinstatement proposal upon completion of the proposed development had been proposed to facilitate Members’ consideration of the application. A Member also said that it was the applicant’s responsibility to provide

essential information in support of the application. The Chairman remarked that the applicant would be reminded to provide essential information in any future submissions.

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

- “(a) the proposed public utility installation and excavation and filling of land are not in line with the planning intention of the “Conservation Area” (“CA”) zone which is primarily to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as country park from the adverse effects of development. There is a general presumption against development within this zone. The applicant fails to demonstrate that the proposed works and scope of works are essential, and provide strong justification for a departure from the planning intention of the “CA” zone; and
- (b) the applicant fails to demonstrate that the proposed works would not cause adverse landscape impacts on the site and the surrounding area.”

[The Chairman thanked Mr Richard Y.L. Siu, STP/SKIs and Ms Vicky L.K. Ma, TP/SKIs, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

[Mr Ken K.K. Yip, Chief Traffic Engineer/New Territories East, Transport Department joined the meeting at this point.]

Sha Tin, Tai Po and North District

[Mr Tim T.Y. Fung and Mr Tony Y.C. Wu, Senior Town Planners/Shan 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/NE-HT/16 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Play Area, Handicraft Making and Refreshment Kiosk) and Barbecue Spot for a Period of 3 Years in “Agriculture” Zone, Lots 1091 RP, 1134 S.A and 1134 RP in D.D. 76, Hok Tau, Fanling
(RNTPC Paper No. A/NE-HT/16A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports or culture (hobby farm, play area, handicraft making and refreshment kiosk) and barbecue spot for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication period, six public comments, including one from the Chairman of Sheung Shui District Rural Committee indicating no comment and five from the North District Council member, the first Vice-Chairman and the Vice-Chairman of Fanling District Rural Committee and individuals objecting to the application, were received. 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 use was generally not in conflict with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture,

Fisheries and Conservation had no strong view against the application from agricultural point of view. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone. The proposed use was considered not entirely incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. The application site was part of the subject of a previously approved application (No. A/NE-HT/9) for the same use submitted by one of the applicants of the previous application. The previous planning application was still valid until 7.12.2021. According to the applicant, in considering the financial viability, an alternative development scheme with a reduced scale was submitted under the current application. There was no major change in the planning circumstances since the approval of the previous application. Two similar applications involving the same site for temporary hobby farm within the same “AGR” zone were approved. The circumstances of the current application were similar to those of the approved applications. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

28. Members had no question on the application.

Deliberation Session

29. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.3.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on site at any time during the planning approval period;

- (b) the provision of peripheral fencing, as proposed by the applicant, within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.9.2021;
- (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 12.9.2021;
- (d) in relation to (c) above, the provision 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 12.12.2021;
- (e) the submission of proposals for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.9.2021;
- (f) in relation to (e) above, the implementation of proposals for fire service installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.12.2021;
- (g) 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 12.9.2021;
- (h) in relation to (g) 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 12.12.2021;
- (i) if 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;
- (j) if any of the above planning condition (b), (c), (d), (e), (f), (g), or (h) is not

complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

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

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

Agenda Item 10

Section 16 Application

[Open Meeting]

A/NE-MKT/16 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Green Belt” Zone, Lot 140 (Part) in D.D. 86, San Uk Ling, Man Kam To
(RNTPC Paper No. A/NE-MKT/16)

31. The Committee noted that the applicant’s representative requested on 4.3.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address the comments from various government departments including the Transport Department. It was the first time that the applicant requested deferment of the application.

32. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and 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/NE-KLH/595 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 857 RP in D.D. 9, Tai Wo Village, Tai Po
(RNTPC Paper No. A/NE-KLH/595)

Presentation and Question Sessions

33. 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) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper;
- (d) during the statutory publication period, three objecting comments from Designing Hong Kong Limited and two individuals were received. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” zone and the Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the application site possessed potential for agricultural rehabilitation. The proposed Small House was not incompatible with the surrounding area. Regarding the

Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (Interim Criteria), more than 50% of the proposed Small House footprint fell within the village ‘environs’ and the proposed development located within the water gathering grounds would be able to be connected to public sewerage system. While land available within the relevant “Village Type Development” (“V”) zones (348 Small House sites) was insufficient to fully meet the total future demand of 1,010 Small House sites, such available land was capable to meet the 160 outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small House development within the “V” zones for more orderly development pattern, efficient use of land and provision of infrastructures and services. The application site was the subject of four previous applications for the same use and only one was approved. Compared with the last rejected previous application (No. A/NE-KLH/570), there was no change to the footprint and development parameters of the proposed Small House under the current application. There were 16 approved similar applications and 16 rejected similar applications in close vicinity of the site. The planning circumstances for rejection of the last two previous applications and the last two similar applications were applicable to the current application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

[Dr Jeanne C.Y. Ng returned to join the meeting during the presentation session.]

34. In response to a Member’s enquiries, Mr Tony Y.C. Wu, STP/STN, made the following main points:

- (a) the applicant’s justification as set out in paragraph 2(d) of the Paper (i.e. DAFC advised that the potential for agricultural rehabilitation at the site was low and thus had no objection to the application) was based on DAFC’s comments on a previous application rejected by the Committee in 2019. For the current application, although the application site was currently paved, according to the DAFC’s recent site inspection, some

active agricultural activities were found in the vicinity. DAFC advised that the application site possessed potential for agricultural rehabilitation and could be used for agricultural activities such as greenhouses, plant nurseries, etc. In that regard, DAFC did not support the current application from agricultural point of view; and

- (b) one main consideration of the current application was sufficient land within the “V” zones of Yuen Leng, Kau Lung Hang and Tai Wo to meet the outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small House development within the “V” zones for more orderly development pattern, efficient use of land and provision of infrastructure and services.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zones 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” zones for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/687 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Partial Filling of Land in “Agriculture” Zone and an area shown as ‘Road’, Lots 222 RP (Part), 223 RP, 224, 225, 226, 227 RP (Part), 228 (Part), 245 S.A, 251, 252, 253 RP, 254 RP in D.D. 17, Ting Kok, Tai Po
(RNTPC Paper No. A/NE-TK/687C)

Presentation and Question Sessions

36. 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) the proposed temporary place of recreation, sports or culture (hobby farm) for a period of five years and partial filling of land;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication period, a total of 48 objecting comments from the Hong Kong Bird Watching Society, Designing Hong Kong Limited, Indigenous Inhabitant Representatives and Resident Representatives of Ting Kok Village, Chairman and Vice-chairmen of Ting Kok Village Office and individuals were received. Of which, 45 of them were made in the form of standard submission. Major objection grounds were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The proposed development was not in line with the planning intention of

the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation had no strong view against the application on the understanding that agricultural activities were involved. Approval of the application on a temporary basis for a period of five years would not frustrate the long-term planning intention of the “AGR” zone. The proposed development was considered not entirely incompatible with the surrounding environment. Concerned government departments had no objection to or no adverse comment on the application. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. The site was part of the subject of a previously rejected application for proposed temporary horse riding school. There were four approved similar applications for temporary hobby farm within “AGR” zones in the vicinity and the circumstances for approval of those similar applications were applicable to the current application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

