

TOWN PLANNING BOARD

Minutes of 676th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 23.7.2021

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

Dr Lawrence K.C. Li

Miss Winnie W.M. Ng

Mr L.T. Kwok

Mr K.W. Leung

Dr Jeanne C.Y. Ng

Dr Venus Y.H. Lun

Dr Conrad T.C. 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

Mr Ricky W.Y. Yu

Mr Y.S. Wong

In Attendance

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

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

Town Planner/Town Planning Board
Mr Gary T.L. Lam

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 675th RNTPC Meeting held on 9.7.2021

[Open Meeting]

2. The draft minutes of the 675th RNTPC meeting held on 9.7.2021 were confirmed without amendments.

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

4. The Secretary reported that the application was for columbarium use and Mr K.K. Cheung had declared an interest on the item for his firm being the legal advisor of the Private Columbaria Licensing Board (PCLB).

5. The Committee noted that the applicant had requested deferment of consideration of the application and Mr K.K. Cheung had not yet joined the meeting.

6. The Committee noted that the applicant’s representative requested on 15.7.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address comments from the Transport Department and Lands Department. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a revised Traffic Impact Assessment and responses to comments.

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

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 4

Section 12A Application

[Open Meeting]

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

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

9. The Committee noted that the applicant had requested deferment of consideration of the application and Mr K.K. Cheung had not yet joined the meeting.

10. The Committee noted that the applicant’s representative requested on 9.7.2021 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 third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information, including revised technical assessments and responses, to 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 three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information. Since it was the third deferment and a total of six months had been allowed for preparation of the submission of further information, it was the last deferment and no further deferment would be granted.

Sai Kung and Islands District

[Ms Jane W.L. Kwan, Senior Town Planner/Sai Kung and Islands (STP/SKIs), was invited to the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting]

A/SK-HC/327 Proposed Excavation of Land for Permitted Agricultural Use (Green House) in "Green Belt" Zone, Lot 130 S.A (Part) and RP (Part) in D.D. 247, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/327A)

12. The Committee noted that the applicants' representative requested on 11.7.2021 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 second time that the applicants requested deferment of the application. The applicants indicated that more time was needed for preparation of further information to address departmental comments.

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

as requested by the applicants pending the submission of further information from the applicants. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicants. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicants that two months were allowed for preparation of the submission of 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/265 5 Proposed Houses (New Territories Exempted House - Small House) in "Village Type Development" and "Green Belt" Zones, Lots 1090 S.A (Part), 1090 S.B (Part), 1090 S.C (Part), 1090 S.D (Part), 1090 S.E, 1090 S.F and 1090 RP (Part) in D.D. 217 and Adjoining Government Land, Kau Sai San Tsuen, Sai Kung
(RNTPC Paper No. A/SK-PK/265)

14. The Secretary reported that the application was rescheduled.

Agenda Item 7

Section 16 Application

[Open Meeting]

A/SK-TMT/70 Proposed Filling and Excavation of Land for Permitted Agricultural Use in "Green Belt" Zone, Lots 416 S.A, 416 S.B and 416 RP in D.D. 216, Long Keng Village, Tai Mong Tsai Road, Sai Kung
(RNTPC Paper No. A/SK-TMT/70A)

15. The Committee noted that the applicants requested on 5.7.2021 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 second time that the applicants requested deferment of the application. The applicants indicated that more time was needed for preparation of further information to address departmental comments.

16. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicants. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicants that two months were allowed for preparation of the submission of 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 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/SK-TMT/72 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm and Studio for Recycling Crafts) for a Period of 3 Years in "Conservation Area" Zone, Government Land (Former Sui Ying School) in D.D. 216, Tai Wan, Sai Kung
(RNTPC Paper No. A/SK-TMT/72)

Presentation and Question Sessions

17. Ms Jane W.L. Kwan, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;

- (b) the proposed temporary place of recreation, sports or culture (hobby farm and studio for recycling crafts) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, nine public comments, with eight objecting comments from the Sai Kung Rural Committee, indigenous inhabitant representative and resident representative of Tai Wan, Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature Hong Kong and individuals and one supporting comment from an individual, were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not entirely incompatible with the recommendation of the Vacant School Premises review that the application site was suitable for rural uses, the Chief Town Planner/Urban Design and Landscape, PlanD had reservation on the application as there was no information on the existing trees and their proposed treatments and thus the potential landscape impact could not be reasonably ascertained. The Chief Engineer/Construction, Water Supplies Department objected to the application as the proposed studio for recycling crafts would pose high risks of contamination to the water gathering grounds due to its operation and maintenance, and discharge of industrial effluents from the craft processing. The Director of Environmental Protection did not support the application due to a lack of supporting information to demonstrate environmental acceptability of the proposal. The Director of Agriculture, Fisheries and Conservation had reservation on the application as there was insufficient information on the vegetation loss and roosting bats. The Commissioner for Transport also had reservation on the application that the applicant failed to demonstrate how the proposed operation and transportation mode could be effectively implemented to avoid adverse traffic impact. Regarding the public comments received, the comments of government

departments and planning assessments above were relevant.

[Mr K.K. Cheung joined the meeting during PlanD's presentation.]

18. Members had no question on the application.

Deliberation Session

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

“the applicant fails to demonstrate that the proposed use would not cause adverse impacts on environment, water quality, ecology, landscape and traffic in the surrounding areas.”

[The Chairman thanked Ms Jane W.L. Kwan, STP/SKIs, for her attendance to answer Members' enquiries. She left the meeting at this point.]

Sha Tin, Tai Po and North District

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

Agenda Item 9

Section 16 Application

[Open Meeting]

A/ST/995 Proposed Grave (Ossuarium) and Columbarium in “Other Specified Uses” annotated “Cemetery” Zone, Part of Sha Tin Town Lot 349, Tao Fong Shan Christian Cemetery
(RNTPC Paper No. A/ST/995)

20. The Secretary reported that the application was for columbarium use and submitted by Areopagos Norge. 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

Mr Y.S. Wong - being the Vice-chairman of Tao Fong Shan Christian Centre, which was the mission partner of Areopagos Norge.

21. The Committee noted that the applicant had requested deferment of consideration of the application. The Committee noted that Mr Y.S. Wong had tendered an apology for being unable to attend the meeting. As the interest of Mr K.K. Cheung in relation to PCLB was indirect, the Committee agreed that he could stay in the meeting.

22. The Committee noted that the applicant's representative requested on 2.7.2021 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.

23. 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 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/998 Shop and Services (Real Estate Agency) in “Industrial” Zone,
Workshop E1 (Portion) & E2 (Portion), G/F, Haribest Industrial
Building, 45 - 47 Au Pui Wan Street, Fo Tan, Sha Tin
(RNTPC Paper No. A/ST/998)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the shop and services (real estate agency);
- (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. The applied use was small in scale and was considered not incompatible with the industrial and industrial-related uses in the subject industrial building and the surrounding developments. The applied use generally complied with the Town Planning Board Guidelines No. 25D. Concerned government departments had no objection to or no adverse comment on the application. In order not to jeopardise the long-term planning intention of industrial use for the premises and allow the Committee to monitor the supply and demand of industrial floor space in the area, a temporary approval of five years was recommended.

25. In response to a Member's question on the genuine need of the applied use, Ms Hannah H.N. Yick, STP/STN, said that according to the justifications submitted by the applicant and their observation during site visit, the applied use was to cope with the market demand and the real estate agency was to serve users in the locality.

Deliberation Session

26. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 23.7.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the submission and implementation of fire safety measures within 6 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 23.1.2022; and
- (b) if the above planning condition is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Items 11 and 12

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/693 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 892 S.B ss.2 in D.D. 8, Ma Po Mei Village,
Lam Tsuen, Tai Po

A/NE-LT/694 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 892 S.B ss.1 (Part) in D.D.8, Ma Po Mei
Village, Lam Tsuen, Tai Po

(RNTPC Paper No. A/NE-LT/693 and 694B)

28. The Committee agreed that as the two section 16 applications for proposed house (New Territories Exempted House (NTEH) - Small House) were similar in nature and the application sites were located in close proximity to each other within the same “Agriculture” (“AGR”) zone, they could be considered together.

Presentation and Question Sessions

29. 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) on each of the application sites;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, one public comment from Designing Hong Kong Limited objecting to both applications 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

applications based on the assessments set out in paragraph 11 of the Paper. Although the proposed developments were not in line with the planning intention of the “AGR” zone and the Director of Agriculture, Fisheries and Conservation did not support the applications as the sites possessed potential for agricultural rehabilitation, the proposed developments were considered not incompatible with the surrounding area. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories, more than 50% of the proposed Small House footprints fell within the village ‘environs’ of Ma Po Mei and the proposed developments within water gathering grounds would be able to be connected to the public sewerage system. While land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the 10-year Small House demand forecast, it was capable of meeting the outstanding Small House applications. Given the adoption of a more cautious approach in considering 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, the sites were the subject of previously approved applications (No. A/NE-LT/582 and 583) for Small House developments submitted by the same applicants, and the District Lands Officer/Tai Po, Lands Department advised that the Small House grant applications were under processing. Other concerned government departments had no objection to or no adverse comment on the applications. In view of the above, sympathetic consideration could be given to the applications. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

30. In response to a Member’s question on the rejection reasons for the two previous applications (No. A/NE-LT/294 and 298) by the Town Planning Board on review, Mr Tony Y.C. Wu, STP/STN, said that both applications were rejected as the proposed developments were not able to be connected to the existing or planned sewerage system.

