

## **TOWN PLANNING BOARD**

### **Minutes of 675<sup>th</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 9.7.2021**

#### **Present**

Director of Planning  
Mr Ivan M.K. Chung

Chairman

Mr Stephen L.H. Liu

Vice-chairman

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Dr C.H. Hau

Miss Winnie W.M. Ng

Mr L.T. Kwok

Mr K.W. Leung

Dr Jeanne C.Y. Ng

Dr Venus Y.H. Lun

Dr Conrad T.C. Wong

Mr Y.S. Wong

Chief Traffic Engineer/New Territories West,  
Transport Department  
Ms Carrie K.Y. Leung

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 Lawrence K.C. Li

Mr Ricky W.Y. Yu

**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 674<sup>th</sup> RNTPC Meeting held on 25.6.2021**

[Open Meeting]

2. The Secretary reported that subsequent to the circulation of the draft minutes of the 674<sup>th</sup> RNTPC meeting to Members, an amendment to paragraph 36 as shown on the visualiser was proposed by a Member. The Committee agreed that the minutes of the 674<sup>th</sup> RNTPC meeting held on 25.6.2021 were confirmed with incorporation of the above amendment.

## **Agenda Item 2**

### **Matter Arising**

[Open Meeting]

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

**Sha Tin, Tai Po and North District**

**Agenda Item 3**

Section 12A Application

[Open Meeting]

Y/ST/51                      Application for Amendment to the Approved Sha Tin Outline Zoning Plan No. S/ST/34, To rezone the application site from “Village Type Development” to “Other Specified Uses” annotated “Religious Institution with Columbarium”, Lot 613 in D.D. 185 and Adjoining Government Land, No. 179 Pai Tau Village, Sha Tin  
(RNTPC Paper No. Y/ST/51)

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4.            The Secretary reported that the application was for columbarium use. The application was submitted by Do Wing Yuen (Yue Leung) Management Limited (DWY) and REC Green Technologies Company Limited (RGT) was one of the consultants of the applicant. The following Members had declared interests on the item:

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

Dr Conrad T.C. Wong                      -            having current business dealings with DWY and having directorship and partnership in RGT.

5.            The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr K.K. Cheung in relation to PCLB was indirect, the Committee agreed that he could stay in the meeting. As the interest of Dr Conrad T.C. Wong was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion.

6.            The Committee noted that the applicant’s representative requested on 25.6.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental and public comments. It was the first time that the applicant requested deferment of the application.

7. 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.

### **Sai Kung and Islands District**

#### **Agenda Item 4**

##### **Section 16 Application**

[Open Meeting]

A/SK-CWBN/63 Proposed House (New Territories Exempted House - Small House) in "Green Belt" Zone, Lot 158 S.C RP in D.D. 238, Pan Long Wan, Sai Kung  
(RNTPC Paper No. A/SK-CWBN/63A)

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8. The Committee noted that the applicant requested on 24.6.2021 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 contacted the relevant government department to address its comments.

9. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within 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 5**

#### **Section 16 Application**

[Open Meeting]

A/SK-HC/325                      Proposed House (New Territories Exempted House - Small House) in  
"Agriculture" Zone, Lot 481 S.C in D.D. 244, Ho Chung, Sai Kung  
(RNTPC Paper No. A/SK-HC/325A)

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10.            The Committee noted that the applicant's representative requested on 23.6.2021 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 been preparing further information to address departmental comments.

11.            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 6**

**Section 16 Application**

[Open Meeting]

A/SK-PK/264            Proposed Shop and Services (Fast Food Shop) in “Recreation” Zone,  
Ground Floor, No. 5 Wang Kong Tsuen, Lot 278 (Part) in D.D. 221  
(RNTPC Paper No. A/SK-PK/264)

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12.            The Committee noted that the applicant’s representative requested on 29.6.2021 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.

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

**Sha Tin, Tai Po and North District**

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

**Agenda Item 7**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MUP/159      Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” and “Village Type Development” Zones, Lot 560 S.C in  
D.D. 46, Loi Tung Village, Sha Tau Kok  
(RNTPC Paper No. A/NE-MUP/159)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, five public comments, with one from the Chairman of Sheung Shui District Rural Committee indicating no comment and four opposing comments from Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited and individuals, were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views –PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not in line with the planning intention of the “Agriculture” zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the application site (the Site) possessed potential for agricultural rehabilitation, the proposed Small House development was considered not incompatible with the surrounding area. Regarding the Interim Criteria for



Consideration of Application for NTEH/Small House in the New Territories, the footprint of the proposed Small House fell entirely within the village ‘environs’ of Loi Tung Village. While land available within the “Village Type Development” (“V”) zone (equivalent to 69 Small House sites) was insufficient to fully meet the 10-year Small House demand forecast of 476 Small Houses, it was capable of meeting the 31 outstanding Small House applications. Given the adoption of a more cautious approach in considering applications for Small House development in recent years, it was considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. Nevertheless, noting that the Site was the subject of a previously approved application (A/NE-MUP/126) for the same use submitted by the same applicant and the Small House grant was still under processing, sympathetic consideration might be given to the application. The Commissioner for Transport considered that Small House developments should be confined within the “V” zone as far as possible but given that only one Small House was proposed, the application could be tolerated. Other concerned 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.

15. Members had no question on the application.

#### Deliberation Session

16. 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 9.7.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the provision of septic tank, as proposed by the applicant, at a location to

the satisfaction of the Director of Lands or of the TPB; and

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

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

### **Agenda Item 8**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/671 Temporary Open Storage of Recyclable Materials and Ancillary Workshop for a Period of 3 Years in “Agriculture” Zone, Lots 965 RP (Part) and 966 RP in D.D.82, Ping Che Road, Ping Che  
(RNTPC Paper No. A/NE-TKL/671)

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#### **Presentation and Question Sessions**

18. 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 temporary open storage of recyclable materials and ancillary workshop for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, three public comments, with one from the Chairman of Sheung Shui District Rural Committee indicating no comment and two opposing comments from Kadoorie Farm and Botanic Garden Corporation and an individual, were received. Major views were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD 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 “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the site possessed potential for agricultural rehabilitation, approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “AGR” zone. The applied use was considered not entirely 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 comments on the application, except the Director of Environmental Protection who did not support the application as there were sensitive receivers in the vicinity of the application site (the Site). Nevertheless, appropriate approval conditions were recommended to minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments. The Site was the subject of seven previously approved applications for similar open storage uses. As the last previous application (No. A/NE-TKL/564) for the same applied use and submitted by the same applicant was revoked due to non-compliance with an approval condition, shorter compliance periods were recommended to closely monitor the compliance progress, should the application be approved by the Committee. Regarding the public comments received and local views conveyed by the District Officer/North of Home Affairs Department, the comments of government departments and planning assessments above were relevant.