37. Members had no question on the application.

Deliberation Session

38. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 12.3.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) part of the site, as proposed by the applicant, shall only be filled up to a depth not exceeding 0.2m;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the site, as proposed by the applicant, at any time during the planning approval period;
- (c) 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 12.9.2021;

- (d) in relation to (c) 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 12.12.2021;
- (e) the submission of proposals for water supplies for firefighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.9.2021;
- (f) in relation to (e) above, the provision of water supplies for firefighting and fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.12.2021;
- (g) 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 12.9.2021;
- (h) in relation to (g) 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 12.12.2021;
- (i) if any of the above planning condition (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning condition (c), (d), (e), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
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.”

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

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/698 Temporary Barbecue Site and Car Park for a Period of 3 Years in
“Agriculture” Zone and area shown as ‘Road’, Various Lots in D.D. 17
and D.D. 29, Ting Kok Road, Tai Po
(RNTPC Paper No. A/NE-TK/698)

Presentation and Question Sessions

40. 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) the temporary barbecue site and car park for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) no public comment was received during the statutory publication period;
and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 10 of the Paper. The applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the

application as the site had potential for rehabilitation for agriculture use. Nevertheless, the applied use was temporary in nature and would unlikely frustrate the planning intention in the long run. The application site was largely paved and with temporary structures. The applied use was considered not incompatible with the surrounding areas. Other concerned government departments had no objection to or no adverse comment on the application. The application site was part of the subject of nine previous approved applications for temporary barbecue site and car park uses. Compared with the last application No. A/NE-TK/625 approved in 2018, there was an increase in the total floor area and number of structures. There were ten similar applications within the same “AGR” zone and only one was rejected. The circumstances for approval of the previous and similar applications were largely applicable to the current application.

41. Noting a similar application No. A/NE-TK/207 within the same “AGR” zone was rejected by the Committee in 2006 mainly on the grounds of adverse impact on the mangrove habitat in the Ting Kok Site of Special Scientific Interest (SSSI), a Member enquired how far the current application site was from the Ting Kok SSSI. In response, Mr Tony Y.C. Wu, STP/STN, with the aid of Plans A-1 and A-2b of the Paper, explained that the Ting Kok SSSI was located more than 100m further south of the application site with areas zoned “AGR” and “Coastal Protection Area” (“CPA”) in between. For application No. A/NE-TK/207 which was the first planning application for temporary barbecue site in the same “AGR” zone, the application site was closer to the SSSI and AFCD had reservation on the application which had no proposed mitigation measures. Applications submitted thereafter had proposed measures to avoid visitors entering the area zoned “CPA” and “SSSI” and AFCD had no objection from conservation perspective. Those applications were all approved with relevant conditions to ensure there would be no adverse impacts on the nearby “CPA” zone and Ting Kok SSSI.

Deliberation Session

42. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.3.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the maintenance of the existing trees on the site at all times 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 12.9.2021;
- (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 12.12.2021;
- (d) the submission of a fire service installations and water supplies for firefighting proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.9.2021;
- (e) in relation to condition (d) above, the implementation of the fire service installations and water supplies for firefighting proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.12.2021;
- (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;
- (g) if any of the above planning condition (b), (c), (d) or (e) is not complied with within the specified time limit, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) upon expiry of the planning application, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

set out at Appendix IV of the Paper.

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/699 Proposed Temporary Private Car Park for a Period of 3 Years in
 “Recreation” Zone, Lot 1604 S.G RP in D.D. 17, Lo Tsz Tin Village,
 Tai Po
 (RNTPC Paper No. A/NE-TK/699)

Presentation and Question Sessions

44. 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) the proposed temporary private car park for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, one public comment from an individual raising objection to the application was received. Major objection ground was set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with the planning intention of the “Recreation” (“REC”) zone, approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention. Concerned government departments had no objection to or no adverse comment on the

application. There were three similar applications for temporary public vehicle park (private cars only) in the vicinity of the application site within the same “REC” zone and only one was rejected by the Committee for geotechnical impact. The circumstances for the approval of the two similar applications were applicable to the current application. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

45. Members had no question on the application.

Deliberation Session

46. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.3.2024 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 (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on the site at any time during the planning approval period;
- (b) only private car as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that only private car as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) the provision of peripheral fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.9.2021;
- (e) the submission of a drainage proposal within 6 months from the date of

planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.9.2021;

- (f) in relation to (e) 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 12.12.2021;
- (g) the submission of a fire service installations and water supplies proposal for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.9.2021;
- (h) in relation to (g) above, the implementation of the fire service installations and water supplies proposal for fire-fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.12.2021;
- (i) if any of the above planning condition (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning condition (d), (e), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

Fanling, Sheung Shui and Yuen Long East District

[Ms S.H. Lam, Mr Patrick M.Y. Fung, 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 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/492 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Filling of Land in “Village Type Development” and “Green Belt” Zones, Lots 3335 S.AW, 3335 S.AX, 3335 S.AY ss.1, 3335 S.AZ ss.1, 3335 S.BG ss.1 (Part), 3335 S.BH ss.1 (Part), 3335 S.BI ss.1 (Part), 3335 S.BJ ss.1 (Part), 3335 S.BJ RP (Part), 3335 S.BM ss. 1, 3335 S.BM ss.2, 3335 S.BM ss.3 and 3335 S.BM ss.4 in D.D. 91, Lin Tong Mei, Kwu Tung South
(RNTPC Paper No. A/NE-KTS/492A)

48. The Secretary reported that the application site was located in Kwu Tung South and in the vicinity of the Hong Kong Golf Club (HKGC). Dr Lawrence K.C. Li had declared an interest on the item for being a member of the HKGC. As the interest of Dr Lawrence K.C. Li in relation to HKGC was indirect, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

49. 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) the proposed temporary place of recreation, sports or culture (hobby farm) for a period of five years and filling of land;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, a total of nine public comments, including seven objecting comments from World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited, a law firm representing the land owner of some lots to the immediate north of the application site, ex-Indigenous Inhabitant Representative of Lin Tong Mei Village, villagers of Lin Tong Mei Village and individuals, one comment from Kadoorie Farm and Botanic Garden Corporation raising concern on the application and one from an individual indicating no comment, 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. Whilst the proposed development was considered not entirely in conflict with the planning intention of the “Green Belt” (“GB”) zone, the Lands Department (LandsD) advised that there was currently no Small House application under processing at the application site and the Director of Agriculture, Fisheries and Conservation had no adverse comment on the application from nature conservation point of view. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “GB” and “Village Type Development” zones. In terms of scale and intensity, the proposed development was not entirely incompatible with the surrounding areas. Concerned government departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. The temporary use did not contravene the Town Planning Board Guidelines No. 10. In view of the Drainage Services Department’s concern on possible drainage impact from land filling works, shorter compliance periods were recommended to closely monitor the progress of compliance of the relevant approval conditions. Regarding the public comments received and local views conveyed by the District Officer (North), the

comments of government departments and planning assessments above were relevant.