31. In response to another Member’s question in relation to the alignment of Lam

Kam Road which was shown as 'Road' on the Outline Zoning Plan (OZP), Mr Tony Y.C. Wu, STP/STN, said that in general, the road alignment shown on the OZP reflected the existing road as well as road reserve as appropriate based on inputs from relevant government departments. However, there was no widening proposal regarding Lam Kam Road at the present stage.

Deliberation Session

32. 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 23.7.2025, 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. Each of the permissions was subject to the following conditions:

- “(a) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (b) the connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Water Supplies or of the TPB; and
- (c) the provision of protective measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or of the TPB.”

33. The Committee also agreed to advise each of 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)]

A/NE-FTA/203 Temporary Warehouse for a Period of 3 Years in “Other Specified Uses” annotated “Port Back-up Uses” Zone, Lots 120 S.A and 126 S.A (Part) in D.D. 52 and Adjoining Government Land, Man Kam To Road, Fu Tei Au, Sheung Shui
(RNTPC Paper No. A/NE-FTA/203)

Presentation and Question Sessions

34. 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 warehouse 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 public comment from a North District Council member indicating no comment 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 had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The applied use was generally not in conflict with the planning intention of the “Other Specified Uses” annotated “Port Back-up Uses” zone, and was considered not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. There were five approved similar applications in the vicinity. Approval of the application was in line with the Committee’s previous decisions.

35. Members had no question on the application.

Deliberation Session

36. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.7.2024 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) 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 23.1.2022;
- (d) in relation to (c) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.4.2022;
- (e) the submission of proposals for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.1.2022;
- (f) in relation to (e) above, the implementation of proposals for fire service installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.4.2022;
- (g) 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

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

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

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-FTA/204 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lots 217 RP and 219 in D.D. 52, Sheung Shui Wa
Shan, Sheung Shui
(RNTPC Paper No. A/NE-FTA/204)

Presentation and Question Sessions

38. 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, three public comments, with two objecting comments from Kadoorie Farm and Botanic Garden Corporation and an individual and one comment from a North District Council member indicating no comment 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 did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” zone, and there was no strong planning justification in the submission for a departure from the planning intention. The Director of Agriculture, Fisheries and Conservation did not support the application as the site possessed potential for agricultural rehabilitation. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories, while land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the 10-year Small House demand forecast, it was capable of meeting the outstanding Small House applications. Given the adoption of a more cautious approach in considering 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. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

39. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and

- (b) land is still available within the “Village Type Development” (“V”) zone of Wa Shan Village where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.”

Agenda Items 15 and 16

Section 16 Applications

[Open Meeting]

A/NE-LYT/744 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 1588 S.A in D.D.83, Tung Kok Wai, Lung Yeuk Tau, Fanling

A/NE-LYT/745 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 1588 S.B in D.D.83, Tung Kok Wai, Lung Yeuk Tau, Fanling

(RNTPC Paper No. A/NE-LYT/744A and 745A)

41. The Committee noted that the applicants’ representative requested on 16.7.2021 deferment of consideration of the applications for two months so as to allow more time to prepare further information to address further comments from the Transport Department (TD). It was the second time that the applicants requested deferment of the applications. Since the last deferment, the applicants had submitted further information to address comments from TD.

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

meeting for the Committee's consideration. The Committee also agreed to advise the applicants that two months were allowed for preparation of the submission of 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 17

Section 16 Application

[Open Meeting]

A/NE-TKL/674 Renewal of Planning Approval for Temporary Open Storage of Construction Materials for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 1507 S.B RP (Part), 2022 S.B RP (Part), 2036 (Part), 2037, 2038, 2039, 2040 (Part), 2041 (Part) and 2042 (Part) in D.D. 76 and Adjoining Government Land, Leng Tsai, Sha Tau Kok Road, Fanling
(RNTPC Paper No. A/NE-TKL/674)

43. The Secretary reported that the application site was located in Ta Kwu Ling. Dr Conrad T.C. Wong had declared an interest on the item for his firm owning a piece of land in Ta Kwu Ling area. As the piece of land owned by Dr Conrad T.C. Wong's firm had no direct view of the application site, the Committee agreed that he could stay in the meeting.

44. 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 public comments, with one comment from an individual raising concerns on the application and one comment from the Chairman of Sheung Shui District Rural Committee indicating no comment, were received.

45. 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.

46. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 4.8.2021 to 3.8.2024 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 8:30 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the peripheral fencing and paving on the site shall be maintained at all times during the planning approval period;
- (d) all existing trees on the site shall be properly 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;
- (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 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 4.11.2021;
- (h) if any of the above planning condition (a), (b), (c), (d), (e), (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.”

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

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/596 Proposed House (New Territories Exempted House - Small House) in
“Village Type Development” and “Agriculture” Zones, Lot 32 S.A in
D.D. 7, Tai Hang, Tai Po
(RNTPC Paper No. A/NE-KLH/596)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, two public comments, with one supporting comment from the Chairman of Tai Hang Rural Committee and one objecting comment from an individual, were received. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed 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 site possessed potential for agricultural rehabilitation. There was no strong planning justification in the submission for a departure from the planning intention. The Director of Environmental Protection did not support the application and the Chief Engineer/Construction of Water Supplies Department objected to the application in view of the proposed adoption of septic tank for foul water disposal. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories (the Interim Criteria), although more than 50% of the proposed small house footprint fell within the “Village Type Development” (“V”) zone, the application did not comply with the Interim Criteria in that there was sufficient land within the “V” zone to fully meet the outstanding Small House applications and the 10-year Small House demand forecast. As there was no general shortage of land in meeting the demand for Small House development in the concerned “V” zone, 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. Besides, the applicant failed to demonstrate that the proposed development located within the water gathering grounds would be able to be connected to the existing/planned sewerage system and would not cause adverse impact on the water quality in the area. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

49. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that there is no general shortage of land in meeting the demand for Small House development in the “Village Type Development” zone of Tai Hang; and the applicant fails to demonstrate that the proposed development located within the water gathering grounds would be able to be connected to the existing/planned sewerage system and would not cause adverse impact on the water quality in the area.”

Agenda Items 19 and 20

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/152 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1511 S.K in D.D. 91, Kai Leng, Sheung Shui

A/NE-PK/153 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1511 S.G in D.D. 91, Kai Leng, Sheung Shui

(RNTPC Paper No. A/NE-PK/152 and 153)

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

Presentation and Question Sessions

52. 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) on each of the application sites;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, four public comments, with three objecting comments from Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited and an individual and one comment from an individual indicating no comment, on each 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 applications based on the assessments set out in paragraph 11 of the Paper. Although the proposed developments were not in line with the planning intention of the “AGR” zone and the Director of Agriculture, Fisheries and Conservation did not support the applications as the sites possessed potential for agricultural rehabilitation, the proposed developments were considered not incompatible with the surrounding area. Other concerned government departments had no objection to or no adverse comment on the applications. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories (the Interim Criteria), more than 50% of the footprints of the proposed Small House developments fell within the village ‘environs’ of Kai Leng, and land available within the “Village Type Development” zone was insufficient to meet even the outstanding Small House applications. As such, the applications generally complied with the Interim Criteria. Regarding the public comments received, the comments of government departments and

planning assessments above were relevant.

53. Members had no question on the applications.

Deliberation Session

54. 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 23.7.2025, 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. Each of the permissions was subject to the following conditions:

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

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

Agenda Item 21

Section 16 Application

[Open Meeting]

A/NE-SSH/139 Proposed Access Road for Government, Institution and Community uses at the adjoining “Government, Institution or Community” zone and associated Filling and Excavation of Land in “Green Belt” Zone, Lots 325 S.A (Part), 325 S.B (Part), 325 S.C (Part), 496 (Part), 497 (Part) and Adjoining Government Land in D.D. 209, Sai Keng, Shap Sz Heung
(RNTPC Paper No. A/NE-SSH/139)

56. The Secretary reported that the application was submitted by Light Time

Investments Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD), Archiplus International (HK) Limited (Archiplus), AECOM Asia Company Limited (AECOM) and Ove Arup & Partners Hong Kong Limited (ARUP) were four of the consultants of the applicant. The following Members had declared interests on the item:

- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Company (1933) Limited (KMB) and SHK was one of the shareholders of KMB;
- Dr Conrad T.C. Wong - having current business dealings with SHK;
- Mr K.K. Cheung - his firm having current business dealings with SHK, Archiplus and ARUP;
- Dr C.H. Hau - having past business dealings with AECOM; and
- Mr Ricky W.Y. Yu - having past business dealings with LD.