19. Members had no question on the application.

#### Deliberation Session

20. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.7.2024 on the terms of the application as

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

- “(a) no operation between 6:30 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 heavy goods vehicles exceeding 24 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, are allowed for the operation of the site at any time during the planning approval period;
- (d) the peripheral fencing shall be maintained at all times during the planning approval period;
- (e) 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 9.10.2021;
- (f) the submission of a run-in/out proposal within 3 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 9.10.2021;
- (g) in relation to (f) above, the implementation of the run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 9.1.2022;
- (h) 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 20.8.2020;
- (i) the provision of water supplies for fire-fighting and fire service installations, as proposed by the applicant, within 6 months from the date of planning

approval to the satisfaction of the Director of Fire Services or of the TPB by 9.1.2022;

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

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

### **Agenda Item 9**

#### **Section 16 Application**

[Open Meeting]

A/NE-TKL/672      Renewal of Planning Approval for Temporary Open Storage of Metals and Tools and Containers (for Office and Storage of Tools) for a Period of 3 Years in “Agriculture” Zone, Lot 1403 RP (Part) in D.D. 77, Ping Che, Ta Kwu Ling  
(RNTPC Paper No. A/NE-TKL/672)

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22. The Committee noted that the application was for renewal of planning approval for temporary open storage of metals and tools and containers (for office and storage of tools) for a period of three years. During the statutory publication period, one public comment from the Chairman of Sheung Shui District Rural Committee indicating no comment on the application was received.

23. The Committee noted that the Planning Department considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 11 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 34C and 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.

24. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 8.9.2021 to 7.9.2024 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 vehicle entering and exiting the site, as proposed by the applicant, is allowed during the planning approval period;
- (d) the peripheral fencing and paving of the site shall be maintained at all times during the planning approval period;
- (e) the existing drainage facilities on the site shall be maintained properly at all times during the planning approval period and rectified if they are found inadequate/ineffective during operation;
- (f) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities on

the site as previously implemented on the site under application No. A/NE-TKL/595 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 8.12.2021;

- (h) if any of the above planning condition (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (i) if the above planning condition (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (j) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

### **Agenda Items 10 to 12**

#### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/149            Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 1585 S.A in D.D. 91, Kai Leng Village, North  
District

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A/NE-PK/150            Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 1585 S.B in D.D. 91, Kai Leng Village, North  
District

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A/NE-PK/151 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1594 S.E in D.D. 91, Kai Leng Village, North District

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(RNTPC Paper No. A/NE-PK/149, 150 & 151)

26. The Committee noted that the three applications each for a proposed house (New Territories Exempted House (NTEH) - Small House) were similar in nature, and the application sites (the Sites) were located in close proximity within the same “Agriculture” (“AGR”) zone. The Committee agreed that they could be considered together.

#### Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the proposed house (NTEH - Small House) for each of the applications;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication periods, four public comments, with three opposing comments from Kadoorie Farm & Botanic Garden Corporation, Designing Hong Kong Limited and an individual and one comment from an individual indicating no comment, were received for each of the applications. 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 applications based on the assessments set out in paragraph 11 of the Paper. The proposed Small Houses were not in line with the planning intention of the “AGR” zone and the Director of Agriculture, Fisheries and Conservation did not support the applications as the Sites possessed potential for agricultural rehabilitation. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New



Territories (the Interim Criteria), the footprints of the three proposed Small Houses fell entirely within the village ‘environs’ of Kai Leng. Land available within the “Village Type Development” (“V”) zone (equivalent to 25 Small House sites) was insufficient to meet the 69 outstanding Small House applications. In this regard, the applications generally complied with the Interim Criteria as more than 50% of the Small House footprints fell within the village ‘environs’ and there was a general shortage of land within the “V” zone to meet the Small House demand. Besides, the Sites were the subject of three previously approved planning applications (No. A/NE-PK/105, 106 and 108) for the same use submitted by the same applicants. Compared with the previous applications, there was no change in the major planning parameters and layout of the proposed Small Houses. The proposed Small Houses were not incompatible with the surrounding rural landscape character. The District Lands Officer/North of Lands Department advised that the Small Houses grant applications at the Sites had been received and were under processing. The Commissioner for Transport considered that the applications could be tolerated, and the Chief Engineer/Construction of Water Supplies Department advised that the existing water mains at the Sites of applications No. A/NE-PK/149 and 150 might be affected and should be diverted or protected. Other concerned government departments had no objection to or no adverse comment on the applications. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

28. Members had no question on the applications.

#### Deliberation Session

29. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 9.7.2025, and after the said date, the permissions should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permissions were subject to the following conditions:

For Applications No. A/NE-PK/149, 150 and 151

- “(a) the provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB;
- (b) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and

For Applications No. A/NE-PK/149 and 150 only

- (c) the submission and implementation of a proposal for water mains diversion before commencement of works to the satisfaction of the Director of Water Supplies or of the TPB.”

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

**Agenda Item 13**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

No. A/NE-TK/707 Temporary Shop and Services (Convenience Store) for a Period of 3 Years in “Village Type Development” Zone, Lot 392 S.E RP (Part) in D.D. 23, San Tau Kok, Tai Po  
(RNTPC Paper No. A/NE-TK/707)

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Presentation and Question Sessions

31. 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 shop and services (convenience store) for a period of three years;
- (c) 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 had no objection to the application based on the assessments set out in paragraph 10 of the Paper. Whilst the applied use was not in line with the planning intention of the “Village Type Development” (“V”) zone, the District Lands Officer/Tai Po of Lands Department advised that no Small House application had been received for the application site. Approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “V” zone. The applied use was considered not incompatible with the surrounding environment. Concerned government departments had no objection to or no adverse comment on the application. There were three similar approved applications for temporary shop and services uses within the same “V” zone. The circumstances for the approval of the three applications were applicable to the current application.

32. In response to a Member's question, Mr Tony Y.C. Wu, STP/STN, said that approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “V” zone and the land area of the site approved for temporary use would be included when estimating land available for Small House developments.

#### Deliberation Session

33. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.7.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) 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 9.1.2022;
- (b) in relation to (a) 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 9.4.2022; and
- (c) if any of the above planning condition (a) or (b) 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.”

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

#### **Agenda Item 14**

##### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

No. A/NE-TK/708 Proposed House (New Territories Exempted House - Small House) in “Village Type Development” and “Recreation” Zones, Lot 1661 RP (Part) in D.D. 17, Lo Tsz Tin Village, Tai Po  
(RNTPC Paper No. A/NE-TK/708)

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##### **Presentation and Question Sessions**

35. 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 - Small House);

- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) no public comment was received during the statutory publication period;  
and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not in line with the planning intention of the “Recreation” (“REC”) zone, majority of the proposed Small House footprint (i.e. about 93%) fell within the “Village Type Development” (“V”) zone with a minor portion (i.e. about 7%) encroaching onto the fringe of the “REC” zone. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories (the Interim Criteria), the footprint of the proposed Small House fell entirely outside the village ‘environs’ of Lo Tsz Tin. While land available within the “V” zone (equivalent to 81 Small House sites) was insufficient to fully meet the 10-year Small House demand forecast of 120 Small Houses, it was capable of meeting the 26 outstanding Small House applications. Given the adoption of a more cautious approach in considering applications for Small House development in recent years, it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. Nevertheless, noting that the application site (the Site) was bounded by the existing clusters of village houses and only a minor portion of the proposed Small House footprint encroached onto the “REC” zone, it was unlikely that approval of the application would form an undesirable precedent for similar applications leading to the proliferation of Small House developments into the “REC” zone. Sympathetic consideration might be given to the current application. The proposed development was considered not entirely incompatible with the surrounding environment. The Commissioner for Transport considered that the application could be tolerated. Other concerned government departments had no objection to or no adverse comment on the application.