50. In response to a Member's enquiry on a public comment which indicated that approval of the application would deprive nearby landowners/residents of a right-of-way (ROW) which fell within the application site, Ms S.H. Lam, STP/FSYLE, explained that as advised by Lands Department (LandsD), the ROW on private land involved private agreement between the relevant lot owners, and LandsD was not in a position to offer comments on the ROW.

Deliberation Session

51. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 12.3.2026 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., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system, as proposed by the applicant, is allowed to be used on the site at any time during the planning approval period;
- (c) no medium or heavy vehicles exceeding 5.5 tones, including container tractor/trailer, as proposed by the applicant, is allowed to enter/exit the site at any time during the planning approval period;
- (d) the submission of a proposal for fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.9.2021;
- (e) in relation to (d) 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 12.12.2021;

- (f) the submission of a drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.6.2021;
- (g) in relation to (f) above, the implementation of the drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.9.2021;
- (h) if any of the above planning condition (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning condition (d), (e), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/FLN/24 Proposed Temporary Open Storage of Construction Materials with Ancillary Office for a Period of 3 Years in Area shown as ‘Road’, Government Land in D.D. 52, Man Kam To Road, Sheung Shui
(RNTPC Paper No. A/FLN/24)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary open storage of construction materials with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, four objecting comments from the Chairman of the North District Council and individuals were received. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The application site fell within the boundary of Remaining Works Phase of the Kwu Tung North/Fanling North New Development Area (KTN/FLN NDA) development and would only be cleared and handed over to the FLN NDA project for construction of the road junction in mid-2024. Approval of the application on a temporary basis for three years would not adversely affect the implementation of the 'Road' section. Nevertheless, the Lands Department (LandsD) advised that no application for Short Term Tenancy would be considered as the site was being illegally occupied and the application did not meet the criteria listed out in the LandsD's existing guidelines. The proposed use was considered not incompatible with the surrounding areas. The Commissioner for Transport had reservation on the application as the applicant failed to provide sufficient traffic-related information, and the Director of Environmental Protection did not support the application as there were sensitive uses nearby and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application. The proposed use was not in line with the Town Planning Board Guidelines No. 13F in that the application site was not subject to any previous approval for open storage use and there were local objections to the proposed development. Regarding the public comments received, the comments of government

departments and planning assessments above were relevant.

54. Members had no question on the application.

Deliberation Session

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

- “(a) the application does not comply with the Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ in that there is no previous approval for open storage granted for the site; and there are local objections to the application; and
- (b) the applicant fails to demonstrate that the applied development would not cause adverse traffic impacts to the surrounding areas.”

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/296 Proposed Temporary Eating Place and Shop and Services for a Period of 3 Years in “Residential (Group D)” Zone, Lot 841 RP in D.D. 114, Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/296)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) the proposed temporary eating place and 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 statutory publication period, a total of 27 public comments, including 26 objecting comments from a Yuen Long District Council member, two Indigenous Inhabitant Representatives and one Resident Representative of Sheung Tsuen, Chairperson and Vice-chairperson of Sheung Tsuen Village Committee, 19 local residents (all in similar letter format) and two individuals, and one comment expressing concerns on the application, 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 proposed uses were not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, approval of the application on a temporary basis of three years would not frustrate the long-term development of the “R(D)” zone. According to the applicant, the proposed uses were intended to serve the needs of the residents/workers of the surrounding neighbourhood in Shek Kong area. The proposed uses were considered not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application. To minimise any possible environmental nuisance and to address the technical requirements of the relevant government departments, appropriate approval conditions were recommended. There were four similar applications for various temporary shop and services uses within the same “R(D)” zone approved by the Committee. Approval of the current application was in line with the Committee’s previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

57. Members had no question on the application.

Deliberation Session

58. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.3.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 10:00 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 or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.9.2021;
- (e) in relation to (d) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.12.2021;
- (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 installation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.9.2021;

- (h) in relation to (g) above, the implementation of the fire service installation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.12.2021;
- (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.”

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

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/297 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lot 1639 S.A (Part) in D.D. 114, Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/297)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports or culture (hobby farm) for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, two public comments from Kadoorie Farm and Botanic Garden Corporation and an individual raising concerns on the application 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. According to the applicant, the proposed development was intended to promote sustainable farming of local crops in Hong Kong and about 55.6% of the site would be used as plots of farmland. The proposed use was generally not in conflict with the planning intention of the “Agriculture” (“AGR”) zone. The Director of Agriculture, Fisheries and Conservation had no strong view on the application from agricultural point of view. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “AGR” zone. The proposed use was considered not incompatible with the surrounding environment. Concerned government departments had no objection to or no adverse comment on the application. To minimise any possible environmental nuisance and to address the technical requirements of the relevant government departments, appropriate approval conditions were recommended. There was one approved similar application for temporary hobby farm use within the same “AGR” zone. Approval of the current application was in line with the previous decision of the Committee. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

61. Members had no question on the application.

Deliberation Session

62. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.3.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. to 9:00 a.m., as proposed by the applicants, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the submission of a 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 12.9.2021;
- (e) in relation to (d) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.12.2021;
- (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 12.9.2021;
- (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 12.12.2021;

- (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 without further notice;
- (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; and
- (k) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/298 Temporary Shop and Services (Motor-vehicle Showroom) for a Period of 5 Years in “Village Type Development” Zone, Lot 1284 RP (Part) in D.D. 114, Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/298)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary shop and services (motor-vehicle showroom) for a period of five years;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, two public comments from individuals objecting to the application were received. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application 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 Lands Department advised that there was no Small House application approved or currently under processing at the application site. According to the applicant, the applied use was intended to serve the nearby local community. Approval of the application on a temporary basis for a period of five years would not frustrate the long term planning intention of the “V” zone. The applied use was considered not incompatible with the surrounding land uses. Relevant government departments had no adverse comment on or no objection to the application. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. The site was the subject of a previously approved application (No. A/YL-SK/254) and there were three approved similar applications for various temporary shop and services uses within the same “V” zone. Approval of the current application was in line with the previous decisions of the Committee. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

