

TOWN PLANNING BOARD

**Minutes of 677th Meeting of the
Rural and New Town Planning Committee held at 2:30 p.m. on 13.8.2021**

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

Mr Conrad T.C. Wong

Mr Y.S. Wong

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

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

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

Assistant Director/Regional 3,
Lands Department
Ms Joyce S.Y. Ng

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

Secretary

Absent with Apologies

Mr Ricky W.Y. Yu

Dr Venus Y.H. Lun

In Attendance

Assistant Director of Planning/Board
Ms Johanna W.Y. Cheng

Assistant Town Planner/Town Planning Board
Mr Jimmy C.H. Lee

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 676th RNTPC Meeting held on 23.7.2021

[Open Meeting]

2. The draft minutes of the 676th RNTPC meeting held on 23.7.2021 were confirmed without amendments.

Agenda Item 2

Matter Arising

[Open Meeting]

3. The Secretary reported that a typographical error was spotted on page 12 of the confirmed minutes for the RNTPC meeting held on 9.7.2021. Amendment was required to rectify approval condition (h). Members noted that the minutes would be amended and a revised approval letter would be issued to the applicant accordingly.

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/FSS/18 Application for Amendment to the Approved Fanling / Sheung Shui Outline Zoning Plan No. S/FSS/24, To rezone the application site from “Village Type Development” to “Residential (Group A) 7” and amend the Notes of the zone applicable to the site, Various Lots in D.D. 51 and Adjoining Government Land, Fanling
(RNTPC Paper No. Y/FSS/18)

4. The Secretary reported that the application was submitted by Faith Luck Corporation Limited and Win Million International Limited. Llewelyn-Davies Hong Kong Limited (LD) and LWK & Partners (HK) Limited (LWK) were two of the consultants of the applicants. The following Members had declared interests on the item:

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

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

5. The Committee noted that the applicants 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 Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

6. The Committee noted that the applicants’ representative requested on 30.7.2021 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 applicants requested deferment of the application.

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

Sai Kung and Islands District

Agenda Item 4

Section 16 Application

[Open Meeting]

A/SK-CWBN/65 Proposed Public Utility Installation (Underground Cable) and Excavation of Land in "Conservation Area" Zone, Government Land in D.D. 238, Clear Water Bay, Sai Kung
(RNTPC Paper No. A/SK-CWBN/65A)

8. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited which was a subsidiary of CLP Holdings Limited (CLP), and Kum Shing (K.F.) Construction Company Limited (KS) was the consultant of the applicant. The following Members had declared interests on the item:

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

9. The Committee noted that the applicant had requested deferment of consideration of the application. As the interests of Dr Jeanne C.Y. 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 had no involvement in the application, the Committee agreed that he could stay in the meeting.

10. The Committee noted that the applicant's representative requested on 29.7.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information in response to departmental comments. It was the second time that the applicant requested deferment of the application. The applicant indicated that more time was needed for preparation of further information to address departmental comments.

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

[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 (Presentation and Question Sessions only)]

A/SK-HH/79 Proposed Marina (Clubhouse) in “Recreation” Zone, Lot 1208 (Part) in
D.D. 217, Pak Sha Wan, Sai Kung
(RNTPC Paper No. A/SK-HH/79)

Presentation and Question Sessions

12. 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 marina (clubhouse);
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, eight public comments, with six objecting comments from the indigenous inhabitant representative of Kau Sai San Tsuen and five individuals, and two comments from individuals 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. The proposed 2-storey structure to replace the existing temporary marquee in the existing Hebe Haven Yacht Club (the Yacht Club) was an ancillary facility considered not incompatible with the planning intention of “Recreation” zone and the proposed development was not incompatible with the surrounding environment and landscape character of the area. The Commissioner for Sports had no objection to the subject application. The Chief Engineer/Mainland South of the Drainage Services Department raised concern that the proposed development was subject to the risk of

flooding, and recommended an approval condition requiring the applicant to submit a drainage assessment. Other government departments had no adverse comment on or no objection to the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

[Ms Winnie W.M. Ng joined the meeting during PlanD's presentation.]

13. In response to a Member's enquiry on the Lands Department (LandsD)'s comments regarding development restrictions under the lease and the need for the applicant to apply for lease modification if the planning application was approved, Ms Jane W.L. Kwan, STP/SKIs, said that the existing site coverage did not exceed the restriction under the lease. If the application was approved by the Board, the applicant would need to obtain policy support of the Commissioner for Sports for the proposal and apply to LandsD for lease modification to effect the proposal. Should the application be approved, the applicant would still need to comply with all other requirements of relevant government departments, including LandsD.

Deliberation Session

14. 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 13.8.2025, 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 submission of a drainage assessment and the implementation of the flood protection measures identified therein to the satisfaction of the Director of Drainage Services or of the TPB; and
- (b) the provision of fire service installations and water supplies for fire-fighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

set out at Appendix IV of the Paper.

Agenda Item 6

Section 16 Application

[Open Meeting]

A/SK-PL/1 Proposed Field Study/Education/Visitor Centre in “Agriculture” Zone,
Various Lots in D.D. 368, Pak Lap, Sai Kung
(RNTPC Paper No. A/SK-PL/1)

16. The Committee noted that the applicant’s representative requested on 28.7.2021 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.