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

58. The Committee noted that the applicant requested on 5.7.2021 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.

59. 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/NE-SSH/140 Proposed Public Utility Installation (Underground Stormwater Drain) and Excavation of Land in "Coastal Protection Area" Zone, Government Land in D.D.165, Sai Sha, Shap Sz Heung
(RNTPC Paper No. A/NE-SSH/140)

60. The Secretary reported that the application was submitted by Light Time Investments Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD), AECOM Asia Company Limited (AECOM) and Ove Arup & Partners Hong Kong Limited (ARUP) were three of the consultants of the applicant. The following Members had declared interests on the item:

- | | | |
|---------------------|---|--|
| Miss Winnie W.M. Ng | - | being a Director of the Kowloon Motor Bus Company (1933) Limited (KMB) and SHK was one of the shareholders of KMB; |
| Dr Conrad T.C. Wong | - | having current business dealings with SHK; |
| Mr K.K. Cheung | - | his firm having current business dealings with SHK and ARUP; |

Dr C.H. Hau - having past business dealings with AECOM;
and

Mr Ricky W.Y. Yu - having past business dealings with LD.

61. Mr Ricky W.Y. Yu had tendered an apology for being unable to attend the meeting. As the interests of Miss Winnie W.M. Ng and Dr Conrad T.C. Wong were direct, the Committee agreed that they should be invited to leave the meeting temporarily for the item. As Mr. K.K. Cheung and Dr C.H. Hau had no involvement in the application, the Committee agreed that they could stay in the meeting.

[Miss Winnie W.M. Ng and Dr Conrad T.C. Wong left the meeting temporarily at this point.]

Presentation and Question Sessions

62. 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 public utility installation (underground stormwater drain) and excavation of land;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, 103 public comments, with 102 supporting comments from Sai Sha residents, Tseng Tau Tsuen villagers and individuals and one objecting comment from an individual, 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 proposed development was small in scale and was considered not entirely incompatible with the surrounding land uses. It would serve the

public interest by providing a proper public stormwater discharge system in the concerned part of Sai Sha area which was currently not available. The Chief Engineer/Mainland North, Drainage Services Department (DSD) confirmed that DSD would take over the management and maintenance of the proposed stormwater drain upon completion of the proposed works. The Director of Agriculture, Fisheries and Conservation and the Director of Environmental Protection had no comment on/objection to the application as the ecological impact assessment and environmental assessment submitted by the applicant had demonstrated that the proposed development would not result in significant adverse impacts. 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.

63. In response to a Member's question on the differences between 'M/U' and 'VAC' marked on Plan A-2 of the Paper, Mr Tony Y.C. Wu, STP/STN, explained that 'M/U' was unused land which had no sign of man-made features e.g. paving, while 'VAC' was vacant land which might be hard paved but was currently vacant.

Deliberation Session

64. 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 23.7.2025, 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 implementation of the proposed development to the satisfaction of Director of Drainage Services or of the TPB.”

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

[The Chairman thanked Ms Hannah H.N. Yick, 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.]

[Miss Winnie W.M. Ng and Dr Conrad T.C. Wong rejoined the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

[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 23

Section 16 Application

[Open Meeting]

A/NE-KTS/498 Temporary Place of Recreation, Sports or Culture (Horticultural Learning Centre) for a Period of 3 Years and Filling of Land in "Agriculture" Zone, Lot 1372 RP (Part) in D.D. 100, Tsiu Keng, Kwu Tung South
(RNTPC Paper No. A/NE-KTS/498)

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

67. The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Dr Lawrence K.C. Li was indirect, the Committee agreed that he could stay in the meeting.

68. The Committee noted that the applicant requested on 19.7.2021 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.

69. 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]

A/FSS/279 Proposed Social Welfare Facility (Residential Care Home for the Elderly) and Flat with Minor Relaxation of Building Height Restriction in "Village Type Development" Zone and area shown as 'Road', Lots 834 and 838 RP in D.D. 52 and Adjoining Government Land, Tin Ping Road, Sheung Shui
(RNTPC Paper No. A/FSS/279A)

70. The Committee noted that the applicant requested on 13.7.2021 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 second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

71. 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

leave the meeting temporarily for the item. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting. Mr Stephen L.H. Liu, the Vice-chairman, took over the chairmanship at this point.

[The Chairman and Dr Conrad T.C. Wong left the meeting temporarily and Dr Lawrence K.C. Li left the meeting at this point.]

Presentation and Question Sessions

74. With the aid of a PowerPoint presentation, 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 shop and services (showroom) and office (wholesale conversion of an existing industrial building (IB));
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, three public comments, with two objecting comments from 1st Vice-chairman and Vice-chairman of the Fanling District Rural Committee 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 had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the proposed conversion was not entirely in line with the planning intention of the “Industrial” (“I”) zone, it was considered not incompatible with the surrounding land uses and generally complied with the Town Planning Board Guidelines No. 25D. Whilst the Director-General of Trade and Industry had reservation on the application, given the small share of the industrial floor space compared with the whole “I” zone, the proposed conversion would not seriously affect the supply of industrial

floor space in On Lok Tsuen Industrial Area thereby jeopardising the overall planning intention of the “I” zone. The Secretary for Development supported the application from the perspective of facilitating the development clearance and implementation of New Development Area, and welcomed the initiative intended to better serve the affected residents with a dedicated showroom at a relatively convenient location. Other concerned government departments had no objection to or no adverse comment on the application. There were four approved similar applications for wholesale conversion within the same “I” zone. Approval of the application was consistent with the Committee’s previous decisions. In order not to jeopardise the potential long term planning intention, it was recommended that the approval would be for the lifetime of the building. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

75. A Member sought clarification on the meaning of the lifetime approval of the applied use. In response, Mr Patrick M.Y. Fung, STP/FSYLE, explained that if the approval was for the lifetime of the building, upon redevelopment, the site would need to conform to the zoning and development restrictions on the relevant Outline Zoning Plan in force at the time of redevelopment.

Deliberation Session

76. 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 23.7.2025, 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 design and provision of parking facilities and loading/unloading spaces for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB; and
- (b) the provision of water supplies for firefighting and fire service installations

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

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

[The Chairman rejoined the meeting and took over the chairmanship at this point and Dr Conrad T.C. Wong rejoined the meeting at this point.]

Agenda Item 26

Section 16 Application

[Open Meeting]

A/YL-KTN/761 Proposed Residential Development (Houses) in “Residential (Group C) 2” and “Residential (Group D)” Zones, Lots 624 and 787 in D.D. 110 and Adjoining Government Land, Kam Tin Road, Shek Kong San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-KTN/761A)

78. 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 second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

79. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of 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 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/773 Proposed Temporary Cold Storage for a Period of 3 Years in
“Industrial (Group D)” and “Other Specified Uses” annotated “Railway
Reserve” Zones, Various Lots in D.D.107, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/773)

Presentation and Question Sessions

80. 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 cold storage for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, 35 public comments from individuals supporting 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. As the programme of the Northern Link (NOL) was still under review, it was considered that approval of the application on a temporary basis for three years would not jeopardise the implementation of the NOL. The proposed use was considered not incompatible with the surrounding land uses. Concerned government departments had no objection to or 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 ten approved similar applications for temporary storage or warehouse uses within the same “Other Specified Uses” annotated “Railway Reserve” zone. Approval of the application was consistent with the Committee’s previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

81. Members had no question on the application.

Deliberation Session

82. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.7.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no dismantling, maintenance, repairing, cleansing, paint spraying and other workshop activities shall be carried out on the site at any time during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at

any time during the planning approval period;

- (f) the 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 23.1.2022;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.4.2022;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.1.2022;
- (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 23.4.2022;
- (k) if any of the above planning condition (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning condition (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

83. 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-KTN/774 Filling of Land for Permitted Agricultural Use in “Agriculture” Zone, Lots 1506 RP (Part), 1508 RP, 1509, 1510 (Part), 1518 and 1519 RP in D.D. 107, Kam Tin North, Yuen Long
(RNTPC Paper No. A/YL-KTN/774)

84. The Committee noted that the applicant requested on 19.7.2021 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.

85. 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 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/775 Proposed Temporary Animal Boarding Establishment for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Lots 1224 S.D, 1225 S.B and 1226 S.D in D.D. 107, Fung Kat Heung, Kam Tin
(RNTPC Paper No. A/YL-KTN/775)

Presentation and Question Sessions

86. 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 animal boarding establishment for a period of five years and filling of land;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, two public comments from Kadoorie Farm and Botanic Garden Corporation and an individual objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the site possessed potential for agricultural rehabilitation, approval of the application on a temporary basis for five years would not jeopardise the long-term planning intention of the “AGR” zone. The proposed use was considered not incompatible with the surrounding area. Other concerned government departments had no objection to or no adverse comment on the application. There were 30 similar applications approved for temporary animal boarding establishment and seven approved applications involving filling of land within the same “AGR” zone. Approval of the application was consistent with the Committee's previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

87. Members had no question on the application.

Deliberation Session

88. A Member enquired on whether guidelines for application for animal boarding establishment should be prepared to facilitate the Committee's consideration of similar applications in view of an increasing number of such applications in the rural areas received in recent years. The Chairman suggested that since such applications were usually temporary in nature, PlanD could continue to adopt the current approach in processing such applications by providing an assessment on the proposed animal boarding establishment based on the planning circumstances, individual merits and departmental comments. While the situation would be kept under monitoring, this approach could be reviewed later subject to any future change in circumstances. Members agreed.

89. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 23.7.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. and 9:00 a.m. (except for overnight animal boarding), as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) all animals shall be kept inside the enclosed 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 23.1.2022;

- (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 23.4.2022;
- (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 23.1.2022;
- (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 23.4.2022;
- (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.”

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

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/878 Temporary Vocational Training Centre for a Period of 3 Years in
“Residential (Group D)” Zone, Lots No. 602 S.B (Part), 602 S.C (Part),
602 RP, 603 S.A, 603 S.D, 603 RP in D.D. 106, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/878A)

Presentation and Question Sessions

91. 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 vocational training centre 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 public comment from an individual providing 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. Although the applied use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “R(D)” zone. The applied use was considered not incompatible with the surrounding area. Both the Development Bureau (Works Branch) and the Labour and Welfare Bureau supported the application as the vocational training centre could provide training to construction workers with no implication on public resources, and could help enhance the skill level of

local construction workers and attract job changers to join the construction industry. Other concerned government departments had no objection to or no adverse comment on the application. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

92. Members had no question on the application.

Deliberation Session

93. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.7.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 10:30 p.m. and 8:00 a.m., and no metal works and metal scaffolding classes between 5:30 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.1.2022;
- (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 23.4.2022;
- (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 23.1.2022;
- (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 23.4.2022;
- (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 planning condition (c), (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/879 Temporary Open Storage of Vehicles, Construction
Materials/Prefabrication Components and Site Office for a Period of 3
Years in “Agriculture” Zone, Lots 355 RP (Part), 356 RP, 356 S.B
(Part), 359 RP, 360 RP (Part), 361, 362 (Part), 363 and 364 (Part) in
D.D. 103 and Adjoining Government Land, Kam Tin Road, Kam Tin,
Yuen Long
(RNTPC Paper No. A/YL-KTS/879A)

Presentation and Question Sessions

95. 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 vehicles, construction materials/prefabrication components and site 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 public comment from an individual objecting to the application 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 intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation, approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “AGR” zone. The applied use was considered not incompatible with the surrounding area. The application was generally in line with the Town Planning Board Guidelines No. 13F in that the site fell within Category 2 areas and concerned government departments had no objection to or no adverse comment on the application, except the DAFC and the Director of Environmental Protection who did not support the application as there were sensitive receivers in the vicinity. 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. There were eight previously approved applications at the site and 16 approved similar applications within the same “AGR” zone. Approval of the application was consistent with the Committee’s previous decisions. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

96. Members had no question on the application.

Deliberation Session

97. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.7.2024 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 dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) all the existing trees within the site shall be maintained in good condition at all times during the planning approval period;
- (f) 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 23.1.2022;

- (g) in relation to (f) 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 23.4.2022;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.9.2021;
- (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 23.1.2022;
- (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 23.4.2022;
- (l) if any of the above planning condition (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning condition (f), (g), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; 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.”

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

set out at Appendix VII of the Paper.

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/893 Proposed Temporary Shop and Services for a Period of 5 Years in
“Village Type Development” Zone, Lot 1890 S.A ss.3 (Part) in D.D.
106, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/893)

Presentation and Question Sessions

99. 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 shop and services for a period of five 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 the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, there was no Small House application approved or under processing at the site, approval of the application on a temporary basis for five years would not jeopardise the long-term planning intention of the “V” zone. The proposed use was considered not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the

application. There were 12 approved similar applications in the adjoining “V” zones. Approval of the application was consistent with the Committee’s previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

100. Members had no question on the application.

Deliberation Session

101. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 23.7.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) 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 23.1.2022;
- (c) in relation to (b) 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 23.4.2022;
- (d) 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
- (e) if any of the above planning condition (b) or (c) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

set out at Appendix IV of the Paper.

Agenda Item 33

Section 16 Application

[Open Meeting]

A/YL-KTS/894 Temporary Container Vehicle Repair Yard with Ancillary Office for a Period of 3 Years in “Residential (Group D)” Zone, Lot 702 S.C (Part) in D.D. 106, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/894)

103. The Committee noted that the applicant’s representative requested on 14.7.2021 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.

104. 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 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/857 Proposed Temporary Public Vehicle Park with Ancillary Site Office for a Period of 3 Years in “Agriculture” Zone, Lots 1869 (Part), 1870 (Part), 1872 (Part), 1873 (Part), 1875 RP (Part), 1876 and 1877 in D.D. 111, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/857B)

Presentation and Question Sessions

105. 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 public vehicle park with ancillary site office for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication periods, 11 public comments from Kadoorie Farm and Botanical Garden Corporation, World Wide Fund for Nature Hong Kong, Hong Kong Bird Watching Society and individuals objecting to 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. Although the proposed 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 jeopardise the long-term planning intention of the “AGR” zone. The proposed use was considered not incompatible with the surrounding area. Concerned government departments had no objection to or no adverse comment on the application. There were two rejected similar applications within the same “AGR” zone. The planning circumstances of the current application were different from those of the rejected applications. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

106. In response to a Member’s question on the differences in planning circumstances between the current application and the rejected applications (No. A/YL-PH/758 and 799), Mr Wallace W.K. Tang, STP/FSYLE, said that application No. A/YL-PH/758 which involved proposed parking spaces for private cars and heavy vehicles not exceeding 24 tonnes (including lorries and coaches) was rejected by the Town Planning Board upon review as the applicant failed to demonstrate that the development would not generate adverse environmental impacts on the surrounding areas. Application No. A/YL-PH/799 which involved proposed parking spaces for private cars and light goods vehicles (not exceeding 5.5 tonnes) was rejected by the Committee mainly on the consideration that there were clearance of vegetation at the application site and adverse comments on the landscape impact, and approval of the application would set an undesirable precedent for other similar applications.

Deliberation Session

107. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.7.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (b) no vehicles without valid licences issued under the Road Traffic

(Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site at any time during the planning approval period;

- (c) a notice should be posted at a prominent location of the site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at all times during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the 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 23.1.2022;
- (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 23.4.2022;
- (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 23.1.2022;
- (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 23.4.2022;
- (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.”

108. 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-MP/307 Temporary Access Road for a Period of 1 Year in “Recreation” Zone,
Lot 3010 S.A in D.D. 104, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/307)

109. The Secretary reported that the application site was located in Mai Po. Mr K.W. Leung had declared an interest on the item for owning a property in Mai Po area. As the property owned by Mr K.W. Leung had no direct view of the application site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

110. 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 access road for a period of one year;

- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, one public comment from an individual supporting the application was 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 “Recreation” zone, though it was not entirely incompatible with the surrounding area. Concerned government departments had no objection to or no adverse comment on the application. Reinstatement of the filled ponds/land to the south and west of the application site (the Site) was underway and could proceed without the planning approval of a temporary access road. Approval of the current application would unnecessarily delay the issuance of the Reinstatement Notice (RN) for the Site by the Planning Authority. Given the unique nature of the application relating to reinstatement works subject to enforcement action, approval of the application would set an undesirable precedent for similar applications which might be used for delaying reinstatement works for sites subject to RN. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

111. Two Members raised enquiries on the background and condition of the Site, and whether the Site was the sole access to the filled ponds/land to its south and west. In response, Ms Irene W.S. Lai, STP/FSYLE, said that while the Site was the sole access to the filled ponds/land as mentioned, the Site itself was subject to active planning enforcement action against an unauthorized development (UD) involving storage use (including deposit of containers). Whilst the UD had been discontinued, the Site was still covered by hard-paved materials. RN would be issued to the landowner of the Site for compliance in due course depending on the progress of the reinstatement of the ponds/land to its south and west. Details of the reinstatement works required for the Site would be subject to the Planning Authority's consideration and would be set out in the RN to be issued to the landowner of the Site.