65. Members had no question on the application.

Deliberation Session

66. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 12.3.2026 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., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing tree within the site shall be maintained satisfactorily 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 12.9.2021;
- (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 12.12.2021;
- (g) 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 12.9.2021;
- (h) in relation to (g) 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 12.12.2021;

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

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

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/299 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Lots 84 S.A ss.1 (Part) and 84 S.A RP (Part) in D.D. 112, Nam Hing West Road, Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/299)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) the proposed temporary place of recreation, sports and culture (hobby farm) for a period of five years and filling of land;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, a total of 26 public comments were received, with 25 objecting comments in standard letter format from a Yuen Long District Council member, two Indigenous Inhabitant Representatives and Resident Representative of Sheung Tsuen, Chairperson and Vice-chairperson of Sheung Tsuen Village Committee and 19 local villagers, and the remaining one from 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. According to the applicant, about 57% of the site would be used as farmland. The proposed use was generally not in conflict with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation had no strong view on the application from agricultural point of view. Approval of the application on a temporary basis for a period of five years would not frustrate the long-term planning intention of the “AGR” zone. The proposed use was not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application. To minimise any potential nuisance and to address the technical requirements of the relevant government departments, appropriate approval conditions were recommended. The application site was the subject of an approved previous application (No. A/YL-SK/235) and the planning approval was revoked due to non-compliance with relevant approval conditions. Shorter compliance periods for the subject application were recommended in order to closely monitor the progress of compliance with relevant approval conditions. Given that the applicant had submitted drainage, fire service installations and tree preservation/landscape proposals

for the current application and there was no major change in planning circumstances since the last approval, it was considered that sympathetic consideration could be given to the current application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

69. Members had no question on the application.

Deliberation Session

70. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 12.3.2026 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., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the site during the planning approval period;
- (c) all existing trees within the site shall be maintained satisfactorily at all times during the planning approval;
- (d) the submission of a revised fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.6.2021;
- (e) in relation to (d) above, the implementation of the revised 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 12.9.2021;
- (f) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage

Services or of the TPB by 12.9.2021;

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

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

Agenda Item 21

Section 16 Application

[Open Meeting]

A/YL-KTN/731 Temporary Place of Recreation, Sports or Culture (Hobby Farm and Caravan Holiday Camp) with Ancillary Eating Place for a Period of 3 Years in “Agriculture” Zone, Lots 926 RP, 957 S.A to S.Z, 957 S.AA to S.AC and 957 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/731A)

72. The Committee noted that the applicant’s representative requested on 1.3.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including trip generation and traffic arrangement to address departmental comments.

73. 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 the submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 22

Section 16 Application

[Open Meeting]

A/YL-KTN/748 Temporary Storage of Hydroelectric Engineering Materials and Agricultural Tools and Ancillary Workshop for a Period of 3 Years in "Village Type Development" Zone, Lot 862 RP in D.D.107, Kam Tin North, Yuen Long
(RNTPC Paper No. A/YL-KTN/748)

74. The Committee noted that the applicant requested on 4.3.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/750 Proposed Temporary Warehouse for Storage of Construction Materials and Miscellaneous Goods for a Period of 3 Years in "Other Specified Uses" annotated "Railway Reserve" and "Industrial (Group D)" Zones, Lot 1733 RP (Part) in D.D. 107, San Tam Road, Yuen Long
(RNTPC Paper No. A/YL-KTN/750)

76. The Secretary reported that the application was submitted by Harvest Hill (Hong Kong) Limited (HHHK). Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with HHHK. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary warehouse for storage of construction materials and miscellaneous goods for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, two objecting comments from a

Yuen Long District Council member and an individual were received. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The “Other Specified Uses” annotated “Railway Reserve” zone (“OU(Railway Reserve)”) was intended for development of the Northern Link (NOL), the Highways Department had no in-principle objection to the application as the alignment and programme of the NOL were still under review. Approval of the application on a temporary basis of three years would not jeopardise the implementation of the NOL. The proposed use was considered not incompatible with the surrounding areas. The Director of Environmental Protection did not support the application as the proposed use would involve the use of heavy vehicles and would be expected to cause environmental nuisance to existing residential dwellings/structures in the vicinity of the site. Nevertheless, the site was near Sam Tam Road and the vehicular access did not need to pass through residential dwellings/structures. To minimise any potential environmental nuisances and to address the technical requirements of the relevant government departments, appropriate approval conditions were recommended. Other concerned government departments had no objection to or no adverse comment on the application. There were eight previously approved applications for temporary warehouse, open storage and eating place uses and three approved similar applications within the same “OU(Railway Reserve)” zone, the circumstances of the current application were similar to those of the similar approved applications. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

78. Members had no question on the application.

Deliberation Session

79. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.3.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) 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 or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (d) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance 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 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 12.9.2021;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.12.2021;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;

- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.9.2021;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.12.2021;
- (k) if any of the above planning condition (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning condition (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/751 Temporary Shop and Services (Financial Institution) with Ancillary Staff Canteen for a Period of 3 Years in “Other Specified Uses” annotated “Railway Reserve” Zone, Lots 4122, 4123, 4124 and 4125 (Part) in D.D. 104 and Adjoining Government Land, San Tam Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/751)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary shop and services (financial institution) with ancillary staff canteen for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, four objecting public comments from Hong Kong and China Gas Company Limited, a Yuen Long District Council member and individuals were received. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not in line with the planning intention of the “Other Specified Uses” annotated “(Railway Reserve)” (“OU(Railway Reserve)”) zone that was intended for development of the Northern Link (NOL), the Highways Department advised that the impact on the NOL pre-construction and construction works was tolerable within three years. Approval of the application on a temporary basis of three years would not frustrate the long-term planning intention of the “OU(Railway Reserve)” zone. The proposed development was considered not incompatible with the surrounding land uses. Other relevant government departments had no objection to or no adverse comment on the application. To minimise any potential nuisance and to address the technical requirements of the relevant government departments, appropriate approval conditions were recommended. The site was the subject of three previous applications.

Whilst the last two applications for similar uses were approved by the Committee, both planning approvals were revoked due to non-compliance with the relevant approval conditions. Given that the applicant had submitted drainage, fire services installations and landscape proposals and there was no major change in planning circumstances since the last approval, it was considered that sympathetic consideration could be given to the current application but with shorter compliance periods in order to closely monitor the progress of compliance with approval conditions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

82. Members had no question on the application.

Deliberation Session

83. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.3.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:30 p.m. to 9:30 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 provision of boundary fencing on the site within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.6.2021;
- (d) the submission of a drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.6.2021;
- (e) in relation to (d) above, the implementation of the drainage proposal within

6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.9.2021;

- (f) the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.6.2021;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.9.2021;
- (i) if any of the above planning condition (a), (b) 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 (c), (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.”