36. Some Members raised the following questions:
- (a) details of the Interim Criteria for considerations of the application in relation to the village ‘environs’ and “V” zone boundaries;
  - (b) noting that a portion of the Site fell within the “REC” zone, what the implications were;
  - (c) noting that there were a few trees on the Site, whether the Chief Town Planner/Urban Design and Landscape (CTP/UD&L) of PlanD had comment on the application from landscape planning perspective, and whether the applicant could be requested not to fell the existing trees, especially the large tree shown on site photo 1 (Plan A-4 of the Paper); and
  - (d) whether the footprint of the proposed Small House would be in a L-shape.
37. In response, Mr Tony Y.C. Wu, STP/STN, made the following main points:
- (a) according to the Interim Criteria, if more than 50% of the proposed NTEH/Small House footprint was located outside the village ‘environs’, favourable consideration might be given if not less than 50% of the proposed NTEH/Small House footprint fell within the “V” zone, provided that there was a general shortage of land in meeting the demand for Small House development in “V” zone and the other criteria could be satisfied. For the current application, the proposed Small House footprint fell entirely outside the village ‘environs’ of Lo Tsz Tin but about 93% of it fell within the “V” zone;
  - (b) given that the main portion (i.e. about 93%) of the proposed Small House footprint fell within the “V” zone and only a minor portion (i.e. about 7% or about 29m<sup>2</sup>) encroached onto the fringe of the “REC” zone, the proposed development would not significantly affect the integrity of the “REC” zone;
  - (c) according to the CTP/UD&L of PlanD, the existing trees within the Site

were common species, with no old and valuable tree nor tree of large size. Significant adverse landscape impact arising from the proposed development was not anticipated. The existing trees were mainly located at the periphery of the Site outside the Small House footprint. During the processing of the Small House grant application, the Lands Department would further consider tree works, if any, proposed by the applicant; and

- (d) the footprint of the proposed Small House would be in a L-shape following the site configuration.

### Deliberation Session

38. In response to a Member's concern on tree felling, the Chairman remarked that an advisory clause was recommended in Appendix V of the Paper, which stated that approval of the application did not imply approval of tree works such as pruning, transplanting and felling under lease and the applicant was reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works.

39. 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 9.7.2025, 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 submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

**Agenda Item 14A**

**Section 16 Application**

[Open Meeting]

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

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41.                      The Committee noted that the applicants’ representative requested on 30.6.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address the comments of the Transport Department (TD). It was the fourth time that the applicants requested deferment of the application. Since the last deferment, the applicants had been actively liaising with TD and required more time to prepare further information.

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

[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, Mr Wallace W.K. Tang 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/KTN/74                      Temporary Open Storage of Metal Scaffold with Ancillary Rest Room and Tool Room for a Period of 3 Years in “Green Belt”, “Government, Institution or Community” Zones and area shown as ‘Road’, Lot 4 (Part) in D.D. 95, Kwu Tung North, Sheung Shui  
(RNTPC Paper No. A/KTN/74A)

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43.                      The Secretary reported that the application site (the Site) was located in Kwu Tung North. Dr C.H. Hau had declared an interest on the item for owning a property in Kwu Tung North area. As the property owned by Dr C.H. Hau had no direct view of the Site, the Committee agreed that he could stay in the meeting.

**Presentation and Question Sessions**

44.                      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 temporary open storage of metal scaffold with ancillary rest room and tool room for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, three public comments, including

two objecting comments from World Wide Fund for Nature Hong Kong and an individual and one comment 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 did not support the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intention of the 'Road' designation. The application site fell within the boundary of Remaining Phase of the Kwu Tung North New Development Area (KTN NDA) project, with the construction works for the First Phase commenced in 2019 and the Remaining Phase scheduled for commencement in 2024 tentatively. The applied use was not in line with the Town Planning Board Guidelines No. 13F in that the implementation of the KTN NDA project had commenced and the applied use was not covered by any previous planning approval for open storage use. The Commissioner for Transport commented that he was not able to conclude that the application was acceptable as the applicant had not addressed his comments on the application. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received and local views conveyed by the District Officer (North) of Home Affairs Department, 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 reject the application. The reasons were:

- “(a) the applied use is not in line with the planning intention of the area reserved for 'Road' which is primarily intended for road use. No strong planning justification has been given in the submission for a departure from the

planning intention, even on a temporary basis;

- (b) the applied open storage use does not comply with the Town Planning Board Guidelines No. 13F for Application for Open Storage and Port Back-up Uses in that there is no previous approval for open storage granted for the site; and
- (c) the applicant fails to demonstrate in the submission that the applied use would not result in adverse traffic impact.”

### **Agenda Item 16**

#### **Section 16 Application**

[Open Meeting]

A/FLN/25

Renewal of Planning Approval for Temporary Public Vehicle Park (Including Container Vehicle) and Goods Distribution and Storage Uses for a Period of 3 Years in “Government, Institution or Community”, “Other Specified Uses” annotated “Port Back-up Uses” Zones and area shown as ‘Road’, Lots 164 (Part), 167 RP, 167 S.B and 176 RP (Part) in D.D. 52, Sheung Shui Wa Shan, Fu Tei Au, Sheung Shui

(RNTPC Paper No. A/FLN/25)

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47. The Committee noted that the application was for renewal of planning approval for temporary public vehicle park (including container vehicle) and goods distribution and storage uses for a period of three years. During the statutory publication period, three public comments from individuals, with one indicating no comment and two objecting to the application, were received. Major views were set out in paragraph 11 of the Paper.

48. The Committee noted that the Planning Department considered that the temporary uses could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 34C. 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 application site (the Site) and environmental nuisance from the applied uses was expected. However, there was no environmental complaint concerning the 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.

49. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 18.8.2021 until 17.8.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the peripheral fencing of the site shall be maintained at all times during the planning approval period;
- (d) the existing trees on the site shall be maintained at all times during the planning approval period;
- (e) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.11.2021;

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

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

### **Agenda Item 17**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/302 Proposed Public Utility Installation (Solar Energy System) in  
“Agriculture” Zone, Lot 363 S.A in D.D. 112, Shek Kong, Yuen Long  
(RNTPC Paper No. A/YL-SK/302A)

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#### **Presentation and Question Sessions**

51. 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 public utility installation (solar energy system);
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, four objecting comments from Kadoorie Farm & Botanic Garden Cooperation, Designing Hong Kong

Limited and individuals were received. Major views were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed use was not in line with the planning intention of the “Agriculture” (“AGR”) zone. The proposed use was not considered incompatible with the surrounding environment. The Secretary for the Environment strongly supported the development of large-scale renewable energy systems such as the one proposed under the application. However, the Director of Agriculture, Fisheries and Conservation did not support the application as the application site (the Site) possessed potential for agricultural rehabilitation. The Site was also located in close proximity to the Shek Kong Barracks and the Secretary for Security advised that approval of the application might result in security concerns and the Director-General of Civil Aviation advised that glare might be caused by the solar panels. The proposed use was not entirely in line with the assessment criteria for considering applications for solar photovoltaic (SPV) system in that stand-alone SPV system in the “AGR” zone was generally not supported except those on land with no active farming activities and low agricultural rehabilitation potential. Other concerned 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.

52. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is primarily to retain and safeguard

good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification has been given in the submission to justify a departure from the planning intention;

- (b) the site is in close proximity to the Shek Kong Barracks. Approval of the application may result in security concerns; and
- (c) the proposed development is not entirely in line with the assessment criteria for considering applications for Solar Photovoltaic (SPV) system in that stand-alone SPV system in the “AGR” zone is generally not supported except those on land with no active farming activities and low agricultural rehabilitation potential.”

### **Agenda Item 18**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/311            Proposed Temporary Storage of Scrapped Vehicles, Ancillary Office and Workshop for a Period of 3 Years in “Village Type Development” Zone, Lots 1286 RP (Part) and 1297 in D.D. 114, Kam Sheung Road, Shek Kong, Yuen Long  
(RNTPC Paper No. A/YL-SK/311)

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#### **Presentation and Question Sessions**

54.            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 storage of scrapped vehicles, ancillary office and workshop for a period of three years;

- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, two objecting comments from individuals were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed use was not in line with the planning intention of the “Village Type Development” (“V”) zone although the proposed use was temporary in nature and there was no Small House application approved or currently under processing at the application site (the Site) as advised by the Lands Department. The application was not in line with the Town Planning Board Guidelines No. 13F in that the Site fell within Category 4 areas, was not subject to any previous approval for open storage use and there were adverse departmental comments and local objections. The proposed use was considered not compatible with the surrounding areas. The Director of Environmental Protection did not support the application as the proposed use would very likely cause noise nuisance to the nearby residents and the applicant failed to demonstrate that the proposed use would not generate adverse environmental impacts on the surrounding areas. Approval of the application would set an undesirable precedent for similar applications within the same “V” zone. There were seven similar applications for open storage of vehicles within the same “V” zone, of which, three applications were rejected by the Committee. Rejection of the 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.

55. Members had no question on the application.



Deliberation Session

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

- “(a) the proposed use is not in line with the planning intention of the “Village Type Development” (“V”) zone which is primarily to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and re-provisioning of village houses affected by Government projects. No strong planning justification has been given in the submission to justify a departure from the planning intention, even on a temporary basis;
- (b) the application does not comply with the Town Planning Board Guidelines No. 13F for Application for Open Storage and Port Back-up Uses in that no previous approval for open storage use has been granted for the site and there are adverse departmental comments and local objections against the application;
- (c) the applicant fails to demonstrate that the development would not generate adverse environmental impacts on the surrounding areas; and
- (d) approval of the application would set an undesirable precedent for similar applications within the “V” zone. The cumulative effect of approving such similar applications would result in general degradation of the environment of the area.”

## **Agenda Items 19 and 20**

### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/769      Proposed Temporary Animal Boarding Establishment for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Lots 1225 S.C, 1226 S.E and 1230 S.B in D.D.107, Fung Kat Heung, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/769)

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A/YL-KTN/771      Proposed Temporary Animal Boarding Establishment for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Lots 1226 S.C, 1227 S.B, 1227 S.C and 1230 S.A in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/771)

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57.            The Committee agreed that as the two applications for proposed temporary animal boarding establishment for a period of five years and filling of land were similar in nature and the application sites (the Sites) were located in close proximity, they could be considered together.

### **Presentation and Question Sessions**

58.            Mr Wallace W.K. Tang, STP/FSYLE, presented the applications and covered the following aspects as detailed in the Papers:

- (a) background to the applications;
- (b) the proposed temporary animal boarding establishment for a period of five years and filling of land for each of the applications;
- (c) departmental comments were set out in paragraph 9 of the Papers;
- (d) during the statutory publication periods, two objecting comments from Kadoorie Farm and Botanic Garden Corporation and an individual were received for each of the applications. 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 application based on the assessments set out in paragraph 11 of the Papers. Whilst 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 applications as the Sites possessed potential for agricultural rehabilitation, approval of the applications on a temporary basis for five years would not jeopardise the long-term planning intention of the “AGR” zone. Other concerned government departments had no objection to or no adverse comment on the applications. The proposed use was considered not incompatible with the surrounding area. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. The Sites formed part of a previously approved application (No. A/YL-KTN/745) for temporary place of recreation, sports or culture (hobby farm) submitted by a different applicant. There were also 28 similar applications for temporary animal boarding establishment on 19 sites and four similar applications involving filling of land within the same “AGR” zone. Approval of the 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.

59. Members had no question on the applications.

#### Deliberation Session

60. After deliberation, the Committee decided to approve the applications on a temporary basis for a period of 5 years until 9.7.2026, each on the terms of the applications as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 9:00 p.m. and 6:00 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 animal boarding establishment 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 audio amplification system, or whistle blowing is allowed to be used on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a 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 9.1.2022;
- (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 9.4.2022;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.1.2022;
- (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 9.4.2022;
- (j) if any of the above planning condition (a), (b), (c), (d) or (g) is not complied

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

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

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

### **Agenda Item 21**

#### **Section 16 Application**

[Open Meeting]

A/YL-KTN/770 Temporary Container Vehicle Park with Ancillary Office for a Period of 3 Years in “Industrial (Group D)” and “Other Specified Uses” annotated “Railway Reserve” Zones, Lots 433 S.B (Part), 433 S.C (Part), 1733 RP (Part), 1736 S.C and 1738 (Part) in D.D. 107 and Adjoining Government Land, Yuen Long  
(RNTPC Paper No. A/YL-KTN/770)

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62. The Committee noted that the applicant’s representative requested on 6.7.2021 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.

63. 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 22**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/772      Temporary Place of Recreation, Sports or Culture (Hobby Farm and Caravan Holiday Camp) with Ancillary Canteen for a Period of 3 Years in "Agriculture" Zone, Various Lots in D.D.107, Kam Tin, Yuen Long (RNTPC Paper No. A/YL-KTN/772)

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### **Presentation and Question Sessions**

64.            Mr Wallace W.K. Tang, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary place of recreation, sports or culture (hobby farm and caravan holiday camp) with ancillary canteen for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, two objecting comments from Kadoorie Farm and Botanic Garden Corporation and an individual were received. Major views 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 applied use was generally not in conflict with the planning intention of the “Agriculture” (“AGR”) zone and 50% of the application site (the Site) was proposed for farmland. According to the applicant, the caravan camp site occupying only about 3.4% of the Site was for providing overnight accommodation to the hobby farm users and the canteen was an ancillary facility to support the operation of the hobby farm. The Director of Agriculture, Fisheries and Conservation (DAFC) had no strong view against the application. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone. The applied use was considered not incompatible with the surrounding environment. 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 departments, appropriate approval conditions were recommended. The Site was the subject of four previously approved applications for temporary hobby farm (with/without caravan), approval of the 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.

65. Some Members raised the following questions:
- (a) noting that the site area of the current application was increased to about 5,525m<sup>2</sup>, which was much larger than that (2,359m<sup>2</sup>) in the last approved application (No. A/YL-KTN/670), whether information on the site area of other temporary hobby farms approved by the Committee was available for reference; and
  - (b) any proposal for disposal of waste and wastewater from the proposed ancillary canteen.