Deliberation Session

112. Members noted that RN requiring removal of the fill materials from the ponds and adjoining land to the south and west of the Site had been served on the concerned landowners, and the concerned landowners had been convicted. Reinstatement of the concerned ponds/land was underway and could proceed without the planning approval of a temporary access road for a period of one year at the Site. PlanD would follow up and monitor the situation, and RN would be issued to the landowner of the Site for compliance depending on the progress of the reinstatement of the ponds/land to the south and west. The Chairman said that based on information provided by PlanD, approval of the application to help reinstate an adjoining site was not necessary and might delay the reinstatement works of the Site.

113. 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 “Recreation” zone which is primarily for recreational developments for the use of the general public. There is no strong justification for a departure from the planning intention, even on a temporary basis; and
- (b) approval of the application would delay the enforcement action against the application site and would set an undesirable precedent for similar applications on sites subject to reinstatement works.”

Agenda Item 36

Section 16 Application

[Open Meeting]

A/YL-MP/308 Proposed Temporary Car Testing Centre for a Period of 3 Years in “Commercial/Residential” and “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zones, Lot 3250 S.B ss.45 in D.D. 104, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/308)

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

115. The Committee noted that the applicant had requested deferment of consideration of the application. As the property owned by Mr K.W. Leung had no direct view of the application site, the Committee agreed that he could stay in the meeting.

116. The Committee noted that the applicant’s representative requested on 9.7.2021 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.

117. 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 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/287 Renewal of Planning Permission for Temporary Driving School and Ancillary Uses for a Period of 3 Years in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Lot 1347 RP in D.D. 115, Nam Sang Wai, Yuen Long
(RNTPC Paper No. A/YL-NSW/287)

118. The Secretary reported that the application was submitted by Hong Kong School of Motoring Yuen Long Driving School Limited which was a subsidiary of Hong Kong School of Motoring Limited (HKSM). Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with HKSM.

119. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

120. With the aid of a PowerPoint presentation, 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 renewal of planning permission for temporary driving school and ancillary uses for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, five public comments, with two objecting comments from the Indigenous Inhabitant Representative of Shan Pui Tsuen and a villager of Shan Pui Tsuen, two supporting comments from individuals and one comment from an individual providing views 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 further 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 intention of the “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” zone, there was no known programme for any development in the concerned area and the applicant, being the sole land owner of the application site (the Site), had expressed no intention to redevelop the Site for residential use. The applicant had proposed measures to minimise the noise and ecological impacts, and demonstrated that no additional traffic impact would be induced by renewing the temporary planning permission for the driving school for three years. During the deliberation of the applicant's rezoning application No. Y/YL-NSW/5 in March 2021, the Committee acknowledged the need for a driving school in New Territories West and Members opined that a longer approval period of three years could be considered for the applicant's renewal applications before implementation of residential development at the Site in the long term. The Transport and Housing Bureau gave policy support to the application. The Transport Department (TD) also expressed full support for the continued use of the Site as a Designated Driving School cum Driving Test Centre so as to avoid causing disruption to the driving training/test services until a replacement site could be secured. 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.

[Mr Peter K.T. Yuen left the meeting at this point.]

121. Members had no question on the application.

Deliberation Session

122. Members noted that the last planning application was approved for two years with permission up to 5.9.2022 and the current application was for renewal of the planning permission for a further period of three years from 6.9.2022 to 5.9.2025, and that TD had submitted a site search request for reprovision of the Yuen Long Driving School which was being processed by PlanD.

123. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 6.9.2022 to 5.9.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no training of drivers of heavy vehicles or articulated vehicles is allowed outside the site after 9:30pm, as proposed by the applicant, during the planning approval period;
- (b) only one articulated vehicle and one bus are allowed for training of drivers outside the site from 7:30 p.m. to 9:30 p.m. during the planning approval period;
- (c) the existing fire services installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (d) the existing drainage facilities implemented on the site 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 commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.12.2022;

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

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

[The Chairman thanked Mr 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

Agenda Item 38

[Open Meeting]

Proposed Amendments to the Approved Lam Tei and Yick Yuen Outline Zoning Plan (OZP)

No. S/TM-LTYYY/10

(RNTPC Paper No. 6/21)

125. The Secretary reported that the proposed amendments involved public housing development to be developed by the Hong Kong Housing Authority (HKHA), which was supported by an Engineering Feasibility Study (EFS) conducted by the Civil Engineering and Development Department (CEDD) with Black & Veatch Hong Kong Limited (B&V) as one of the consultants of the EFS. The following Members had declared interests on the item:

Mr Gavin C.T. Tse	-	being a representative of the Director of
(as Chief Engineer		Home Affairs who was a member of the

(Works), Home Affairs Department) Strategic Planning Committee and Subsidised Housing Committee of the HKHA;

Mr K.K. Cheung - his firm having current business dealings with HKHA and B&V;

Mr Y.S. Wong - being a member of Fund Management Sub-committee of the HKHA;

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

Dr C.H. Hau - currently conducting contract research project with CEDD; and

Mr L.T. Kwok - his employing organisation was operating social service teams supported by HKHA and openly bid funding from HKHA.

126. The Committee noted that Mr Y.S. Wong had tendered an apology for being unable to attend the meeting. The Committee noted that according to the procedure and practice adopted by the Town Planning Board (the Board), as the proposed amendments, mainly for public housing development, were the subject of amendments to the Outline Zoning Plan (OZP) proposed by the Planning Department (PlanD), the interests of Members in relation to HKHA on the item would only need to be recorded and they could stay in the meeting. As Mr K.K. Cheung and Dr C.H. Hau had no involvement in relation to the amendment items, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

127. The following government representatives were invited to the meeting at this point:

PlanD

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

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

CEDD

Miss Iris S.F. Leung - Senior Engineer 1/Housing Project 2 (SE1/HP2)

128. With the aid of a PowerPoint presentation, Mr Alexander W.Y. Mak, STP/TMYLW, PlanD presented the proposed amendments as detailed in the Paper and covered the following main points:

Background

- (a) to meet the housing and other development needs, the Government had increased the supply of land in a persistent manner. Amongst the sites with development potential, the San Hing Road, San Hing Road Site Extension and Hong Po Road sites at the northern fringe of Tuen Mun New Town had been identified. To maximise the development potential of these sites, the Government combined the three sites into one single development for integrated and comprehensive public housing development with government, institution and community (GIC) uses and associated infrastructural works and conducted an EFS. Being part of the EFS, the environmental impact assessment (EIA) report was approved by the Director of Environmental Protection (DEP) under the EIA Ordinance on 30.12.2020. The EFS had been completed in the first half of 2021;
- (b) there were some planning applications for residential development falling within the proposed public housing development area. Applications No. A/TM-LTYYY/273-1 and 381, which were submitted by the same applicant,

were approved by the Town Planning Appeal Board and the Committee respectively. The same applicant also submitted a s.12A rezoning application (No. Y/TM-LTYYY/8) to increase the PR from 1 to 6 for high-density residential development which was rejected by the Committee on 24.4.2020 and the applicant filed a judicial review (JR) against the Committee's decision. Another application (No. A/TM-LTYYY/337-1) was rejected by the Committee and its review application was tentatively scheduled for consideration in September 2021;

The Proposed Amendments

- (c) Amendment Item A: rezoning of two areas (about 21.52 ha) to the north of Hong Po Road from "Residential (Group E)" and "Green Belt" ("GB") to "Residential (Group A)" ("R(A)") subject to a maximum plot ratio (PR) of 6.5 and a maximum building height (BH) of 160mPD. Any floor space for public vehicle parks, public transport facilities and GIC facilities, as required by the Government, might be disregarded from PR calculation;
- (d) Amendment Item B: rezoning of an area (about 0.53ha) to the east of Tsing Shan Firing Range from "GB" to "Government, Institution or Community";

Technical Assessments

- (e) the EFS conducted by CEDD covered various technical assessments including traffic, environment, water supply, drainage, sewerage, landscape, visual and air ventilation, which concluded that there was no insurmountable technical problem for the proposed development;

Provision of GIC Facilities and Open Space

- (f) while the provision of GIC facilities in the Lam Tei and Yick Yuen area might not be able to fully meet the requirements under the Hong Kong Planning Standards and Guidelines, the overall planned provision for such facilities in Tuen Mun was generally adequate to meet the needs of the

planned population in the district as a whole. Various social welfare facilities as requested by the Social Welfare Department would be incorporated in the proposed public housing development at the detailed design stage;

- (g) for the provision of public open space, the proposed public housing developments would provide sufficient local open space to serve the planned population. There was a surplus of planned district open space in the whole Tuen Mun district which could supplement the shortfall of district open space in the Lam Tei and Yick Yuen area;

Departmental Comments

- (h) relevant government bureaux and departments had no objection to or no adverse comment on the proposed amendments;

Consultation

- (i) the Tuen Mun District Council (TMDC) had been consulted on the proposed amendments on 6.7.2021. TMDC Members expressed concerns on the potential traffic impact, inadequate social welfare and GIC facilities arising from the increased population from the proposed development in Tuen Mun District and the lack of local consultation. TMDC requested further information on the planned GIC and social welfare facilities within the proposed development, details on traffic aspect, and compensation arrangement for the affected brownfield operations. Further information on the proposed public housing development was submitted to TMDC on 19.7.2021; and
- (j) the Tuen Mun Rural Committee (TMRC) had been consulted on the proposed amendments on 26.6.2021. TMRC raised concerns mainly on traffic impact brought by the proposed development and its mitigation measures, drainage aspect and compensation and rehousing arrangement for the affected residents and brownfield operators.