84. 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]

A/YL-KTS/876 Proposed Temporary Public Vehicle Park (excluding container vehicle) and Eating Place for a Period of 5 Years in “Residential (Group A)” and “Government, Institution or Community” Zones, Lots 73 (Part) and 74 RP (Part) in D.D. 106, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/876)

85. The Secretary reported that the application was submitted by Keen Harvest Far East Development Limited (KH). Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with KH. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

86. The Committee noted that the applicant’s representative requested on 24.2.2021 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address further departmental comments. It was the first time that the applicant requested deferment of the application.

87. 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 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/877 Proposed Temporary Animal Boarding Establishment for a Period of 5 Years in “Agriculture” Zone, Lots 1703 (A-C) S.A, 1703 (A-C) S.B and 1703 (A-C) S.C in D.D. 106, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/877)

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary animal boarding establishment for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, a total of 131 objecting comments from a Yuen Long District Council member, Tung Bin Road Concern Group, local residents living near Tung Bin Road (with 127 similar standard forms attached to a covering letter) and individuals were received. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper.

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 from agricultural point of view as the site possessed potential for agricultural rehabilitation. Nevertheless, approval of the application on a temporary basis for a period of five years would not jeopardise the long-term planning intention of the “AGR” zone. The proposed use was considered not incompatible with the surrounding area. Other relevant government departments had no objection to or no adverse comment on the application. To minimise any potential nuisance and to address the technical requirements of the relevant government departments, appropriate approval conditions were recommended. The site was the subject of a previous approved application (No. A/YL-KTS/780) submitted by the same applicant for the same use and the planning approval was revoked due to non-compliance with the relevant approval conditions. Compared with the last approved application, the current application was subject to the same layout and scale but the approval period sought was changed from three to five years. Given that there was no major change in planning circumstances since the last approval, it was considered that sympathetic consideration could be given to the current application but shorter compliance periods were recommended in order to closely monitor the progress of compliance with approval conditions. There were five approved similar applications and approval of the current application was in line with the Committee’s previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

90. Members had no question on the application.

Deliberation Session

91. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 12.3.2026 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 provision of a 2.5m high solid metal wall along the site boundary within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.6.2021;
- (f) the submission of a drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.6.2021;
- (g) in relation to (f) above, the implementation of the drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.9.2021;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a landscape proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.6.2021;

- (j) in relation to (i) above, the implementation of the landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.9.2021;
- (k) 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 12.6.2021;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.9.2021;
- (m) if any of the above planning condition (a), (b), (c), (d) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning condition (e), (f), (g), (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 27

Section 16 Application

[Open Meeting]

A/YL-PH/854 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 2808 (Part), 2809 (Part), 2810 (Part), 2811 S.A, 2811 RP (Part), 2814 (Part), 2815 (Part) and 2816 (Part) in D.D. 111, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/854)

93. The Secretary reported that the application was withdrawn by the applicant.

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/579 Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 5 Years in “Village Type Development” Zone, Lot 1 (Part) in D.D. 102, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/579A)

Presentation and Question Sessions

94. 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) the proposed temporary public vehicle park (excluding container vehicle) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;

- (d) during the statutory publication period, three public comments from two villagers and an individual objecting to/raising concerns on the application 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. Whilst the proposed use was not in line with the planning intention of the “Village Type Development” (“V”) zone, the Lands Department advised that no Small House application was approved or currently under processing at the application site. Approval of the application on a temporary basis for a period of five years would not frustrate the long-term planning intention of the “V” zone. The proposed use was not incompatible with the surrounding areas. Although the application site fell within Wetland Buffer Area of the Town Planning Board Guidelines No. 12C, the guidelines specified that planning applications for temporary uses were exempted from the requirement for ecological impact assessment. Other concerned government departments had no objection to or no adverse comment on the application. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. There were 20 approved similar applications within the same “V” zone and approval of the current application was in line with the previous decisions of the Committee. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

95. Members had no question on the application.

Deliberation Session

96. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 12.3.2026 on the terms of the application as

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

- “(a) no vehicle other than private car or light goods vehicle as defined in the Road Traffic Ordinance is allowed to enter/be parked on the site at all times during the planning approval period;
- (b) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that only private cars and light goods vehicles as defined in the Road Traffic Ordinance are allowed to be parked/stored on 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 provision of boundary fencing along the part of the site close to the existing stream course, as proposed by the applicant, within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.9.2021;
- (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 12.9.2021;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.12.2021;
- (h) in relation to (g) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;

- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.9.2021;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.12.2021;
- (k) if any of the above planning condition (a), (b), (c), (d) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning condition (e), (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Items 29 and 30

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/583 Proposed Temporary Private Vehicle Park (Private Cars Only) for a Period of 3 Years in “Village Type Development” Zone, Lot 31 in D.D. 102, San Lung Tsuen, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/583 and 584)

A/YL-ST/584 Proposed Temporary Private Vehicle Park (Private Cars Only) for a Period of 3 Years in “Village Type Development” Zone, Lot 33, D.D. 102, San Lung Tsuen, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/583 and 584)

98. The Committee agreed that as the two applications for proposed temporary private vehicle park (private cars only) were similar in nature and the application sites were located in close proximity to each other within the same “Village Type Development” (“V”) zone, they could be considered together.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the proposed temporary private vehicle park (private cars only) for a period of three years on each of the application sites;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, two public comments for each of the applications were received from a villager and an individual with the same content objecting to/raising concerns on the applications. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary uses could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the proposed uses were not in line with the planning intention of the “V” zone, the Lands Department advised that no Small House application was approved or currently under processing at the application sites. Approval of the applications on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “V” zone. The proposed uses were not incompatible with the surrounding areas. Although the application sites fell within Wetland Buffer Area of the Town Planning Board Guidelines No. 12C, the guidelines specified that planning

applications for temporary uses were exempted from the requirement for ecological impact assessment. The Director of Agriculture, Fisheries and Conservation had no comment on the applications as the application sites were paved and disturbed. Other government departments had no objection to or no adverse comment on the applications. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. There were 20 approved similar applications within the same “V” zone and approval of the current applications was in line with the previous decisions of the Committee. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

100. Members had no question on the applications.

Deliberation Session

101. After deliberation, the Committee decided to approve the applications on a temporary basis for a period of 3 years until 12.3.2024, each on the terms of the applications as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle other than private car as defined in the Road Traffic Ordinance is allowed to enter/be parked on the site at all time during the planning approval period;
- (b) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to be parked/stored on 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 12.9.2021;
- (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 12.12.2021;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of 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 12.9.2021;
- (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 12.12.2021;
- (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.”