17. 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 7

Section 16 Application

[Open Meeting]

A/SK-SKT/28 Proposed Comprehensive Residential Development with Minor Relaxation of Building Height Restriction in “Comprehensive Development Area (1)” Zone, Various Lots and Adjoining Government Land in D.D. 221, Sha Ha, Sai Kung
(RNTPC Paper No. A/SK-SKT/28)

18. The Secretary reported that Boxwin Limited, which was a subsidiary of New World Development Company Limited (NWD), was one of the applicants. Ove Arup & Partners Hong Kong Ltd. (ARUP) was one of the consultants of the applicants. The following Members had declared interests on the item:

- Dr C.H. Hau - being an employee of the University of Hong Kong (HKU), and K11 Concept Limited of NWD had been sponsoring his student learning projects in HKU since 2009;
- Mr K.K. Cheung - his firm having current business dealings with NWD and ARUP; and
- Mr Ricky W.Y. Yu - being the Director and Chief Executive Officer of Light Be which had received donations from Chow Tai Fook Charity Foundation (related to NWD).

19. The Committee noted that the applicants 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 interest of Dr C.H. Hau was indirect and Mr K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

20. The Committee noted that the applicants’ representative requested on 6.8.2021 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 applicants requested deferment of the application.

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

[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

[Mr Tim T.Y. Fung, Senior Town Planner/Shan Tin, Tai Po and North (STP/STN), was invited to the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting]

A/NE-KLH/585 Temporary Activity Centre for a Period of 3 Years in "Green Belt"
Zone, Lot 477 RP in D.D. 9, Nam Wa Po, Tai Po
(RNTPC Paper No. A/NE-KLH/585)

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

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-HLH/49 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lot 629 in D.D. 84, Hung Lung Hang
(RNTPC Paper No. A/NE-HLH/49B)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports or culture (hobby farm) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, five public comments, with three objecting comments from the Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature (Hong Kong) and Designing Hong Kong Limited, 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 on the application, were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was considered not in conflict with the planning intention of the “Agriculture” (“AGR”) zone. The Director of Agriculture, Fisheries and Conservation had no strong view against the hobby farm from the agricultural point of view. Approval of the application on a temporary

basis for a period of three years would not frustrate the long-term planning intention of the “AGR” zone. The proposed temporary hobby farm was considered not entirely incompatible with the landscape character of the area. Other government departments had no adverse comment on or no objection to the application. Regarding the public comments and local objections received, the comments of government departments and planning assessments above were relevant.

24. Members had no question on the application.

Deliberation Session

25. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.8.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the site at any time during the planning approval period;
- (c) 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 13.2.2022;
- (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 13.5.2022;
- (e) the submission of proposals for fire service installations and water supplies for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.2.2022;

- (f) in relation to (e) above, the implementation of proposals for fire service installations and water supplies for fire-fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.5.2022;
- (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;
- (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; and
- (i) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of Director of Planning or of the TPB.”

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

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/660 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 168 in D.D. 79, Ping Yeung Village, Ta Kwu
Ling

(RNTPC Paper No. A/NE-TKL/660A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, five public comments, with four objecting comments from Designing Hong Kong Limited, Kadoorie Farm and Botanic Garden and two individuals, and one comment from the Chairman of Sheung Shui District Rural Committee 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 Small House development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the application site (the Site) possessed potential for agricultural rehabilitation. The proposed development was not incompatible with the surrounding environment. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, the footprint of the proposed Small House fell entirely within the village ‘environs’ (‘VE’) of the Ping Yeung Village. While land available within the “Village Type Development” (“V”) zone (about 4.86 ha or equivalent to 194 Small House sites) was insufficient to fully meet the future Small House demand of 1,079 Small Houses, such available land was capable to meet the 44 outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small House development within the “V” zones for more orderly development pattern, efficient use of land and provision of infrastructures and services. After the adoption of the cautious approach by the Board, one similar application was rejected and nine similar applications were approved by the Committee between

2016 and June 2021, on sympathetic grounds or in consideration of previous approvals. The circumstances of the current application were different from those of the approved applications. Approval of the current application might have precedent effect encouraging Small House developments to the north/north-east/north-west of the Site between the 'VE' and "V" zone boundaries. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

28. Members had no question on the application.

Deliberation Session

29. After deliberation, the Committee decided to 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 Ping Yeung 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.”

[The Chairman thanked Mr Tim T.Y. Fung, STP/STN, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

[Ms S.H. Lam, Mr Patrick M.Y. Fung, Mr Wallace W.K. Tang and Ms Irene W.S. Lai, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/72 Temporary Shop and Services (for Sale of Construction Material) with Ancillary Warehouse, Open Storage, Office and Staff Accommodation for a Period of 3 Years in “Other Specified Uses” annotated “Business and Technology Park” Zone and area shown as ‘Road’, Government Land, Castle Peak Road-Kwu Tung, Kwu Tung North
(RNTPC Paper No. A/KTN/72C)

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary shop and services (for sale of construction material) with ancillary warehouse, open storage, office and staff accommodation for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;