66. In response, Mr Wallace W.K. Tang, STP/FSYLE, made the following main points:

- (a) there was no information at hand regarding the site areas of other temporary hobby farms approved by the Committee, but the proposed site area for the hobby farm was not considered to be particularly large; and
- (b) the applicant did not submit a proposal on disposal of waste/wastewater from the proposed ancillary canteen. Nevertheless, the Director of Environmental Protection advised that the applicant should provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the applied use and follow “Control of Oily Fume and Cooking Odour from Restaurant and Food Business” as stated in paragraph 9.1.5(c) of the Paper. The Director of Food and Environmental Hygiene also advised that waste from the operation needed to be properly disposed of. Application for food business licence for the proposed ancillary canteen was required and the applicant had to comply with all the requirements of relevant government departments.

#### Deliberation Session

67. A Member noted that a number of applications for temporary hobby farm in “AGR” zone were approved by the Committee mainly on considerations that the proposed farms involved a certain percentage of land for farming activities, whilst many applications for other temporary uses on land zoned “AGR” were rejected. According to the Member, land zoned “AGR” should be used for genuine agricultural activities and not just for leisure farming. Members also noted that agricultural activities were involved in the applied use and the Site would be reinstated for agricultural purposes upon expiry of the planning permission, as proposed by the applicant. The Chairman said that DAFC would provide comments on each application from agricultural point of view and DAFC had no strong view against the current application. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “AGR” zone.



68. In response to a Member's concern on the use of land zoned "AGR", the Chairman said that a consultancy study to explore the feasibility of designating "Agricultural Priority Areas" had been commissioned by the Agriculture, Fisheries and Conservation Department. The findings of the study would be taken into account in the future review of land zoned "AGR" on the outline zoning plans when opportunity arose. In addition, some areas zoned "AGR" falling within the New Development Area at the New Territories North would be reviewed for other uses.

69. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.7.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation for the ancillary canteen between 9:00 p.m. and 11:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the site at any time during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) 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 9.1.2022;
- (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 9.4.2022;

- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.1.2022;
- (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 9.4.2022;
- (j) if any of the above planning condition (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning condition (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

**Agenda Item 23**

**Section 16 Application**

[Open Meeting]

A/YL-KTS/892            Place of Recreation, Sports or Culture (Hobby Farm) and Filling of  
Land in “Agriculture” Zone, Lots 777 RP, 778 RP, 779 RP and 926 in  
D.D. 103, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/892)

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71.            The Committee noted that the applicant’s representative requested on 30.6.2021 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.

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

**Agenda Item 24**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/878            Temporary Open Storage of Construction Materials, Machinery, Second-Hand Vehicles, Vehicle Parts and Ancillary Office for a Period of 3 Years in “Agriculture” and “Residential (Group D)” Zones, Lots 2879 (Part), 2881 (Part), 2888 (Part), 2889 (Part), 2890 (Part) and 2900 (Part) in D.D. 111, Wing Ning Lei, Wang Toi Shan, Pat Heung, Yuen Long  
  
(RNTPC Paper No. A/YL-PH/878A)

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**Presentation and Question Sessions**

73.            Mr Wallace W.K. Tang, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary open storage of construction materials, machinery, second-hand vehicles, vehicle parts and ancillary office for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, one objecting comment from an individual was received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intentions of the “Agriculture” and “Residential (Group D)” (“R(D)”) zones and the Director of Agriculture, Fisheries and Conservation did not support the application as the

application site (the Site) possessed potential for agricultural rehabilitation, there was no known proposal for permanent development within the “R(D)” zone covering the major part of the Site. Approval of the application on a temporary basis would not jeopardise the long-term planning intentions of the two zones. The applied use was considered not incompatible with the surrounding area. The application was considered generally in line with the Town Planning Board Guidelines No. 13F in that the Site was the subject of previous approvals for similar/same open storage use since 2008. Other concerned government departments had no objection to or no adverse comments 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 involved seven previously approved applications for various temporary open storage uses. The last application (No. A/YL-PH/765) was approved by the Committee in 2018 but the planning permission was revoked in 2020 due to non-compliance of the approval conditions. Nevertheless, the current application was submitted by a different applicant. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

74. Members had no question on the application.

#### Deliberation Session

75. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.7.2024 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. to 10:00 a.m. on Mondays to Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation between 1:00 p.m. to 5:00 p.m. on Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) no medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the submission of a 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 9.1.2022;
- (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 9.4.2022;
- (i) in relation to (h) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) the provision of fire extinguisher(s) within 6 weeks with a valid fire certificate (FS 251) from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.8.2021;
- (k) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.1.2022;

- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.4.2022;
- (m) if any of the above planning condition (a), (b), (c), (d), (e), (f) 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;
- (n) if any of the above planning condition (g), (h), (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 expiry of the planning permission, the reinstatement of the portion of the site zoned “Agriculture” to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

### **Agenda Item 25**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/882      Proposed Temporary Recyclable Materials Recycling Centre (Recycling Waste Paper, Waste Metalware and Plastic) with Ancillary Office for a Period of 3 Years in “Residential (Group D)” Zone, Lots 91 (Part) and 98 in D.D. 108, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/882)

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#### **Presentation and Question Sessions**

77. Mr Wallace W.K. Tang, STP/FSYLE, presented the application and covered the

following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary recyclable materials recycling centre (recycling waste paper, waste metalware and plastic) with ancillary office for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, three objecting comments from a Yuen Long District Council member and individuals were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no known programme for long-term development of the application site (the Site). Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “R(D)”) zone. Whilst the proposed use was considered not compatible with the surrounding areas, the applicant stated that all recycling activities would be undertaken within the enclosed structure with soundproofing material and there would be no storage of recycled materials in outdoor open areas. The Director of Agriculture, Fisheries and Conservation advised that the applicant should undertake precautionary measures to avoid disturbance and pollution to the stream. Other concerned government departments had no objection to or no adverse comments on the application. To minimise any possible nuisance and to address the technical requirements of the concerned departments, appropriate approval conditions were recommended. The application was submitted by the same applicant as the last previous application (No. A/YL-PH/822) for similar use which was rejected by the Committee. Nevertheless, the planning circumstance was different from



the last rejected application in that endeavor had been made by the applicant under the current application to minimise the possible environmental nuisance and pollution risk to the surrounding areas, including the adjoining stream course and nearby residents. Regarding the public comment 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 9.7.2024 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 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 material breaking process, plastic burning or melting, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) all the material packaging activities shall be conducted indoor within the site, as proposed by the applicant, during the planning approval period;
- (e) no storage of recyclable material in outdoor open spaces, as proposed by the applicant, is allowed on the site during the planning approval period;
- (f) no light goods vehicles exceeding 5.5 tonnes, including container tractors/ trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (h) the submission of a 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 9.1.2022;
- (i) in relation to (h) 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 9.4.2022;
- (j) in relation to (i) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (k) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.1.2022;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.4.2022;
- (m) if any of the above planning condition (a), (b), (c), (d), (e), (f), (g) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning condition (h), (i), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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 26**

**Section 16 Application**

[Open Meeting]

A/YL-PH/883           Renewal of Planning Approval for Temporary Open Storage of Goods Vehicles for Sale for a Period of 3 Years in “Residential (Group D)” Zone, Lots 101 S.J (Part), 179 S.A RP (Part), 179 S.E RP (Part) and 179 S.D & S.F & S.G & S.I (Part) in D.D. 111 and Adjoining Government Land, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/883)

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81.           The Committee noted that the application was for renewal of planning approval for temporary open storage of goods vehicles for sale for a period of three years. During the statutory publication period, two objecting comments from individuals were received. Major views were set out in paragraph 11 of the Paper.