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

[The Chairman thanked Ms S.H. Lam, Mr Patrick M.Y. Fung, 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.]

Tuen Mun and Yuen Long West District

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

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1111 Temporary Open Storage of Metal for a Period of 3 Years in “Residential (Group D)” Zone, Lots 134 (Part), 159 RP (Part), 161 (Part), 162 (Part), 163 S.B (Part) and 173 (Part) in D.D.128 and adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HTF/1111)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage of metal for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, two objecting public comments from individuals were received. Major objection grounds were set out in

paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the proposed use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, approval of the application on a temporary basis of three years would not jeopardise the long-term development of the application site as there was no known development for the site. The applied use was considered not incompatible with the surrounding land uses. Concerned departments had no objection to or no adverse comment on the application. To address the concerns on the possible environmental nuisances or the technical requirements of other concerned government departments, relevant approval conditions had been recommended. The applied use was considered in line with the Town Planning Board Guidelines No. 13F. There were five approved similar applications for open storage uses within the same “R(D)” zone and approval of the current application was in line with the previous decisions of the Committee. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

104. Members had no question on the application.

Deliberation Session

105. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.3.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 6:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) no workshop activity, as proposed by the applicant, is allowed on the site at all times during the planning approval period;
- (d) no heavy goods vehicles exceeding 24 tonnes, as defined under the Road Traffic Ordinance, are allowed to enter/be parked on the site, as proposed by the applicant, at all times 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 12.9.2021;
- (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 12.12.2021;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the provision of boundary fencing within 6 months from the date of planning approval to the satisfaction of Director of Planning or of the TPB by 12.9.2021;
- (i) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 23.4.2021;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 12.9.2021;
- (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 Director of Fire Services or of the TPB by 12.12.2021;

- (l) 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
- (m) if any of the above planning condition (e), (f), (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.”

106. 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/273 Proposed Temporary Eating Place for a Period of 6 Years in
“Comprehensive Development Area” Zone, Lot 455 S.C RP (Part) in
D.D. 116, Yuen Long
(RNTPC Paper No. A/YL/273)

107. The Committee noted that the applicant requested on 2.3.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

108. 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 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/274 Proposed Temporary Shop and Services and Minor Relaxation of Site Coverage Restriction for a Period of 6 Years in "Residential (Group B)" Zone, Lot 4399 RP in D.D. 116 and adjoining Government Land, Fung Ki Road, Yuen Long

(RNTPC Paper No. A/YL/274)

Presentation and Question Sessions

109. 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) the proposed temporary shop and services and minor relaxation of site coverage for a period of six years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication period, three objecting comments from a Yuen Long District Council member and two individuals were received. Major objection grounds were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper.

Whilst the proposed use was not entirely in line with the planning intention of the “Residential (Group B)” (“R(B)”) zone, the proposed use could provide retail services to meet the needs of the local community and there was no known development proposal at the application site. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “R(B)” zone. The proposed use and its development scale were not incompatible with the surrounding uses. Sympathetic consideration could be given to the current application given the low-rise character, small scale (about 105m² covered area) and temporary nature of the proposed use. The Chief Town Planner/Urban Design and Landscape of PlanD considered that significant visual impact from the proposed use was not anticipated. Other concerned government departments had no objection to or no adverse comment on the application. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

110. Members had no question on the application.

Deliberation Session

111. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 6 years until 12.3.2027 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 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 enter/exit the site, as proposed by the applicant, 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 12.9.2021;

- (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 12.12.2021;
- (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 12.9.2021;
- (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 12.12.2021;
- (h) if any of the above planning condition (a), (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
- (i) if any of the above planning condition (c), (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 34

Section 16 Application

[Open Meeting]

A/HSK/257 Temporary Logistics Centre with Ancillary Office and Parking of Vehicles for a Period of 3 Years in “Government, Institution or Community”, “Open Space” Zones and area shown as ‘Road’, Various Lots in D.D. 125 and D.D. 129 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/257A)

113. The Committee noted that the applicant requested on 25.2.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including responses to departmental comments, a revised fire service installations proposal, landscape proposal and fire certificate (FS 251) to address departmental comments.

114. 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 the submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 35

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/289 Temporary Warehouse, Open Storage of Construction Materials, Open Storage of Containers with Container Vehicles Park, Container Tractors Park and Logistics Yard with Ancillary Workshop (Including Compacting and Unpacking Workshop) for a Period of 3 Years in “Government, Institution or Community”, “Residential (Group A)2”, “Open Space”, “Other Specified Uses” annotated “Parking and Operational Facilities for Environmentally Friendly Transport Services” Zones and area shown as ‘Road’, Various Lots in D.D. 125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/289)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary warehouse, open storage of construction materials, open storage of containers with container vehicles park, container tractors park and logistics yard with ancillary workshop (including compacting and unpacking workshop) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, three public comments from a Yuen Long District Council member and two individuals objecting to/raising concerns on 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 temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not in line with the planning intentions of the “Government, Institution or Community”, “Residential (Group A)2”, “Open Space” and “Other Specified Uses” annotated “Parking and Operational Facilities for Environmentally Friendly Transport Services” zones, the Project Manager (West) of Civil Engineering and Development Department and the Director of Leisure and Cultural Services had no objection to the temporary use at the application site as the implementation programme for that part of Hung Shui Kiu/Ha Tsuen New Development Area was still being formulated. Approval of the current application on a temporary basis of three years would not jeopardise the long-term development of the application site. The applied use was not incompatible with the surrounding land uses. The application was generally in line with the Town Planning Board Guidelines No. 13F. Concerned government departments had no objection to or no adverse comment on the application. To minimise any potential nuisance and to address the technical requirements of the relevant government departments, appropriate approval conditions were recommended. The last approved application (No. A/HKS/9) for similar use at the same site was revoked due to non-compliance with approval conditions. Given that the applicant had submitted FSIs proposal for the current application and the Director of Fire Services had no adverse comment on the application, sympathetic consideration might be given to the current application but with shorter compliance periods in order to closely monitor the progress of compliance with relevant approval conditions. There were 17 previous approvals granted to the application site and nine approved similar applications within the four concerned land use zones. Approval of the current application was in line with the Committee's previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

116. In response to a Member's question, Mr Simon P.H. Chan, STP/TMYLW, made the following main points:

- (a) the 52 ancillary heavy goods vehicles (HGV) spaces were to serve the proposed warehouse and would not be open to the public. All HGV would manoeuvre and turn within the application site and there would not be frequent HGV traffic into/out of the application site. The Transport Department had no adverse comments on the application from traffic engineering viewpoint; and
- (b) approval conditions in relation to the operation hours and prohibiting vehicles to queue back to or reverse onto/from the public road at any time during the planning approval period were recommended.