- (d) during the statutory publication periods, seven public comments, with five objecting comments from a Legislative Council member, the Vegetable Cooperative Society and three individuals, and two comments from the same individual indicating no comment, 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 applied use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst 'shop and services' use was always permitted in the "Other Specified Uses" annotated "Business and Technology Park" ("OU(BTP)") zone, some other components in the applied use were not in line with the planning intentions of "OU(BTP)" zone and 'Road' designation. According to the Project Manager/North of the Civil Engineering and Development Department, the Site fell within the Remaining Phase of the Kwu Tung North New Development Area and the implementation of which was tentatively scheduled for commencement in 2024. The applied use, which had been in existence on the application site for a long time, with a short term waiver granted in 2001, was considered not incompatible with the existing surrounding land uses. As requested by the District Lands Officer/North of the Lands Department, the applicant proposed to provide a 1.5m-wide building set back from the adjacent Vegetable Cooperative Society site. Other government departments had no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

32. In response to a Member's question on the number of occupants in the staff accommodation, Ms S.H. Lam, STP/FSYLE, said that 14 people would be living in the Site according to the applicant. The occupants included the applicant and his family members and some staff members, some of whom worked at the site.

Deliberation Session

33. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.8.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicles exceeding 5.5 tonnes, including container tractor/trailers, as defined in the Road Traffic Ordinance are allowed to 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 should be maintained satisfactorily at all times during the planning approval period;
- (e) the provision of 1.5m-wide setback along the south-eastern site boundary, as proposed by the applicant, within 6 months from the date of planning approval to the satisfaction of the District Lands Officer/North, Lands Department or of the TPB by 13.2.2022;
- (f) the submission of a proposal for fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.2.2022;
- (g) in relation to (f) above, the implementation of the proposal for fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.5.2022;
- (h) 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 13.2.2022;

- (i) in relation to (h) 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 13.5.2022;
- (j) if any of the above planning condition (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked without further notice; and
- (k) if any of the above planning condition (e), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/78 Temporary Open Storage of Construction Material and Machine for a Period of 3 Years in “Residential (Group A) 2”, “Residential (Group A) 3” Zones and area shown as ‘Road’, Lots 249, 252 (Part), 253, 276 and 280 in D.D. 95, Kwu Tung North, Sheung Shui
(RNTPC Paper No. A/KTN/78)

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage of construction material and machine for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, six public comments, with three supporting comments from San Tin Rural Committee, Kwu Tung Residents Committee and an individual, two objecting comments from individuals, and one comment from an individual indicating no comment were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intentions of the “Residential (Group A)” zone and ‘Road’ designation. According to the Project Manager/North of the Civil Engineering and Development Department, the Site fell within the Remaining Phase of the Kwu Tung North New Development Area (KTN NDA) and the implementation of which was tentatively scheduled for commencement in 2024. The applied use for open storage of construction material and machine was considered not compatible with the surrounding land uses, which were mainly domestic structures. The application did not comply with the Town Planning Board Guidelines No. 13F in that the implementation of the KTN NDA project had commenced, the applied use was not covered by any previous planning approval for open storage use and new open storage use was not encouraged to infiltrate into the NDA. The Director of Environmental Protection did not support the application as there were sensitive receivers next to the Site and the applied use involved the use of heavy vehicles, and environmental nuisance was expected. A similar application in the vicinity of the Site was rejected by the Committee in 2017 and rejection of the application was in line with the Committee’s

previous decision. Other government departments had no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

37. Members had no question on the application.

Deliberation Session

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

- “(a) the applied use is not in line with the planning intentions of the “Residential (Group A)” zone which is primarily for high-density residential development and area reserved for ‘Road’ which is primarily intended for road use. No strong planning justification has been given in the submission for a departure from the planning intentions, even on a temporary basis;
- (b) the applied open storage use does not comply with the Town Planning Board Guidelines No.13F for Application for Open Storage and Port Back-up Uses in that there is no previous approval for open storage granted for the Site and new open storage use is not encouraged to infiltrate into the New Development Area; and
- (c) the applicant fails to demonstrate in the submission that the applied use would not result in adverse environmental impacts on the nearby residents.”

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/500 Proposed Eating Place (Restaurant) in “Government, Institution or Community” Zone, Shop No. 1, 8th Lane, Kam Tsin Village, Lot 2341 (Part) in D.D. 92 and Adjoining Government Land, Sheung Shui (RNTPC Paper No. A/NE-KTS/500)

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed eating place (restaurant);
- (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 expressing concerns and one 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. The Site fell within an area zoned “Government, Institution or Community” (“G/IC”) and the house in the subject application was in existence before the Site was first zoned “G/IC” on 12.7.1991, which was within a private

lot with building entitlement under the lease. There had all along been no planned Government, Institution and Community (GIC) use for the Site and no intention to use the Site for GIC purpose. The proposed use was considered not incompatible with the surrounding uses comprising village houses and GIC facilities. Given its small scale, adverse traffic, drainage, fire safety and landscape impacts were not anticipated, and the operation of the restaurant would be subject to licensing control under the Food Business Regulation. Other government departments had no adverse comment or no objection to the application and relevant approval condition was recommended by the Fire Services Department. The application was considered not in contravention with the Town Planning Board Guidelines No. 16. The Site was the subject of two previously approved applications for fast food shop, each for a temporary period of five years. 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.