82.           The Committee noted that the Planning Department considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 34C. 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 application site (the Site) and environmental nuisance from the applied use was expected. However, there was no environmental complaint concerning the 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.

83.           After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 18.7.2021 until 17.7.2024 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 at 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, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (d) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) the setting back of the western boundary of the site to avoid encroachment upon the Waterworks Reserve area at all times during the planning approval period;
- (f) no tree/shrub shall be planted within the Waterworks Reserve area at any time during the planning approval period;
- (g) a proper vehicular access/run-in between the site and the public road shall be maintained at all times during the planning approval period;
- (h) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (i) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) 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 18.10.2021;

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

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

**Agenda Item 27**

**Section 16 Application**

[Open Meeting]

A/YL-PH/884                      Renewal of Planning Approval for Temporary Site Office for a Period of 3 Years in “Village Type Development” Zone, Lot 1663 RP (Part) in D.D. 111, Leung Uk Tsuen, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/884)

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85. The Committee noted that the application was for renewal of planning approval for temporary site office for a period of three years. No public comment was received during the statutory publication period.

86. The Committee noted that the Planning Department considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 34C and 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.

87. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 21.7.2021 until 20.7.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

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

- (g) the submission of 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 21.10.2021;
- (h) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (i) if any of the above planning condition (a), (b), (c), (d), (e), (f) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if the above planning condition (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon 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.”

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

**Agenda Item 28**

**Section 16 Application**

[Open Meeting]

A/YL-PH/885                      Renewal of Planning Approval for Temporary Open Storage of Construction Materials for a Period of 3 Years in “Agriculture” Zone, Lots 1864 RP (Part), 1865 (Part), 1866 (Part), 1867 (Part), 1868 (Part) , 3047 (Part) and 3048 (Part) in D.D. 111, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/885)

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89. The Committee noted that the application was for renewal of planning approval for temporary open storage of construction materials for a period of three years. During the statutory publication period, two objecting comments from individuals were received. Major views were set out in paragraph 11 of the Paper.

90. The Committee noted that the Planning Department considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 34C and 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.

91. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 8.8.2021 to 7.8.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

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



any time during the planning approval period;

- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) 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 8.11.2021;
- (h) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (i) if any of the above planning condition (a), (b), (c), (d), (e), (f) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if the above planning condition (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon 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 VI of the Paper.

**Agenda Item 29**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/306            Temporary Shop and Services (Metal Hardware Shop and Household Item Retail Store) for a Period of 5 Years in “Open Space” Zone, Lot 20 RP in D.D. 101, Mai Po, Yuen Long  
(RNTPC Paper No. A/YL-MP/306)

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

**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 temporary shop and services (metal hardware shop and household item retail store) for a period of five years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, one objecting comment from an individual was 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. Although the applied use was not in line with the planning intention of the “Open Space” (“O”) zone, there was no implementation programme for the planned open space at present and the Director of Leisure and

Cultural Services had no objection to the application. Approval of the application on a temporary basis for a period of five years would not frustrate the long-term planning intention of the “O” zone. The applied use was considered not incompatible with the surrounding land uses. Although the application site fell within Wetland Buffer Area of Town Planning Board Guidelines No. 12C, the guidelines specified that planning applications for temporary uses were exempted from the requirement of ecological impact assessment. The Director of Agriculture, Fisheries and Conservation had no adverse comment on the application. Other concerned government departments had no objection to or no adverse comment on the application. To address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. There were 18 approved applications for similar shops and services uses within the “O” zones since 2011. Approval of the application was in line with the previous decisions of the Committee. Regarding the public comment 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 9.7.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

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

- (c) no medium and heavy goods vehicle including container tractor/trailer is allowed to enter/be parked 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) no cutting, dismantling, cleansing, repairing, compaction, workshop and open storage activity is allowed on the site at any time during the planning approval period;
- (f) the maintenance of paving and boundary fencing on the site at all times during the planning approval period;
- (g) the maintenance of existing drainage facilities on the site 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 9.1.2022;
- (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 9.4.2022;
- (j) 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;
- (k) if any of the above planning condition (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

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

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

### **Agenda Item 30**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/423 Proposed Temporary Shop and Services (Retail Shop of Building Materials) for a Period of 3 Years in “Residential (Group C)” Zone, Lot 1574 (Part) in D.D. 105, Ngau Tam Mei, Yuen Long  
(RNTPC Paper No. A/YL-NTM/423)

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#### **Presentation and Question Sessions**

98. 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 shop and services (retail shop of building materials) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, one objecting comment from an individual was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not entirely in line with the

planning intention of the “Residential (Group C)” (“R(C)”) zone, it could serve the local residents nearby. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “R(C)” zone as there was no immediate permanent development proposal for the application site. The proposed use was not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. To address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. There were five similar approved applications for temporary shop and services uses in the same “R(C)” zone. Approval of the application was in line with the previous decisions of the Committee. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

99. Members had no question on the application.

#### Deliberation Session

100. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.7.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicle is allowed to queue back to or reserve onto/from public road at any time during the planning approval period;
- (b) 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 9.1.2022;
- (c) in relation to (b) 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 9.4.2022;

- (d) 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 9.1.2022;
- (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 9.4.2022;
- (f) the provision of boundary fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 9.1.2022;
- (g) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning condition (b), (c), (d), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

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

**Agenda Item 31**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-SKW/110 Proposed Temporary Storage (for the Use of Village Office and Ancestral Hall) and Private Vehicle Park (Private Cars Only) for a Period of 3 Years in “Village Type Development” Zone, Lot 966 RP in D.D.375, So Kwun Wat Village, Tuen Mun  
(RNTPC Paper No. A/TM-SKW/110)

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**Presentation and Question Sessions**

102. Ms Janet K.K. Cheung, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary storage (for the use of village office and ancestral hall) and private vehicle park (private cars only) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, two objecting comments from individuals were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD 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 uses were not in line with the planning intention of the “Village Type Development” zone, the District Lands Officer/Tuen Mun of Lands Department advised that there was no Small House application under processing within the application site. According to the applicant, the proposed uses were to serve the village office, ancestral hall and local villagers for meeting their storage and car parking needs. Approval of the



application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the site. The applied 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 concerned government departments, appropriate approval conditions were recommended. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

103. Members had no question on the application.

#### Deliberation Session

104. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.7.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) only private cars as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (b) no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked on or enter/exit the site 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 9.1.2022;
- (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 9.4.2022;

- (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 9.1.2022;
- (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 9.4.2022;
- (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 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.”