129. As the presentation by PlanD's representative had been completed, the Chairman invited questions from Members.

130. The Chairman, Vice-chairman and some Members raised the following questions:

- (a) the implications of the valid planning approvals, on-going review application and JR cases concerning the proposed public housing sites;
- (b) the proposed boundary of the amendment item for proposed public housing development;
- (c) the traffic improvement measures and accessibility to public transport services;
- (d) compatibility of the BH of the proposed public housing development with the surroundings;
- (e) the existing conditions of the "GB" zone being affected; and
- (f) whether additional gross floor area for social welfare facilities could be accommodated in the proposed public housing development.

131. In response, Mr Kepler S.Y. Yuen, DPO/TMYLW, PlanD and Miss Iris S.F. Leung, SE1/HP2, CEDD made the following main points:

- (a) although there were valid planning approvals for proposed private residential development within the proposed public housing development site, the intention to develop public housing development in the area had been clearly stated in the relevant papers when the Committee considered those applications. As mentioned above, there was a JR case against the decision of the Committee on the s.12A rezoning application (No. Y/TM-LTY/8). Judgment of the JR case was expected to be available in

September 2021. There was another JR case concerning the approval of the EIA in relation to the proposed public housing development by the DEP in December 2020. Whilst there were valid planning approvals, on-going review application and JRs concerning the proposed public housing development site, the lease modification applications by the applicants were put on hold by the Lands Department due to the Government's plan to develop public housing and hence the approved schemes might not be able to be implemented. It was also indicated in the Explanatory Statement (ES) of the draft OZP that the proposed "R(A)" zone was intended for public housing development. The OZP amendments for taking forward the proposed public housing development were recommended to proceed as scheduled while PlanD would monitor the latest situation of the JR cases;

- (b) the boundary of the proposed public housing development had taken into account the site conditions and development constraints in the area, such as graves, dwellings and planned developments, so as to avoid/minimise potential conflicts and interface issues. A minor portion of the proposed public housing development covering mainly the proposed road works and some infrastructural works fell within the Tuen Mun OZP, which was not under the subject OZP amendments. Since the alignment of the new Road L7 and re-alignment of Hong Po Road would be subject to further refinement, proposed amendments to the Tuen Mun OZP would be made at a later stage;
- (c) the new Road L7, re-alignment of the existing Hong Po Road and various junction improvement works were proposed to accommodate the additional traffic induced by the proposed public housing development. The proposed development would be about 5 to 15 minutes' walk from the nearest Tuen Ma Line/Light Rail stations and footbridge was proposed to enhance walkability. Two public transport interchanges were also proposed within the proposed development to allow better public transport services to serve the future residents;
- (d) the development intensity with a PR of 6.5 and a BH of 160mPD was

considered compatible with the surrounding developments which had a maximum BH of 120mPD and the approved developments with minor relaxation of PR and BH restrictions (maximum BH of 140mPD) for permitted public housing developments at the fringe of Tuen Mun Town;

- (e) although about half of the area of the proposed amendment items was originally zoned “GB”, majority of the “GB” land was occupied by brownfield operations and other existing uses without high landscape and ecological value; and
- (f) a maximum PR of 6.5 was recommended for the “R(A)” zone on the OZP for the proposed public housing development. To provide flexibility to accommodate additional GIC facilities, it was specified in the Notes of the OZP for the “R(A)” zone that any floor space for GIC facilities as required by the Government might be disregarded from PR calculation.

132. After deliberation, the Committee decided to:

- (a) agree to the proposed amendments to the approved Lam Tei and Yick Yuen Outline Zoning Plan OZP No. S/TM-LTY Y/10 and that the draft Lam Tei and Yick Yuen OZP No. S/TM-LTY Y/10A at Attachment II of the Paper (to be renumbered as S/TM-LTY Y/11 upon exhibition) and its Notes at Attachment III of the Paper were suitable for exhibition under section 5 of the Town Planning Ordinance (the Ordinance); and
- (b) adopt the revised ES at Attachment IV of the Paper for the draft Lam Tei and Yick Yuen OZP No. S/TM-LTY Y/10A (to be renumbered as S/TM-LTY Y/11) as an expression of the planning intentions and objectives of the Board for various land use zonings on the OZP and agree that the revised ES was suitable for exhibition together with the OZP.

133. Members noted that, as a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft OZP including the Notes and ES, if appropriate, before their publication under the Ordinance. Any major revisions would be

submitted for the Board's consideration.

[The Chairman thanked the government representatives for their attendance to answer Members' enquiries. They left the meeting at this point.]

[Mr Stephen L.H. Liu left the meeting at this point.]

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

Agenda Item 39

Section 16 Application

[Open Meeting]

A/YL/276 Proposed Minor Relaxation of Building Height Restriction for Permitted Social Welfare Facility (Residential Care Home for the Elderly) in "Government, Institution or Community (1)" and "Government, Institution or Community (5)" Zones, Lot 1846 RP in D.D. 120 and Adjoining Government Land, Ma Tin Pok, Yuen Long
(RNTPC Paper No. A/YL/276)

134. The Committee noted that the applicant's representative requested on 7.7.2021 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.

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

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

Agenda Item 40

Section 16 Application

[Open Meeting]

A/TM/560 Columbarium in “Government, Institution or Community” Zone, Lot 792 in D.D. 131 and Adjacent Government Land, Tsing Shan Tsuen, Tuen Mun
(RNTPC Paper No. A/TM/560)

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

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

138. The Committee noted that the applicant’s representative requested on 9.7.2021 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 second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information, including a revised Environmental Assessment, a revised Traffic Impact Assessment and responses to departmental comments.

139. 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 41

Section 16 Application

[Open Meeting]

A/TM/564 Proposed Temporary Animal Boarding Establishment for Homeless Animals for a Period of 5 Years in "Government, Institution or Community" Zone, Former St. Simon's Primary School, San Ping Circuit, Tuen Mun

(RNTPC Paper No. A/TM/564)

140. The Committee noted that the applicant's representative requested on 9.7.2021 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.

141. 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 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-SKW/112 Proposed Temporary Eating Place for a Period of 3 Years in “Green Belt” Zone, Government Land in D.D. 374, G/F, No. 305 So Kwun Wat, 18.5 Miles, Castle Peak Road, Tuen Mun
(RNTPC Paper No. A/TM-SKW/112)

Presentation and Question Sessions

142. 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 eating place for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, four public comments, with three objecting comments from Kadoorie Farm and Botanic Garden Corporation and individuals and one supporting comment from an individual, were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. Although the proposed use was considered not entirely incompatible with the surrounding land uses, it was not in line with the planning intention of the “Green Belt” (“GB”) zone and there was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis. The Director of Environmental Protection did not support the application as the applicant failed to address the potential environmental impact arising from the proposed use. The Chief

Engineer/Mainland North, Drainage Services Department considered that there was insufficient information to demonstrate that the proposed use would not cause adverse drainage impact on the surrounding area. Other concerned government departments had no objection to or no adverse comment on the application. The proposed use did not comply with the Town Planning Board Guidelines No. 10 in that the applicant failed to demonstrate that the proposed use would not generate adverse environmental and drainage impacts on the surrounding areas. Approval of the application would set an undesirable precedent for similar uses to proliferate into the “GB” zone. The cumulative effect of approving such similar applications would result in a general degradation of the rural environment of the area. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

143. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed use is not in line with the planning intention of the “Green Belt” (“GB”) zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl, as well as to provide passive recreational outlets and there is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the proposed use is not in line with the Town Planning Board Guidelines No.10 for Application for Development within the “GB” zone in that the applicant fails to demonstrate that the proposed use would not generate adverse environmental and drainage impacts on the surrounding areas; and

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

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/413 Temporary Shop and Services for a Period of 3 Years in “Village Type Development” Zone, Lot 3674 RP in D.D. 124, Sun Fung Wai, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/413)

Presentation and Question Sessions

145. 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 shop and services 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 public comments, with one supporting comment from the Chairman of the Tuen Mun North East Area Committee and 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. Although the applied use was not entirely in line with the planning intention

of the “Village Type Development” (“V”) zone, there was no Small House application approved or under processing at the site, approval of the application on a temporary basis for three years would not jeopardise 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. There were six previously approved applications (including two for the same use) at the site and 10 approved similar applications within the same “V” zone. Approval of the application was consistent with the Committee’s previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