41. Members had no question on the application.

Deliberation Session

42. 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 13.8.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

“the submission and implementation of fire service installations proposal to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/312 Temporary Open Storage and Warehouse (excluding Dangerous Goods Godown) for a Period of 3 Years in “Agriculture” Zone, Lot 292 in D.D. 112, Lin Fa Tei, Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/312)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage and warehouse (excluding dangerous goods godown) for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, 24 public comments, with 23 objecting comments from a Yuen Long District Council Member, two Indigenous Inhabitant Representatives and one Resident Representative of Sheung Tsuen, Chairperson and Vice-chairperson of Sheung Tsuen Village Committee, 15 local residents, and two individuals, and one comment providing views from the Kadoorie Farm & Botanic Garden Corporation, were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the application site (the Site) possessed potential for agricultural rehabilitation and could be used

for agricultural activities such as greenhouses and plant nurseries. No strong planning justification had been given in the submission to merit a departure from the planning intention, even on a temporary basis. The development was not entirely compatible with the surrounding areas and the Chief Town Planner/Urban Design and Landscape of PlanD did not support the application. Should the application be approved, it would set an undesirable precedent for similar developments within the area. The cumulative impact of such approval would further degrade the landscape quality of the “AGR” zone. The application did not comply with the Town Planning Board Guidelines No. 13F in that the Site fell within Category 3 areas, no previous approval for similar use had been granted, and there were adverse departmental comments and local objections against the application. The Director of Environmental Protection did not support the application since there were sensitive receivers in the vicinity and environmental nuisance was expected. Other government departments had no objection to or no adverse comment on the application. There were three similar rejected applications within the same “AGR” zone and the circumstances of the current application were similar to those rejected applications. Rejecting the current application was generally in line with the Committee’s previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

45. Members had no question on the application.

Deliberation Session

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

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

rehabilitation for cultivation and other agricultural purposes. No strong planning justification has been given in the submission for a departure from the planning intention of the “AGR” zone, even on a temporary basis;

- (b) the development does not comply with the Town Planning Board Guidelines No. 13F for Application for Temporary Open Storage and Port Back-up Uses in that no previous planning approval has been granted to the Site and there are adverse departmental comments and local objections against the application;
- (c) the applicant fails to demonstrate that the development would not generate adverse environmental impact on the surrounding areas; and
- (d) the approval of the application would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the landscape quality of the area.”

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/755 Proposed Temporary Animal Boarding Establishment (Dog Kennel cum Dog Recreation Centre) for a Period of 3 Years in “Agriculture” Zone, Various Lots in D.D.107, Fung Kat Heung, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/755A)

Presentation and Question Sessions

47. 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 (dog kennel cum dog recreation 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, five objecting comments from the Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited, World Wide Fund for Nature (Hong Kong), Hong Kong Bird Watching Society and an individual were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While the proposed use was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the application site possessed potential for agricultural rehabilitation, approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “AGR” zone. The proposed use was not incompatible with the surrounding area. Other government departments had no adverse comment on the application and appropriate approval conditions were recommended to minimize any possible environmental nuisance and to address the technical requirements of the concerned government departments. Approval of the application was in line with the Committee's previous decisions on similar approved applications within the “AGR” zone. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

48. Members had no question on the application.

Deliberation Session

49. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.8.2024 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 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) all animals shall be kept indoors at all times, as proposed by the applicant, 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 provision of a 2.5m high solid metal wall along the site boundary within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.11.2021;
- (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 13.2.2022;
- (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 13.5.2022;
- (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 13.2.2022;

- (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 13.5.2022;
- (k) if any of the above planning condition (a), (b), (c), (d) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning condition (e), (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (m) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/778 Proposed Temporary Animal Boarding Establishment for a Period of 5
Years and Filling of Land in “Agriculture” Zone, Lot 1227 RP in D.D.
109, Kam Tin North, Yuen Long
(RNTPC Paper No. A/YL-KTN/778)

Presentation and Question Sessions

51. 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 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. While 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 application site (the Site) possessed potential for agricultural rehabilitation, approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “AGR” zone. The proposed use was not incompatible with the surrounding area. According to the applicant, the filling of land was to reflect the existing paving condition of the Site. Other government departments had no adverse comment on the application and appropriate approval conditions were recommended to minimize any possible environmental nuisance and to address the technical requirements of the concerned government departments. Approval of the application was in line with the Committee's previous decisions on similar approved applications within the “AGR” zone. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

52. In response to a Member's question on the difference between 'Vacant' and 'Unused Land' marked on Plan A-2 of the Paper, Mr Wallace W.K. Tang, explained that 'vacant' was vacant land which might be hard paved/cleared, while 'unused land' was land which might be vegetated and no use/development was found above. Those were not planning terms but mere descriptive of the land conditions based on observation.