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

### **Agenda Item 32**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/638            Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years  
in “Village Type Development” Zone, Lot 455 S.A RP in D.D. 122 and  
Adjoining Government Land, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/638)

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106. The Secretary reported that the application site (the Site) was located in Ping Shan. Mr Ricky W.Y. Yu had declared an interest on the item for his firm having a project in Ping Shan. The Committee noted that Mr Ricky W.Y. Yu had tendered an apology for

being unable to attend the meeting.

### Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary public vehicle park (private cars) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, two objecting comments from individuals were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could meet the parking demand in the area and the District Lands Officer/Yuen Long of Lands Department advised that no Small House application had been approved at the Site. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. The applied use was considered not 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. There were two previously approved applications for the same use at the Site and 32 similar approved applications within the same “V” zone. Compared with the last approved application (No. A/YL-PS/583) submitted by the same applicant for the same use, the

current application proposed an additional structure for rain shelter. Approval of the 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.

108. Members had no question on the application.

#### Deliberation Session

109. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.7.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) only private cars, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (d) a notice shall be posted at a prominent location of the site to indicate that only private cars are allowed to enter/be parked on the site at all times during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing boundary fencing shall be maintained at all times during the planning approval period;

- (g) the existing trees within the site shall be maintained in good condition at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.10.2021;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.1.2022;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.4.2022;
- (l) 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
- (m) if any of the above planning condition (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.”

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

**Agenda Item 33**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1119 Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years in “Residential (Group D)” Zone, Lots 140 (Part), 141 (Part) and 142 (Part) in D.D.128 and Adjoining Government Land, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-HTF/1119)

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**Presentation and Question Sessions**

111. 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 proposed temporary open storage of construction materials for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, two objecting comments from individuals were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD 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, there was no known permanent development for the application site (the Site) and the adjoining area in the subject “R(D)” zone. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the Site. The proposed use was considered not incompatible with the surrounding land uses. The

application was generally in line with the Town Planning Guidelines No. 13F. 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 the subject of a previous application (No. A/YL-HT/137) for temporary open storage for construction machinery and construction material, which was rejected by the Committee mainly on the grounds that the applicant failed to demonstrate that the development would not have adverse traffic, environmental and drainage impacts on the surrounding areas. Given that the current application would only involve open storage of construction materials of metal and wooded materials with the use of light goods vehicles, relevant government departments had no adverse comment on the application. There were four similar approved applications for open storage uses within the same “R(D)” zone. Approval of the 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.

112. In response to a Member’s enquiry on the major differences between the current and the previously rejected application on the Site, Ms Bonnie K.C. Lee, STP/TMYLW, explained that the previous application (No. A.YL-HT/137), covering a larger site (about 4,830m<sup>2</sup>), was rejected mainly on the grounds that no information in respect of the stored items and the types of vehicles to be used in the open storage operation, etc. was provided in the submission to demonstrate that the proposed development would not have adverse traffic, environmental and drainage impacts on the surrounding areas. As for the current application, the site area was reduced to about 725m<sup>2</sup> and the applicant indicated that items to be stored were construction materials of metal and wooden materials and that light goods vehicles would be used on the Site. Relevant government departments had no adverse comment on the application

#### Deliberation Session

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

temporary basis for a period of 3 years until 9.7.2024 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) no workshop activity, as proposed by the applicant, is allowed on the site at all times during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 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 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 9.1.2022;
- (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 9.4.2022;
- (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 the Director of Planning or of the TPB by 9.1.2022;
- (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 20.8.2021;



- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.1.2022;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.4.2022;
- (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.”

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

**Agenda Item 34**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PN/66                      Temporary Place of Recreation, Sports or Culture (Fishing Ground) for a Period of 3 Years in “Coastal Protection Area” Zone and area shown as ‘Road’, Lots 74 (Part), 75, 76 (Part) and 77 in D.D. 135 and Adjoining Government Land, Pak Nai, Yuen Long  
(RNTPC Paper No. A/YL-PN/66)

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Presentation and Question Sessions

115. 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 place of recreation, sports or culture (fishing ground) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, one comment from an individual expressing views on the application was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD 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 development was not entirely in line with the planning intention of the “Coastal Protection Area” (“CPA”) zone. However, the existing fish ponds at the application site would not be adversely affected by the applied use as fishing ground and there was no significant change in character of the existing fish ponds. Approval of the application on a temporary basis would not undermine the long-term planning intention of the “CPA” zone. The applied use was not incompatible with the fish ponds and wooded areas in the surrounding areas. Concerned government departments, including the Director of Agriculture, Fisheries and Conservation and the Chief Town Planner/Urban Design and Landscape of PlanD, had no objection to or no adverse comments 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 five previously approved applications for the same use submitted by different/the same applicant on almost the same site

and there were two similar approved applications within the same “CPA” zone. Approval of the application was in line with the previous decisions of the Committee. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

116. Members had no question on the application.

#### Deliberation Session

117. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.7.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 9:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the submission of a 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 9.1.2022;
- (d) in relation to (c) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.4.2022;
- (e) 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
- (f) if any of the above planning condition (c) or (d) 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 V of the Paper.

**Agenda Item 35**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/505 Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years and Filling of Land in “Agriculture”, “Green Belt” and “Open Storage” Zones, Lots 1403, 1404, 1406, 1408 to 1412, 1413 RP (Part), 1415, 1419 to 1422, 1423 RP, 1441 (Part) and 1447 RP (Part) in D.D. 117 and Adjoining Government Land, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/505C)

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**Presentation and Question Sessions**

119. 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 place of recreation, sports or culture (hobby farm) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, two public comments from the Conservancy Association and an individual objecting to/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. The applied use was considered not entirely in conflict with the planning intention of the “Agriculture” (“AGR”) zone and approval of the application on a temporary basis of three years would not jeopardise the long-term planning intention of the application site (the Site). The Director of Agriculture, Fisheries and Conservation had no strong view on the application on the understanding that agricultural activities were involved in the applied use. The applied use was considered not incompatible with the landscape character of the surrounding area. Other concerned government departments had no objection to or no adverse comment on the application. The southern portion of the Site was the subject of two previously approved applications for the same use and submitted by the same applicant. The planning permissions were revoked due to non-compliance with approval conditions. Should the application be approved by the Committee, shorter compliance periods were recommended to closely monitor the progress on compliance with approval conditions. Approval of the 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.

120. In response to a Member’s question, Mr Steven Y.H. Siu, STP/TMYLW, said that the colourful objects on the Site as shown on the right hand side of site photo No. 4 (Plan A-4a of the Paper) were deflated bouncy castles.