146. Members had no question on the application.

Deliberation Session

147. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.7.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:30 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 is allowed to enter or be parked/stored on the site at any time during the planning approval period;
- (d) the existing drainage facilities on the site shall be maintained at all times during the approval period;
- (e) 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 23.10.2021;

- (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 23.1.2022;
- (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 23.4.2022;
- (h) 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; and
- (i) if any of the above planning condition (e), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 44

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/639 Temporary Shop and Services and Wholesale of Construction Materials for a Period of 3 Years in “Government, Institution or Community” Zone, Lot 255 RP (Part) in D.D. 122, Ping Shan, Yuen Long

(RNTPC Paper No. A/YL-PS/639)

149. The Secretary reported that the application 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 area. Mr Ricky W.Y. Yu had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

150. 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 shop and services and wholesale of construction 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, two public comments from individuals objecting to 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. Although the applied use was not in line with the planning intention of the “Government, Institution or Community” (“G/IC”) zone, there was no known programme to implement the zoned use at the site and approval of the application on a temporary basis for three years would not jeopardise the long-term planning intention of the “G/IC” 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. There were two previously approved applications for the same use at the site and six approved similar applications within the same “G/IC” zone. Approval of the application was consistent with the Committee’s previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

151. Members had no question on the application.

Deliberation Session

152. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.7.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, 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) no vehicle washing, repairing, dismantling, paint spraying and other workshop activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (e) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (f) the existing trees on the site shall be maintained in good condition at all times during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities

within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 23.10.2021;

- (i) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.1.2022;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.4.2022;
- (k) if any of the above planning condition (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning condition (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 45

Section 16 Application

[Open Meeting]

A/YL-PS/640 Renewal of Planning Approval for Temporary Container Storage with Ancillary Repair Workshops for Container Vehicles and Trailers for a Period of 3 Years in “Open Storage” Zone, Lots 664 (Part), 669 (Part), 670 (Part), 671 (Part), 672, 673, 714 (Part), 715 (Part), 716 (Part), 717 (Part), 723 S.A (Part), 724, 727 (Part), 728 (Part), 731 (Part), 734 (Part), 762 S.D (Part) and 768 in D.D. 123, Lots 558 (Part) and 562 (Part) in D.D. 126, and Adjoining Government Land, Wang Chau, Ping Shan, Yuen Long

(RNTPC Paper No. A/YL-PS/640)

154. The Committee noted that the application was for renewal of planning approval for temporary container storage with ancillary repair workshops for container vehicles and trailers for a period of three years. During the statutory publication period, one public comment from an individual objecting to the application was received.

155. The Committee noted that the Planning Department had no objection to the application 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.

156. 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 until 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 7:00 p.m. and 7:00 a.m. for the repair workshops and between 11:00 p.m. and 7:00 a.m. for all other operations from Mondays to Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no operation on Sundays and public holidays, as proposed by the applicant,

is allowed on the site during the planning approval period;

- (c) the stacking height of containers stored within the site shall not exceed 8 units 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 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 commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.11.2021;
- (g) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.2.2022;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.5.2022;
- (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.”

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

Agenda Item 46

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1120 Temporary Recycling Centre (Metal Waste, Plastic and Plastic Bottle) with Ancillary Office and Plastic Breakdown Workshop for a Period of 3 Years in “Residential (Group D)” Zone, Lot 159 S.A (Part) in D.D.128 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HTF/1120)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary recycling centre (metal waste, plastic and plastic bottle) with ancillary office and plastic breakdown workshop 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 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. Although the applied use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no known development for the site and the

adjoining area and approval of the application on a temporary basis for three years would not jeopardise the long-term development of the site. 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 five approved similar applications within the same “R(D)” 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.

159. Members had no question on the application.

Deliberation Session

160. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.7.2024 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 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no medium goods vehicle or heavy goods vehicle exceeding 5.5 tonnes is allowed to enter/exit or to be parked/stored 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 burning, melting, washing or cleaning of recycling materials activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (f) all workshop activities shall be conducted inside enclosed building structure with provision of mechanical ventilation system, as proposed by the applicant, at all times 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 23.1.2022;
- (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 23.4.2022;
- (i) in relation to (h) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 23.1.2022;
- (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 Director of Fire Services or of the TPB by 23.4.2022;
- (l) 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; and
- (m) if any of the above planning condition (g), (h), (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.”

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

Agenda Item 47

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/397 Temporary Logistics Centre with Ancillary Canteen and Site Office for a Period of 3 Years in “Residential (Group E)” Zone, Lots 2177 (Part), 2178 (Part), 2193 (Part), 2194 (Part), 2195, 2196, 2197, 2198, 2199 (Part), 2200, 2201 (Part), 2203, 2204 S.A (Part), 2219 RP (Part), 2225 (Part), 2228 S.A (Part), 2228 S.B (Part), 2327 (Part), 2334 (Part), 2336 S.A (Part), 2336 S.B (Part), 2337 (Part), 2338, 2339 S.A (Part), 2340, 2341, 2342, 2343, 2344 S.A (Part), 2344 S.B (Part), 2344 S.C, 2349 (Part), 2350, 2351 (Part), 2352 (Part), 2353 (Part), 2364 (Part), 2365 (Part), 2366 S.A (Part), 2366 RP (Part), 2367, 2368, 2369, 2370, 2371, 2373 S.A, 2373 S.B, 2373 RP (Part), 2374, 2375, 2376 S.A, 2376 S.B (Part), 2376 S.C (Part), 2377, 2378 RP (Part) and 3450 (Part) in D.D. 129, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/397A)

Presentation and Question Sessions

162. 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 logistics centre with ancillary canteen and site 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, three public comments from individuals objecting to the application were received. Major views were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the 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 intention of the “Residential (Group E)” zone, there was no known development for the site and approval of the application on a temporary basis for three years would not jeopardise the long-term development of the site. The applied use was considered not incompatible with the surrounding land uses. The application was generally in line with the Town Planning Board Guidelines No. 13F in that the site fell within Category 2 areas and 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. Nevertheless, there was no environmental complaint related to the site in the past three years. Although the last planning approval was revoked on 22.7.2021 due to non-compliance with approval conditions, relevant government departments had no objection to the application with the submitted proposals. As such, sympathetic consideration might be given to the application. Shorter compliance periods were recommended in order to closely monitor the progress on compliance with the associated approval conditions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

163. Members had no question on the application.

Deliberation Session

164. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.7.2024 on the terms of the application as

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

- “(a) no operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no storage of recyclable materials, dismantling, assembling, repairing or other workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the 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 23.10.2021;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) all existing trees on the site shall be maintained in good condition at all times during the planning approval period;
- (h) 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 23.1.2022;
- (i) the existing fencing on the site shall be maintained in good condition at all times during the planning approval period;
- (j) if any of the above planning condition (a), (b), (c), (d), (f), (g) or (i) is not complied with during the planning approval period, the approval hereby

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

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

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

Agenda Item 48

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/401 Proposed Excavation of Land for Permitted Agricultural Use and Proposed Utility Installation for Private Project with Excavation and Filling of Land in “Coastal Protection Area” Zone, Lot 74 RP in D.D.129, Sha Kiu Tsuen, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/401)

Presentation and Question Sessions

166. 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 excavation of land for permitted agricultural use and proposed utility installation for private project with excavation and filling of land;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, seven public comments from Kadoorie Farm and Botanic Garden Corporation, World Wild Fund for

Nature Hong Kong, The Conservancy Association, an environmental concern group and individuals objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed uses were considered not entirely incompatible with the surrounding land uses, the applicant failed to demonstrate that there were no other alternatives to carry out the proposed fish farming activities (including the installation of an electricity pole) without affecting the sensitive coastal natural environment in the “Coastal Protection Area” (“CPA”) zone, and there was no strong planning justification in the submission for a departure from the planning intention of the “CPA” zone. The Chief Town Planner/Urban Design and Landscape, PlanD had reservation on the application as the proposal would inevitably alter the sensitive coastal natural environment and the natural coastline in the vicinity and the cumulative effect of approving such similar applications would further affect the integrity of the “CPA” zone. Other concerned government departments had no objection to or no adverse comment on the application. There were four applications for filling and/or excavation of land for different uses within the same “CPA” zone, which were all 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.

167. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed excavation and filling of land and the proposed utility

installation for private project are not in line with the planning intention of the “Coastal Protection Area” (“CPA”) zone which is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment with a minimum of built development. There is a general presumption against development in this zone. There is no strong planning justification in the submission for a departure from the planning intention; and

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

Agenda Item 49

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/314 Temporary Cargo Handling and Forwarding Facility (Logistics Centre) for a Period of 3 Years in “Open Space” Zone, Lots 95 (Part), 96 (Part), 108 S.A (Part), 119 (Part), 154 (Part), 155, 156 (Part), 157 RP (Part) and 158 RP (Part) in D.D. 124, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/314)

Presentation and Question Sessions

169. 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 cargo handling and forwarding facility (logistics centre) 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 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. Although the applied use was not in line with the planning intention of the “Open Space” (“O”) zone, the implementation programme for the concerned part of New Development Area (NDA) was still being formulated. Approval of the application on a temporary basis for three years would not jeopardise the long-term development of the area. The applied use was generally considered not incompatible with the surrounding land uses. The Director of Environmental Protection did not support the application as there were sensitive receivers in the vicinity. Nevertheless, there was no environmental complaint related to the site in the past three years. Other concerned government departments had no objection to or no adverse comment on the application. The application was generally in line with the Town Planning Board Guidelines No. 13F in that the site fell within Hung Shui Kiu/Ha Tsuen NDA and previous planning approvals had been given. Whilst the last planning approval was revoked due to non-compliance with an approval condition on fire services installations, the relevant government department had no adverse comment on the current application with the submitted proposals. As such, sympathetic consideration might be given to the application. Shorter compliance periods were recommended in order to closely monitor the progress on compliance with the associated approval conditions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

170. Members had no question on the application.

Deliberation Session

171. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.7.2024 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 on the site shall be maintained at all times during the planning approval period;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (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 23.10.2021;
- (g) the submission of a fire service installations proposal within 3 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.10.2021;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.1.2022;

- (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.”

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

Agenda Item 50

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/315 Temporary Open Storage of Construction Materials with Site Offices for a Period of 3 Years in “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses”, “Other Specified Uses” annotated “Logistics Facility”, “Open Space”, “Government, Institution or Community”, “Other Specified Uses” annotated “Sewage Pumping Station” Zones and area shown as ‘Road’, Various Lots in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/315)

Presentation and Question Sessions

173. 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 construction materials with site offices 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 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. Although the applied use was not in line with the planning intentions of the zoned uses, approval of the application on a temporary basis for three years would not jeopardise the long-term development of the site. The applied use was considered not incompatible with the surrounding land uses. The Director of Environmental Protection did not support the application as there were sensitive receivers of residential use in the vicinity. Nevertheless, there was no environmental complaint related to the site in the past three years. Other concerned government departments had no objection to or no adverse comment on the application. The application was generally in line with the Town Planning Board Guidelines No. 13F in that the site fell within Hung Shui Kiu/Ha Tsuen New Development Area and previous planning approvals had been given. Sympathetic consideration could be given to the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

174. Members had no question on the application.

Deliberation Session

175. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.7.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 6:00 p.m. to 8:00 a.m. on Mondays to Fridays and from

2:00 p.m. to 8:00 a.m. on Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no 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 the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.10.2021;
- (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 3.9.2021;
- (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 23.1.2022;
- (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 23.4.2022;

- (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.”

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

Agenda Item 51

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/316 Temporary Logistics Centre and Warehouse for a Period of 3 Years in “Residential (Group A) 3”, “Government, Institution or Community” Zones and area shown as ‘Road’, Various Lots in D.D. 125 and D.D. 129, and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/316)

Presentation and Question Sessions

177. 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 and warehouse 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 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. Although the applied use was not in line with the planning intentions of the zoned uses, approval of the application on a temporary basis for three years would not jeopardise the long-term development of the site. The applied use was generally considered not incompatible with the surrounding land uses. The Director of Environmental Protection did not support the application as there were sensitive receivers of residential use in the vicinity. Nevertheless, there was no environmental complaint related to the site in the past three years. Other concerned government departments had no objection to or no adverse comment on the application. The application was generally in line with the Town Planning Board Guidelines No. 13F in that the site fell within Hung Shui Kiu/Ha Tsuen New Development Area and previous planning approvals had been given. Whilst the last planning approval was revoked due to non-compliance with an approval condition on fire services installations, the relevant government departments had no adverse comment on the current application. As such, sympathetic consideration could be given to the application. Shorter compliance periods were recommended in order to closely monitor the progress on compliance with the associated approval conditions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

178. Members had no question on the application.

Deliberation Session

179. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.7.2024 on the terms of the application as

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

- “(a) no operation from 6:00 p.m. to 9:00 a.m. on Mondays to Fridays, and from 1:00 p.m. to 9:00 a.m. on Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no 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 the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.10.2021;
- (h) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.10.2021;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.1.2022;

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

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

Agenda Item 52

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1082 Temporary Warehouse for Storage of Furniture with Ancillary Office for a Period of 3 Years in “Undetermined” Zone, Lots 961 S.C (Part) and 962 (Part) in D.D. 119, Yuen Long
(RNTPC Paper No. A/YL-TYST/1082A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary warehouse for storage of furniture 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, two public comments from

individuals, with one objecting to and the other 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 did not support the application 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” zone and approval of the application on a temporary basis for a period of three years would not jeopardise the long-term development of the area. The applied use was generally not incompatible with the surrounding land uses. The Director of Environmental Protection did not support the application as there were sensitive receivers of residential use in the vicinity. Other concerned government departments had no objection to or no adverse comment on the application. The site involved three previously approved applications for the same warehouse use with/without ancillary office covering different extent of the site, which were all submitted by the same applicant as the current application with similar development parameters and site layout. The three previous planning permissions were revoked due to non-compliance with approval conditions. Approval of the application with repeated non-compliance with approval conditions would set an undesirable precedent for other similar applications, thus nullifying the statutory planning control mechanism. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

182. Members had no question on the application.

Deliberation Session

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

“three previous planning permissions granted on the site for the same applied use were revoked due to non-compliance with approval conditions, which were all

submitted by the same applicants as the current application. Approval of the application with repeated non-compliance with approval conditions would set an undesirable precedent for other similar applications, thus nullifying the statutory planning control mechanism.”

Agenda Item 53

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1101 Proposed Temporary Shop and Services for a Period of 3 Years in
“Open Space” Zone, Lots 1816 (Part) and 1820 (Part) in D.D. 121,
Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1101)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, 13 public comments, with 12 objecting/adverse comments from the local residents and individuals and one comment from an individual providing views, 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 “Open Space” zone and the site fell within the Yuen Long

South Development Area, it could serve the need for shop and services in the area. Approval of the application on a temporary basis for three years would not jeopardise the long-term planning intention of the area. The proposed use was considered not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. There were two previously approved applications for the same use at the site. Approval of the application was consistent with the Committee's previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

Deliberation Session

185. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.7.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium 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;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) all existing trees within the site shall be maintained at all times during the planning approval period;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;

- (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 23.10.2021;
- (g) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.1.2022;
- (h) 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
- (i) if any of the above planning condition (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.”

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

Agenda Item 54

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1102 Temporary Open Storage of Recycling Materials (Metal, Plastic and Paper) and Used Electrical/Electronic Appliances and Parts with Ancillary Workshop and Packaging Activities for a Period of 3 Years in “Residential (Group A) 3”, “Open Space”, “Village Type Development” Zones and area shown as ‘Road’, Lots 324 (Part), 325, 326 (Part), 327 S.E RP (Part), 1420 RP and 1421 (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1102)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage of recycling materials (metal, plastic and paper) and used electrical/electronic appliances and parts with ancillary workshop and packaging activities 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, with one objecting to and the other 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. Although the applied use was not in line with the planning intentions of the zoned uses and the site fell within the Yuen Long South (YLS) Development Area, approval of the application on a temporary basis for three years would not jeopardise the long-term development of the area. The applied use was considered not incompatible with the surrounding land uses. The Director of Environmental Protection did not support the application as there were sensitive receivers of residential use in the vicinity. Nevertheless, there was no environmental complaint related to the site in the past three years. Other concerned government departments had no objection to or no adverse comment on the application. The application was generally in line with the Town Planning Board Guidelines No. 13F in that the site fell within YLS Development Area and previous planning approvals had been given. Whilst the previous planning approvals were revoked due to

non-compliance with approval conditions, relevant government departments had no objection to the application with the submitted proposals. As such, sympathetic consideration might be given to the application. Shorter compliance periods were recommended in order to closely monitor the progress on compliance with associated approval conditions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

188. Members had no question on the application.

Deliberation Session

189. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.7.2024 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) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste, as proposed by the applicant, is allowed outside the concrete-paved covered structures on the site at any time during the planning approval period;
- (d) no dismantling, repairing and cleansing activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (e) no loading/unloading activities are allowed at Structures No. 1 and 2 on the site, as proposed by the applicant, at any time during the planning approval

period;

- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.10.2021;
- (i) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.9.2021;
- (j) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.1.2022;
- (k) if any of the above planning condition (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning condition (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

[The Chairman thanked Ms Janet K.K. Cheung, Mr Alexander W.Y. Mak, Ms Bonnie K.C.

Lee, Mr Simon P.H. Chan and Mr Steven Y.H. Siu, STPs/TMYLW, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Agenda Item 55

Any Other Business

191. There being no other business, the meeting was closed at 5:45 p.m.