Deliberation Session

53. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 13.8.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 p.m. and 10:00 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 at all times (except the 2-hour outdoor activities time), as proposed by the applicant, 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 provision of a 2m high solid metal wall along the site boundary within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.11.2021;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.2.2022;
- (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 13.5.2022;

- (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 13.2.2022;
- (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 13.5.2022;
- (k) if any of the above planning condition (a), (b), (c), (d) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning condition (e), (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (m) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/779 Proposed Temporary Animal Boarding Establishment with Ancillary Facilities for a Period of 3 Years in “Agriculture” Zone, Lots 1376 S.C and 1376 S.D in D.D. 109, Yuen Long
(RNTPC Paper No. A/YL-KTN/779)

Presentation and Question Sessions

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

departments had no adverse comment on the application. Appropriate approval conditions were recommended to minimize any possible environmental nuisance and to address the technical requirements of the concerned government departments. Approval of the application was in line with the Committee's previous decisions on similar approved applications within the "AGR" zone. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

56. Members had no question on the application.

Deliberation Session

57. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.8.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 6:00 a.m. (except for overnight animal boarding), as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) all animals shall be kept inside the enclosed animal boarding establishment on the site between 7:00 p.m. to 9:00 a.m., as proposed by the applicant, 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 run-in/out proposal at Kong Po Road within 6 months from the date of planning approval to the satisfaction of the Commissioner

for Transport and the Director of Highways or of the TPB by 13.2.2022;

- (f) in relation to (e) above, the implementation of the run-in/out proposal at Kong Po Road within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 13.5.2022;
- (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 13.2.2022;
- (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 13.5.2022;
- (i) in relation to (h) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) the 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 13.2.2022;
- (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 13.5.2022;
- (l) if any of the above planning condition (a), (b), (c), (d) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning condition (e), (f), (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;

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.”

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

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/895 Proposed Temporary Eating Place for a Period of 5 Years in “Village Type Development” Zone, Lot 291 (Part) in D.D. 109, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/895)

Presentation and Question Sessions

59. 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 eating place for a period of five years;
- (c) departmental comments were set out in paragraph 10 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 12 of the Paper. Whilst the proposed use was not entirely in line with the planning intention

of the “Village Type Development” (“V”) zone, the District Lands Officer/Yuen Long of the Lands Department advised that there was no Small House application approved or under processing at the application site (the Site). Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “V” zone. The proposed use was considered not incompatible with the surrounding area and not anticipated to cause significant environmental, traffic and drainage impacts on the surrounding area. Other government departments had no objection to or no adverse comment on the application and appropriate approval conditions were recommended to minimize any possible environmental nuisance and to address the technical requirements of the concerned government departments. The application was generally in line with the Town Planning Board Guidelines No. 15A. Sympathetic consideration could be given to the application, but a shorter approval period of three years, instead of the five years sought, was recommend so as to retain planning control on the development at the Site and to cater for changing circumstances in future. There was one similar application within the same “V” zone. Approval of the application was in line with the Committee’s previous decision.

60. Members had no question on the application.

Deliberation Session

61. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, instead of the period of 5 years sought, until 13.8.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 8:00 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 13.2.2022;
- (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 13.5.2022;
- (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 13.2.2022;
- (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 13.5.2022;
- (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.”

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

Agenda Item 18A

Additional Item

Section 16 Application

[Open Meeting]

A/YL-KTN/767 Proposed Temporary Shop and Services (Landscaping and Gardening) with Ancillary Storage of Machinery and Materials, and Ancillary Class of Craftsmanship for a Period of 3 Years in “Comprehensive Development Area” and “Conservation Area” Zones, Lots 3391, 3393 S.A, 3393 RP, 3394, 3396, 3399, 3401, 3402, 3403, 3405, 3412, 3413, 3415, 3422 and 3439 in D.D. 104, Long Ha, Kam Tin North, Yuen Long
(RNTPC Paper No. A/YL-KTN/767A)

63. The Committee noted that the applicant’s representative requested on 2.8.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information in response to departmental comments. It was the second time that the applicant requested deferment of the application. The applicant indicated that more time was needed for preparation of further information to address departmental comments.

64. 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 as requested by the applicant, no further deferment would be granted unless under very special circumstances.

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/305 Proposed Utility Installation for Private Project (Underground Stormwater Drainage Pipe) and associated Filling and Excavation of Land in “Conservation Area” and “Government, Institution or Community” Zones, Government Land in D.D. 101 and 104, Tam Kon Chau Road, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/305)

65. The Secretary reported that the application was submitted by World Wide Fund for Nature Hong Kong. AECOM Asia Company Limited (AECOM) and Aurecon Hong Kong Limited (Aurecon) were two of the consultants of the applicant. The following Members had declared interests on the item:

- Dr C.H. Hau - having past business dealings with AECOM; and
- Mr K.K. Cheung - his firm having current business dealings with Aurecon.

66. As Dr C.H. Hau and Mr K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed utility installation for private project (underground stormwater drainage pipe) and associated filling and excavation of land;
- (c) departmental comments were set out in paragraph 10 of the Paper;

- (d) during the statutory publication periods, four objecting comments from San Tin Rural Committee, Mai Po Tsuen Village Office, the Conservancy Association and the Hong Kong Bird Watching Society 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. The proposed installation was considered in line with the planning intention of the “Conservation Area” (“CA”) zone, as it was an essential facility supporting the new field studies centre for wetland management training in the adjacent “Government, Institution or Community” (“G/IC”) zone. Given the “G/IC” zone was surrounded by the “CA” zone, there was no other alternative for stormwater discharge from the centre without passing through the “CA” zone. The proposed development was in line with the intention of the Wetland Conservation Area under the Town Planning Board Guidelines No. 12C in that it was required to support the new field studies centre which promoted conservation of the Mai Po Nature Reserve in the Deep Bay Area. The Director of Agriculture, Fisheries and Conservation had no strong view on the application as construction work would be carried out along the existing paved road and there was no loss of wetland in terms of area and function, and the proposed development with mitigation measures would not result in unacceptable disturbance impact. The Director of Environmental Protection had no objection to the application and agreed that the application would not increase the pollution loading to the Deep Bay Area. The scale and extent of works for laying the proposed pipe and associated excavation and back-filling of land within “CA” zone was small and no existing vegetation/landscape would be affected. Other government departments had no objection to or no adverse comment on the application. Appropriate approval conditions were recommended to minimize any possible environmental nuisance and to address the technical requirements of the concerned government departments. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