#### Deliberation Session

121. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.7.2024 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 usage of loudspeakers, audio amplifiers and public announcement

systems is allowed on the site, as proposed by the applicant, at any time during the planning approval period;

- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) 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 9.1.2022;
- (e) the implementation of the accepted 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 9.1.2022;
- (f) the implementation of the accepted landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 9.1.2022;
- (g) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.1.2022;
- (h) in relation to (g) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (i) 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 9.1.2022;
- (j) if any of the above planning condition (a), (b), (c) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

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

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

### **Agenda Item 36**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1100 Temporary Warehouse for Storage of Construction Materials, Food Provisions, Vehicles, Vehicle Parts and Electronic Products For a Period of 3 Years in “Undetermined” and “Residential (Group C)” Zones, Lots 1265 (Part), 1266 (Part), 1269 (Part), 1270 (Part), 1271 (Part), 1272 (Part), 1273 (Part), 1275 RP (Part), 1276 (Part), 1277 S.A, 1277 RP (Part), 1279 S.B ss. 1 S.F, 1279 S.B ss.2 (Part), 1279 S.B ss.3 in D.D. 119 and Adjoining Government Land, Pak Sha Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1100)

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#### **Presentation and Question Sessions**

123. 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 warehouse for storage of construction materials, food provisions, vehicles, vehicle parts and electronic products for a period of three years;

- (c) departmental comments were set out in paragraph 9 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 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 applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone which was to cater for the continuing demand for open storage with due regard to the capacity of Kung Um Road and the Commissioner for Transport had no adverse comment on the application. Whilst the application site (the Site) partly fell within an area zoned “Residential - Zone 2 (Subsidised Sale Flats with Commercial)” and partly within an area shown as ‘Road’ on the Revised Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross-Boundary Infrastructure and Development of PlanD and Project Manager (West) of Civil Engineering and Development Department had no objection to the application. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The applied use was generally not incompatible with the surrounding uses. Other concerned government departments had no objection to or no adverse comment on the application. To address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. Given that five previous approvals for similar warehouse uses had been granted to the application site and 88 similar applications had been approved within/straddling the subject “U” zone since 2015, approval of the application was generally in line with the Committee’s previous decisions. As the last approved application (No. A/YL-TYST/941) submitted by the same applicant for similar warehouse use was revoked due to non-compliance with relevant approval conditions, shorter compliance periods were recommended 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.

124. Members had no question on the application.

#### Deliberation Session

125. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.7.2024 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, 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 drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.10.2021;

- (g) 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 9.10.2021;
- (h) in relation to (g) 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 9.1.2022;
- (i) if any of the above planning condition (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning condition (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

126. 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/311                      Temporary Open Storage of Recyclable Materials (including Metal and Plastic) and Construction Materials and Warehouse for Storage of Construction Materials for a Period of 3 Years in “Open Space”, “Government, Institution or Community” Zones and an area shown as ‘Road’, Lots 280 (Part), 281 (Part) and 681 (Part) in D.D. 125, San Wai, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/311)

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Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage of recyclable materials (including metal and plastic) and construction materials and warehouse for storage of construction materials;
- (c) 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 intentions of the “Government, Institution or Community” and “Open Space” zones, the Project Manager (West) of Civil Engineering and Development Department and Director of Leisure and Cultural Services had no objection to the applied use at the application site (the Site). Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the Site. The applied use was not incompatible with the surrounding land uses. The applied use was generally in line with the Town Planning Board Guidelines No. 13F in that the Site fell within the Hung Shui Kiu/Ha Tsuen New Development Area and a previous planning approval for the related applied use had been given. Compared with the last approved application (No. A/HSK/132) submitted by the same applicant, the current application was for similar open storage use with a slightly larger site and the additional use of open storage and warehouse of construction materials. Sympathetic

consideration might be given to the application. Other 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 in the vicinity of the Site and environmental nuisance was expected. Nevertheless, there was no environmental complaint related to the 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. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

128. Members had no question on the application.

#### Deliberation Session

129. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.7.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 7:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no heavy goods vehicle exceeding 24 tonnes, including container trailer/tractor, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to access the site at any time during the planning approval period;

- (e) no vehicle is allowed to queue back or reverse onto/from public road at any time during the planning approval period;
- (f) the implementation of the accepted drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.4.2022;
- (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 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 20.8.2021;
- (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 9.1.2022;
- (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 9.4.2022;
- (k) if any of the above planning condition (a), (b), (c), (d), (e) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning condition (f), (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.”

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

### **Agenda Item 38**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/312            Temporary Logistics Centre, Warehouse, Cold Storage, Open Storage of Containers and Container Vehicle Park with Ancillary Workshop (including Compacting, Unpacking and Tyre Repairing) and Canteen for a Period of 3 Years in “Government, Institution or Community”, “Commercial (4)”, “Residential (Group A) 3” Zones and an 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/312)

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#### **Presentation and Question Sessions**

131.            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 logistics centre, warehouse, cold storage, open storage of containers and container vehicle park with ancillary workshop (including compacting, unpacking and tyre repairing) and canteen for a period of three years;
- (c) 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 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 applied uses were not in line with the planning intentions of the “Government,

Institution or Community”, “Commercial (4)” and “Residential (Group A)3” zones, the Project Manager (West) of Civil Engineering and Development Department had no objection to the applied uses at the application site (the Site). Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the Site. The applied uses were not incompatible with the surrounding land uses. The applied uses were generally in line with the Town Planning Board Guidelines No. 13F in that the Site fell within the Hung Shui Kiu/Ha Tsuen New Development Area and previous planning approvals for similar uses (No. A/HSK/63 and 163) had been given. The planning permission under application No. A/HSK/63 was revoked due to non-compliance with an approval condition. Should the application be approved, shorter compliance periods were recommended in order to closely monitor the progress on compliance with approval conditions. Other 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 in the vicinity of the Site and environmental nuisance from the use of heavy goods vehicles and container vehicles were expected. Nevertheless, there was no environmental complaint related to the 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. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

[Miss Winnie W.M. Ng left the meeting during PlanD’s presentation.]

132. In response to the Vice-chairman’s enquiries, Mr Simon P.H. Chan, STP/TMYLW, said that the Site enclosed some existing residential dwellings in its central portion and a designated 2m-wide pedestrian access would be reserved for these residential dwellings as shown on Plan A-4a of the Paper. The pedestrian access and the residential dwellings did not form part of the Site.

Deliberation Session

133. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.7.2024 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) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing trees and landscape plants on the site shall be maintained at all times during the planning approval period;
- (e) the existing fencing on the site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of 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 9.10.2021;
- (h) 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 20.8.2021;
- (i) the submission of a fire service installations proposal within 3 months from



the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.10.2021;

- (j) in relation to (i) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.1.2022;
- (k) if any of the above planning condition (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning condition (g), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

### **Agenda Item 39**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/313                      Temporary Warehouse for Storage of Spare Parts and Recyclable Materials (Metal) for a Period of 3 Years in “Open Space” Zone, Lots 672 (Part), 673 (Part) and 674 (Part) in D.D. 125, Ha Tsuen, Yuen Long  
  
(RNTPC Paper No. A/HSK/313)

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#### **Presentation and Question Sessions**

135. 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 for storage of spare parts and recyclable materials (metal) for a period of three years;
- (c) departmental comments were set out in paragraph 9 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, the Project Manager (West) of Civil Engineering and Development Department and Director of Leisure and Cultural Services had no objection to the application. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the application site. The applied use was not 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 departments, appropriate approval conditions were recommended. There were three similar approved applications for warehouse use within the same “O” zone. Approval of the 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.

136. Members had no question on the application.

Deliberation Session

137. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.7.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 7:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no goods vehicle exceeding 5.5 tonnes, as defined in the Road Traffic Ordinance, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back 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 9.1.2022;
- (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 9.4.2022;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.1.2022;

- (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 9.4.2022;
- (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.”

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

**Agenda Item 40**

**Any Other Business**

139. There being no other business, the meeting was closed at 4:10 p.m.