Deliberation Session

117. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.3.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 8:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the stacking height of containers stored within the site should not exceed 8 units at all times during the planning approval period;
- (d) no handling (including loading, unloading and storage) of electrical/ electronic appliances/components, including cathode-ray tubes (CRT), CRT computer monitors/television sets and CRT equipment, as proposed by the applicant, is allowed on the site during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;

- (f) the existing trees and landscape planting 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 the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.6.2021;
- (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 23.4.2021;
- (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 12.6.2021;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.9.2021;
- (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.”

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

Agenda Items 36 and 38

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/290 Temporary Shop and Services (Real Estate Agency and Interior Design Service) for a Period of 3 Years in “Village Type Development” Zone, Lot 1046 RP (Part) in D.D. 125, Sik Kong Wai, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/290)

A/HSK/292 Temporary Shop and Services (Convenience Store and Real Estate Agency) for a Period of 3 Years in “Village Type Development” Zone, Lot 1046 RP (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/292)

119. The Committee agreed that as the two applications were similar in nature and the application sites were located in close proximity to each other within the same “Village Type Development” (“V”) zone, they could be considered together.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the temporary shop and services (real estate agency and interior design service) for a period of three years for application No. A/HSK/290, and temporary shop and services (convenience store and real estate agency) for a period of three years for application No. A/HSK/292;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Papers;
- (d) during the statutory publication periods, two public comments including a

supporting comment from a Yuen Long District Council member and a comment from an individual objecting to/raising concerns on application No. A/HSK/290 were received, while two public comments raising concerns on application No. A/HSK/291 were received. Major views were set out in paragraph 10 of the Papers; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Papers. Although the applied uses were not entirely in line with the planning intention of the “V” zone, the Lands Department advised that there was no Small House application received or under processing at the application sites. Approval of the applications on a temporary basis of three years would not jeopardise the long-term planning intention of the “V” zone. The applied uses were considered not incompatible with the surrounding areas. Other concerned government departments had no objection to or no adverse comment on the applications. To minimise any possible environmental nuisance and to address the technical requirements of the relevant government departments, appropriate approval conditions were recommended. For applications No. A/HSK/290 and A/HSK/292, there were one approved previous application and five approved previous applications at the application sites respectively. There were ten approved similar applications within the same “V” zone. Approval of the current applications was in line with the Committee's previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

121. Members had no question on the applications.

Deliberation Session

122. After deliberation, the Committee decided to approve the two applications on a temporary basis for a period of 3 years until 12.3.2024, each on the terms of the applications as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 10:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) 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 12.6.2021;
- (d) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.9.2021;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.12.2021;
- (f) if any of the above planning condition (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (g) if any of the above planning condition (c), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/291 Proposed Temporary Shop and Services with Ancillary Office for a Period of 5 Years in “Government, Institution or Community” and “Village Type Development” Zones, Lot 107 RP (Part) in D.D. 128, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/291)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services with ancillary office for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, two public comments from individuals raising concerns on the application 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 12 of the Paper. Whilst the proposed use was not in line with planning intentions of the “Village Type Development” and “Government, Institution or Community” zones, the Lands Department advised that there was no Small House application approved or under processing for the application site. The Project Manager (West) of Civil Engineering and Development Department had no objection to the temporary use for a period of five years at the site as

the implementation programme for that part of New Development Area was still being formulated. Approval of the application on a temporary basis of five years would not jeopardise the long-term development of the site. The proposed use was considered not incompatible with the surrounding areas and significant environmental impacts on the surrounding areas were not anticipated. There was no adverse comment from concerned government departments. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. Similar to the approved similar application (A/HSK/233), the proposed use under the current application was of relatively small scale and would provide retail service in the area. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

125. Members had no question on the application.

Deliberation Session

126. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 12.3.2026 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., 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 vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the site at any time during the planning approval period;
- (d) no goods vehicles exceeding 5.5 tonnes, including container tractor/trailers

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

- (e) the submission of a drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.9.2021;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.12.2021;
- (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 the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.9.2021;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.12.2021;
- (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.”

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

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/514 Proposed Excavation and Filling of Land for Permitted Agricultural Use in “Conservation Area” Zone, Lot 1466 S.W in D.D. 118, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/514)

Presentation and Question Sessions

128. 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) the proposed excavation and filling of land for permitted agricultural use;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, six public comments from World Wide Fund for Nature Hong Kong, Hong Kong Bird Watching Society, The Conservancy Association, Designing Hong Kong Limited, and an individual objecting to/raising concerns on the application were received. Major view 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 filling of land was not in line with the planning intention of the “Conservation Area” (“CA”) zone to protect and retain the existing natural landscape features of the area. While the applicant claimed that the proposed excavation and filling of land was to facilitate the permitted agricultural use and the Director of Agriculture, Fisheries and Conservation had no comment on the proposed excavation of land for the provision of a

fish pond, the applicant failed to provide strong justifications to substantiate the exact need and the required extent of filling of land with concrete (82% of the application site) to facilitate the growing of vegetables and fruits at the application site. The Chief Town Planner/Urban Design and Landscape of PlanD considered the scale of the proposed filling of land (at about 399.25m²) to be excessive and incompatible with the existing landscape character of the surrounding area. Although there were other excavation and filling of land in the vicinity of the application site, they were suspected unauthorised development subject to enforcement action undertaken by the Planning Authority. Other concerned government departments had no objection to or no adverse comment on the application. There was no previous approval granted to the application site nor similar application within the subject “CA” zone. Approval of the current application would set an undesirable precedent. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

129. In response to a Member’s enquiry, the Chairman explained that the proposed filling of land was not in line with the planning intention of the “CA” zone which had a presumption against development, the scale of the proposed filling of land (about 82% of the application site) was excessive and the applicant failed to provide strong justifications to substantiate the exact need and the required extent of filling of land as set out in paragraph 11 of the Paper.

Deliberation Session

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

- “(a) the proposed filling of land is not in line with the planning intention of the “Conservation Area” zone, which is to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes. The applicant also fails to justify the excessive scale and the need for land filling; and

- (b) the applicant fails to demonstrate that the proposed filling of land would not generate adverse landscape impact on the surrounding area.”