68. Members had no question on the application.

Deliberation Session

69. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 13.8.2025, 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) no construction work (including excavation and filling of land and laying of drainage pipe) at the site is allowed during (i) 5:30 p.m. to 8:00 a.m. from Monday to Saturday and (ii) Sunday and public holidays;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road; and
- (c) submission of a report on the implementation of the mitigation measures proposed in the Ecological Impact Assessment to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB.”

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

Agenda Item 20

Section 16 Application

[Open Meeting]

A/YL-MP/310 Proposed Temporary Public Vehicle Park (excluding container vehicle) for a Period of 3 Years in “Village Type Development” Zone, Various Lots in D.D. 101, San Tin, Yuen Long
(RNTPC Paper No. A/YL-MP/310)

71. The Committee noted that the applicant's representative requested on 30.7.2021 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.

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

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/591 Proposed Temporary Private Vehicle Park (Private Cars Only) for a
Period of 3 Years in "Village Type Development" Zone, Lot 34 in D.D.
102, San Lung Tsuen, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/591A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary private vehicle park (private cars only) for a period of three years;

- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, six public comments raising objection or concerns from local villagers/residents and an individual were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The District Lands Officer/Yuen Long of the Lands Department advised that no Small House application was approved or currently under processing at the application site (the Site). Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “Village Type Development” (“V”) zone. The proposed use was not incompatible with the surrounding areas and it could provide convenient parking facilities for the local villagers living nearby. Although the Site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No. 12C, the guidelines specified that planning applications for temporary uses were exempted from the requirement for ecological impact assessment. The Director of Agriculture, Fisheries and Conservation had no comment on the application. Other 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 24 approved similar applications within the same “V” zone. Approval of the application was in line with the Committee's previous decisions. In response to the public comments received, the applicant had reduced the site area and the number of car parking spaces so as not to obstruct the footpath fronting Lot 51 in D.D. 102, and the comments of government departments and planning assessments above were relevant.

74. Members had no question on the application.

Deliberation Session

75. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.8.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle other than private cars as defined in the Road Traffic Ordinance is allowed to enter/be parked on the site at any time during the planning approval period;
- (b) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to be parked/stored on the site at all times during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.2.2022;
- (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 13.5.2022;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.2.2022;

- (h) in relation to (g) above, the implementation of the fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.5.2022;
- (i) 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
- (j) if any of the above planning condition (e), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/592 Proposed Temporary Shop and Services for a Period of 3 Years in
“Other Specified Uses” annotated “Service Stations” Zone, Lot 774 RP
in D.D. 99 and Adjoining Government Land, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/592)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services for a period of three years;

- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, one objecting comment from an individual was received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not incompatible with the planning intention of the “Other Specified Uses” annotated “Service Stations” (“OU(SS)”) zone. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “OU(SS)” zone as there was no immediate proposal for permanent development at that part of the “OU(SS)” zone. The northern part of the application site (the Site) was covered by a valid planning permission (Application No. A/YL-ST/533) granted for the same temporary use and the current application was to include the adjoining government land for the provision of private car parking facilities. The applicant had fulfilled all the time-limited conditions of the previous application. The proposed development was not incompatible with the surrounding areas. Although the Site fell within the Wetland Buffer Area, it was specified in the Town Planning Board Guidelines No. 12C that planning applications for temporary uses were exempted from the requirement for ecological impact assessment. The Director of Agriculture, Fisheries and Conservation had no comment on the application. Other government departments had no objection to or no adverse comment on the application for the same use with a larger site area. Appropriate approval conditions were suggested to address the technical requirements of the concerned government departments. There were four similar applications approved within the same “OU(SS)” zone. Approval of the application was in line with the Committee's previous decisions. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

78. Members had no question on the application.

Deliberation Session

79. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.8.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 8:00 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 the site at any time during the planning approval period;
- (c) the submission of a run-in/run-out proposal for the development within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 13.2.2022;
- (d) in relation to (c) above, the provision of the run-in/run-out for the development within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 13.5.2022;
- (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 13.2.2022;
- (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 13.5.2022;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;

- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.2.2022;
- (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 13.5.2022;
- (j) if any of the above planning condition (a), (b) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning condition (c), (d), (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.”

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

[The Chairman thanked Ms S.H. Lam, Mr Patrick M.Y. Fung, Mr Wallace W.K. Tang and Ms Irene W.S. Lai, STPs/FSYLE, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Tuen Mun and Yuen Long West District

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

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/561 Shop and Services and Wholesale Trade with Ancillary Warehouse in
 “Other Specified Uses” annotated “Business” Zone, Workshop Units
 17A and 17 (Portion), G/F, Hang Wai Industrial Centre, No. 6 Kin Tai
 Street, Tuen Mun

 (RNTPC Paper No. A/TM/561A)

Presentation and Question Sessions

81. 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 shop and services and wholesale trade with ancillary warehouse;
- (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 supporting comment and one objecting comment, were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The applied use at the premises was considered in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone and was considered not incompatible with other uses within the same building and the surrounding industrial developments. The applied use generally complied with the Town Planning Board Guidelines No. 22D in that it would not induce adverse fire safety, traffic and environmental impacts on other uses within the subject building and the adjacent area. If the applied use was approved, the aggregate commercial floor area

approved by the Committee on the G/F of the subject building would be 241.67m², which was within the maximum permissible limit of 460m² for industrial buildings with sprinkler system. Other government departments had no objection to or no adverse comments on the application and relevant approval conditions were recommended to address the technical requirements of concerned government departments. Four previous applications for shop and services use at the premises and 29 similar applications at other ground floor units of the subject building were approved, of which two were approved when the application site was zoned “OU(B)”. 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.

82. Members had no question on the application.

Deliberation Session

83. 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 was subject to the following conditions :

- “(a) the submission and implementation of a fire service installations and equipment proposal for the application premises within 6 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 13.2.2022; and
- (b) if the above planning condition (a) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 24

Section 16 Application

[Open Meeting]

A/YL/278

Renewal of Planning Approval for Temporary Shop and Services
(Farm Product and Grocery Shop with Ancillary Office and Storeroom)
for a Period of 6 Years in “Open Space” Zone, Lot 4297 in D.D. 116,
Tai Kei Leng, Yuen Long
(RNTPC Paper No. A/YL/278)

85. The Committee noted that the applicant’s representative requested on 3.8.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to provide clarifications for the application. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/641 Renewal of Planning Approval for Temporary Public Vehicle Park for Medium Size Buses (24-seater) and Private Cars for a Period of 3 Years in “Village Type Development” Zone, Lots 449 RP (Part), 450 (Part) and 452 RP (Part) in D.D. 122 and Adjoining Government Land, Hang Mei Tsuen, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/641)

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

Presentation and Question Sessions

88. The Committee noted that the application was for renewal of planning approval for temporary public vehicle park for medium size buses (24-seater) and private cars for a period of three years. 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.

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

Deliberation Session

90. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 25.8.2021 until 24.8.2024 on the

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

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) only medium size buses (24 seats) and private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site, as proposed by the applicant, at all times during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site at all times to indicate that only medium size buses (24 seats) and private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site, as proposed by the applicant, during the planning approval period;
- (d) a notice shall be posted at a prominent location of the site to remind drivers on pedestrian safety on the access road to the site, as proposed by the applicant, at all times during the planning approval period;
- (e) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (f) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the site, as proposed by the applicant, at any time during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (h) the existing boundary fencing on the site shall be maintained during the planning approval period;
- (i) the existing trees within the site shall be maintained in good condition at all

times during the planning approval period;

- (j) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (k) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (l) 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 25.11.2021;
- (m) if any of the above planning condition (a), (b), (c), (d), (e), (f), (g), (h), (i), (j) or (k) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if the above planning condition (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/522 Proposed Temporary Shop and Services with Plant Nursery for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 1958 (Part), 1959 (Part) and 1960 (Part) in D.D. 119 and Adjoining Government Land, Yuen Long
(RNTPC Paper No. A/YL-TT/522)

Presentation and Question Sessions

92. 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 with plant nursery for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, one comment from an individual expressing concerns 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 proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. While the proposed use was not entirely in line with the planning intentions of “Agriculture” (“AGR”) and “Village Type Development” (“V”) zones, it was considered not incompatible with the surrounding area. The Director of Agriculture, Fisheries and Conservation did not support the application as the application site (the Site) possessed potential for agricultural rehabilitation. The District Lands Officer/Yuen Long of the Lands Department advised

that there was no Small House application approved or under processing at the application site. Approval of the application on a temporary basis for three years would not frustrate the long-term planning intentions of the subject “AGR” and “V” zones. Other government departments had no objection to or no adverse comment on the application. Appropriate approval conditions were recommended to address the technical requirements of the concerned government departments. A previous application was approved for the same use at the Site (but not implemented) and three similar applications had been approved within the subject “V” zone. Approval of the application was generally in line with the Committee’s previous decisions. There was one similar application rejected by the Committee, and the reason for rejecting the similar application was not applicable to the current application. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

93. Members had no question on the application.

Deliberation Session

94. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.8.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 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 medium or heavy goods vehicles, including container tractor/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (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 boundary fencing on the site shall be maintained at all times during the planning approval period;
- (e) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.2.2022;
- (f) in relation to (e) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.2.2022;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.5.2022;
- (i) if any of the above planning condition (a), (b), (c), (d) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning condition (e), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1121 Proposed Temporary Animal Boarding Establishment for a Period of 3 Years in “Green Belt” Zone, Lot 1372 in D.D.125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HTF/1121)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary animal boarding establishment for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, two objecting comments from the Kadoorie Farm and Botanic Garden Corporation and an individual were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “Green Belt” (“GB”) zone and no strong planning justification had been given in the submission for a departure from the planning intention, even on a temporary basis. The proposed development was not entirely compatible with the surrounding areas. The Chief Town Planner/Urban Design and Landscape of PlanD had reservation on the application as some existing trees at the application site (the Site) were in conflict with the proposed vehicular circulation, and the applicant failed to demonstrate that

the proposed development would not induce adverse landscape impact. The proposed development did not comply with the Town Planning Board Guidelines No. 10 in that the development was not compatible with the surrounding areas and the development would affect the existing natural landscape and the integrity of the “GB” zone. A previous application for land filling for permitted agricultural use at the Site was rejected by the Committee. The Committee had not approved any application for similar use within the subject “GB” zone. 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. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