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/515 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Filling of Land in “Agriculture” and “Green Belt” Zones, Lots 1339 S.G and 1339 S.H ss.1 in D.D. 117, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/515)

Presentation and Question Sessions

131. 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) the proposed temporary place of recreation, sports or culture (hobby farm) for a period of five years and filling of land;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, four public comments including two objecting comments from Hong Kong Bird Watching Society and Designing Hong Kong Limited, and two comments from World Wide Fund for Nature Hong Kong and an individual raising concerns on the application 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. Whilst the proposed use was considered not entirely in conflict with the planning intentions of the “Agriculture” (“AGR”) and “Green Belt” (“GB”) zones, the Director of Agriculture, Fisheries and Conservation (DAFC) had no strong view on the application as agricultural activities were involved in the proposed use. The applied use was generally not incompatible with the surrounding uses and was generally in line with the Town Planning Board Guidelines No. 10. The Chief Town Planner/Urban Design and Landscape of PlanD considered that the scale of the proposed use was not substantial and not incompatible with the landscape character of the area. Other concerned government departments had no objection to or no adverse comment on the application. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. There were two approved similar applications and two rejected similar applications within/straddling the “AGR” and “GB” zones. The circumstances of the two rejected similar applications were different from those of the current application. Approval of the current application was generally in line with the Committee's previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

132. In response to two Members' questions, Mr Steven Y.H. Siu, STP/TMYLW, made the following main points:

- (a) the previous application (No. A/YL-TT/353) for the same use within the subject “AGR” zone was rejected by the Committee mainly on the grounds that there would be adverse landscape impacts and the need for land filling was not justified; and
- (b) according to Plan A-4 of the Paper, the application site was currently partly vacant/vegetated and partly occupied by an open storage yard for construction materials and a temporary structure.

Deliberation Session

133. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 12.3.2026 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., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no usage of loudspeakers, audio amplifiers and public announcement is allowed on the site, as proposed by the applicant, at any time during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the provision of boundary fence on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.9.2021;
- (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 12.9.2021;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.12.2021;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall

be maintained at all times during the planning approval period;

- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.9.2021;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.12.2021;
- (k) if any of the above planning condition (a), (b), (c), (d) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning condition (e), (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (m) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1075 Renewal of Planning Approval for Temporary Open Storage of Construction Machinery and Materials and Vehicle Repair Workshop for a Period of 3 Years in “Open Space” Zone and area shown as ‘Road’, Lots 2366 RP, 2367 and 2386 RP (Part) in D.D. 120, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1075)

135. The Committee noted that the application was for renewal of planning approval for temporary open storage of construction machinery and materials and vehicle repair workshop for a period of three years. During the statutory publication period, two public comments from individuals objecting to and raising concerns on the application were received. Major views were set out in paragraph 11 of the Paper.

136. The Committee noted that the Planning Department considered that the application could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 13F and 34C. Concerned government departments had no objection to or no adverse comment on the application, except the Director of Environmental Protection who did not support the application as there were sensitive receivers of residential use in the vicinity of the site and environmental nuisance from the applied use was expected. However, there was no environmental complaint concerning the application site in the past three years. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended.

137. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 21.4.2021 to 20.4.2024 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 heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the existing boundary fencing on the site shall be maintained at all times 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 existing fire service installations implemented on the site shall be maintained in efficient working order 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 21.7.2021;
- (j) if any of the above planning condition (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without

further notice; and

- (k) 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.”

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

Agenda Item 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1077 Renewal of Planning Approval for Temporary Container Tractor/Trailer Park and Open Storage of Construction Machinery with Ancillary Office for a Period of 3 Years in “Government, Institution or Community (2)”, “Open Space” Zones and area shown as ‘Road’, Lot 2817 RP (Part) in D.D. 120, Kong Um Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/1077)

139. The Committee noted that the application was for renewal of planning approval for temporary container tractor/trailer park and open storage of construction machinery with ancillary office for a period of three years. During the statutory publication period, two public comments from individuals objecting to and raising concerns on the application were received. Major views were set out in paragraph 11 of the Paper.

140. The Committee noted that the Planning Department considered that the application could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 13F and 34C. Concerned government departments had no objection to or no adverse comment on the application, except the Director of Environmental Protection who did not support the application as there were sensitive receivers of residential use in the vicinity of the site and environmental nuisance from the applied use was expected. However, there was no environmental complaint concerning the application site in the past

three years. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended.

141. 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 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 or public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle dismantling, vehicle repairing or other workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the existing boundary fencing on the site shall be maintained at all times 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 existing fire service installations implemented on the site shall be maintained in efficient working order 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 17.6.2021;
- (j) if any of the above planning condition (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) 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.”

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

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1078 Temporary Open Storage and Warehouse for Storage of Exhibition Materials for a Period of 3 Years in “Open Space” Zone and area shown as ‘Road’, Lots 2387 RP (Part) and 2388 (Part) in D.D. 120, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1078)

Presentation and Question Sessions

143. 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) the temporary open storage and warehouse for storage of exhibition materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, two public comments from individuals objecting to/raising concerns on 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 temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not in line with the planning intention of the “Open Space” (“O”) zone, both the Director of Leisure and Cultural Services and the Project Manager (West) of Civil Engineering and Development Department had no objection to the application, but the latter proposed to shorten the duration to two years. It was noted that the programme of land resumption would follow the project programme notwithstanding the validity period of the planning permission to be granted. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the application site. The applied use was generally not incompatible with the surrounding uses. Other concerned government departments had no adverse comment on or no objection to the application. The application was generally in line with the Town Planning Board Guidelines No. 13F. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. The last two approved applications submitted by the same applicant as the current application for similar/same uses were revoked due to non-compliance with approval conditions on fire service installations (FSIs). Given that the applicant had submitted FSIs proposal for the current application of which the Director of Fire Services considered acceptable, sympathetic

consideration might be given to the current application but with shorter compliance periods in order to closely monitor the progress of compliance with approval conditions. There were eight approved previous applications, two rejected previous applications and 27 approved similar applications within the “O” zone. Approval of the current application was generally in line with the Committee’s previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

144. In response to two Members’ questions, Mr Steven Y.H. Siu, STP/TMYLW, made the following main points:

- (a) as shown on the Drawing A-3 of the Paper, the 16m circle in the west of the application site was for manoeuvring of vehicles; and
- (b) with reference to Appendix III of the Paper, the two previous applications (No. A/YL-TYST/280 and A/YL-TYST/281) were rejected mainly on the ground that there was insufficient information in the submission to demonstrate that the development would not generate adverse environmental, traffic and drainage impacts on the surrounding areas. For the current application, concerned government departments had no objection to or no adverse comment on the application.

Deliberation Session

145. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.3.2024 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 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 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (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 trees on the site shall be maintained at all times 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 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 12.6.2021;
- (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 23.4.2021;
- (j) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.9.2021;
- (k) 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

- (l) if any of the above planning condition (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.”

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

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

Agenda Item 44

Any Other Business

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