97. Members had no question on the application.

Deliberation Session

98. 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 “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. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the proposed development does not comply with the Town Planning Board Guidelines No. 10 in that the proposed development would affect the existing natural landscape; and
- (c) the 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 and landscape quality of the area.”

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/403 Temporary Barbecue Area for a Period of 3 Years and Filling of Land
in “Residential (Group D)” Zone, Lot 10 RP (Part) in D.D.128, Lau
Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/403)

Presentation and Question Sessions

99. 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 barbecue area for a period of three years and filling of land;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, three objecting comments from the Chairman of the Incorporated Owners of Deep Bay Grove and two individuals were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not in line with the planning intention of the “Residential (Group D)” zone, there was no known development programme at the application site

(the Site) and the applied use was temporary in nature which would unlikely frustrate the planning intention of the Site in the long run. The applicant sought to regularise the filling of land for about 161m² or 15% of the Site. The Chief Engineer/Mainland North of the Drainage Services Department and the Director of Environmental Protection (DEP) had no adverse comment from the drainage and environmental perspectives respectively. The applied use was considered not incompatible with the surrounding areas. According to DEP, there was no substantiated environmental complaint pertaining to the Site received in the past three years. Other government departments had no objection to or no adverse comment on the application. Appropriate approval conditions were recommended to minimize any possible environmental nuisance and to address the technical requirements of the concerned government departments. 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 3 years until 13.8.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 11:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, any form of audio amplifier and loudspeaker is allowed to be used on the site at any time during the planning approval period;
- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.2.2022;

- (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 13.5.2022;
- (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 the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.2.2022;
- (g) in relation to condition (f) 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 13.5.2022;
- (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.”

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 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/317 Temporary Open Storage and Warehouse of Building Materials, Construction Equipment and Recycling Materials with Ancillary Workshop and Site Offices for a Period of 3 Years in “Other Specified Uses” annotated “Logistics Facility”, “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses” 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/317)

Presentation and Question Sessions

103. 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 and warehouse of building materials, construction equipment and recycling materials with ancillary workshop and 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, five objecting comments from a member of Yuen Long District Council and four individuals were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied uses could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied uses were not in conflict with the planning intentions of the “Other Specified Uses”

annotated “Port Back-up, Storage and Workshop Uses” (“OU(PBUSWU)”) and “Other Specified Uses” annotated “Logistics Facility” (“OU(LF)”) zones, and the Project Manager (West) of the Civil Engineering and Development Department had no objection to the proposed temporary uses at the application site (the Site). Approval of the application on a temporary basis of three years would not jeopardize the long-term development of the Site. The applied uses were not incompatible with the surrounding land uses and 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 for various open storage uses covering the Site were given. While the previous planning permission under the last previous application was revoked due to non-compliance with an approval condition on the implementation of fire service installations (FSIs) proposal, a FSIs proposal was submitted under the current application and the Director of Fire Services had no in-principle objection to the application. Shorter compliance periods were recommended to closely monitor the progress on compliance with the associated approval condition. Although the Director of Environmental Protection did not support the application since there were sensitive uses in the vicinity and environmental nuisance was expected, there were no environmental complaints pertaining to the Site in the past three years. Other government departments had no objection to or no adverse comment on the application. Appropriate approval conditions were recommended to minimize any possible environmental nuisance and to address the technical requirements of the concerned government departments. Three previously approved applications for various open storage uses at the Site and eight similar applications were approved within the same “OU(LF)” and “OU(PBUSWU)” zones. 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.

104. In response to a Member’s enquiry, Mr Simon P.H. Chan, clarified that the exclusion of the square-shaped portion of land near the northern side of the Site would not

affect the operation of the applied use, as well as the vehicular access to the Site.

Deliberation Session

105. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.8.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 6:00 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 from 2:00 p.m. to 6:00 p.m. on Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the existing trees and landscape plants on the site shall be maintained at all times during the planning approval period;
- (f) the existing fencing on the site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.11.2021;

- (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 24.9.2021;
- (j) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.11.2021;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.2.2022;
- (l) if any of the above planning condition (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning condition (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 30

Section 16 Application

[Open Meeting]

A/HSK/319 Temporary Logistics Centre with Ancillary Office and Parking of Vehicles for a Period of 3 Years in “Government, Institution or Community” and “Open Space” Zones and area shown as ‘Road’, Various Lots in D.D. 125 and D.D. 129 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/319)

107. The Committee noted that the applicant’s representative requested on 2.8.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to respond to departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 31

Any Other Business

109. There being no other business, the meeting closed at 4 p.m.