

TOWN PLANNING BOARD

Minutes of 679th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 10.9.2021

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 K.W. Leung

Dr Jeanne C.Y. Ng

Mr Ricky W.Y. Yu

Dr Venus Y.H. Lun

Mr Y.S. Wong

Chief Traffic Engineer/New Territories East,
Transport Department
Mr W.H. Poon

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

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

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

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

Secretary

Absent with Apologies

Mr L.T. Kwok

Dr Conrad T.C. Wong

In Attendance

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

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

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

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 678th RNTPC Meeting held on 27.8.2021

[Open Meeting]

2. The draft minutes of the 678th RNTPC meeting held on 27.8.2021 were confirmed without amendments.

Agenda Item 2

Matter Arising

[Open Meeting]

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

Sha Tin, Tai Po and North District

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/ST/47 Application for Amendment to the Approved Sha Tin Outline Zoning Plan No. S/ST/34, To rezone the application site from “Village Type Development” and “Green Belt” to “Other Specified Uses” annotated “Columbarium (1)”, Lots 551 S.A, 551 RP, 640, 644 S.A, 644 S.B and 644 RP in D.D. 176 and Adjoining Government Land, Fo Tan, Sha Tin (RNTPC Paper No. Y/ST/47A)

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

5. As the interest of Mr K.K. Cheung in relation to PCLB was indirect, the Committee agreed that he could stay in the meeting.

Presentation and Question Session

6. The following representatives from the Planning Department (PlanD) and the applicant’s representatives were invited to the meeting at this point:

PlanD

Ms Jessica H.F. Chu - District Planning Officer/Shan Tin, Tai Po and North District (DPO/STN)

Ms Hannah H.L. Yick - Senior Town Planner/Shan Tin, Tai Po and North District

Applicant's Representatives

Memorial Park Hong Kong Limited

Mr Patrick Fan

Mr Lance Chu

Knight Frank Petty Limited

Mr Alnwick Chan

Mr Calvin Kan

7. The Chairman extended a welcome and explained the procedures of the meeting. He then invited PlanD's representatives to brief Members on the background of the application.

8. With the aid of a PowerPoint presentation, Ms. Jessica H.F. Chu, DPO/STN, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed rezoning of the Site from "Village Type Development" ("V") and "Green Belt" ("GB") to "Other Specified Uses" annotated "Columbarium (1)" ("OU(Columbarium (1))") to regularise the current columbarium use providing 3,499 niches;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication periods, a total of 2,002 comments were received, including 200 objecting comments (with 32 in standard form) from the Shatin Rural Committee, an ex-Sha Tin District Council member, villagers of Fo Tan Village, Designing Hong Kong Limited, the Owners' Corporation of The Palazzo, residents of Ficus Garden and individuals, 1,801 supporting comments (with 1,744 in standard form) from individuals, and the remaining one from an individual providing views. Major views were set out in paragraph 10 of the Paper; and
- (e) PlanD's views - PlanD had no objection to the application based on the

assessments set out in paragraph 11 of the Paper. The Site was situated in an area of rural landscape character, and was segregated from high-rise residential and industrial developments by Fo Tan Road to its northeast. It was accessible via an independent pedestrian access which was not shared by nearby villagers. It was considered that there would be limited nuisance to the nearby village houses in terms of potential intermixing of grave-sweepers and villagers in the locality. Although the Site was not served by vehicular access, it was accessible by existing footpaths linking to Fo Tan Station and public transport facilities, and bus and minibus were readily available in the vicinity. Regarding the traffic generation and pedestrian flow, the applicant had submitted a Traffic Impact Assessment and proposed a “visit-by-appointment” arrangement during festival days, and the Commissioner for Transport had no adverse comment on the application as the crowd management plan would be administrated by the Food and Environmental Hygiene Department (FEHD) under the licensing mechanism of Private Columbaria Ordinance (PCO). Other concerned government departments had no objection to or no adverse comment on the application. While land available within the “V” zones was insufficient to fully meet the future Small House demand of 91 Small Houses, it was capable of meeting the only one outstanding Small House application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

9. The Chairman then invited the applicant’s representatives to elaborate on the application. With the aid of a PowerPoint presentation, Mr Calvin Kan, the applicant’s representative, made the following main points:

- (a) the current columbarium use at the Site under the name of Memorial Park Hong Kong (MMHK) had been operating since 2008, and the subject application was submitted for regularising the existing use only. MMHK had encouraged the visitors to use public transport to go to the Site;
- (b) the “visit-by-appointment” arrangement had started since October 2019. It would be implemented for three weeks before and after the Ching Ming and

Chung Yeung Festivals, with a visiting quota of 150 persons/hour. During the period, staff would be deployed at the main entrance to allow only registered visitors entering the premises. The appointment could be made via telephone, website and mobile applications. Throughout the two years of implementation, MMHK had acquired sufficient experience to ensure the effectiveness of the arrangement;

- (c) crowd management would also be implemented for three weeks before and after the Ching Ming and Chung Yeung Festivals to ensure smooth operation of the columbarium use during the peak seasons;
- (d) a management plan which outlined the details of the abovementioned “visit-by-appointment” arrangement, crowd management, implementation arrangement and security arrangement as required under PCO was submitted in support of the application and the licence application to the PCLB, and would be included as a licencing condition; and
- (e) the applicant agreed with PlanD’s assessment. Given the compatibility of use with the surrounding context, the use of a separate pedestrian access from Fo Tan Village, no adverse environmental and traffic impact, and incorporation of an effective management plan, the applicant requested the Committee to consider the application favourably.

10. As the presentations of PlanD’s representative and the applicant’s representative were completed, the Chairman invited questions from Members.

11. A Member raised questions regarding the accessibility and the cumulative impact of approved/planned columbarium developments in Sha Tin. In response, Ms Jessica H.F. Chu, DPO/STN, made the following main points:

- (a) although there was no direct vehicular access to the Site, the Site was highly accessible via public transport. It was located close to the Fo Tan MTR Station and bus stops, within a walking distance of about three and five minutes respectively;

- (b) there were a total of about 21 private columbaria in the area covered by the Sha Tin Outline Zoning Plan, providing about 193,000 niches; and
- (c) the PCO was to regulate the operation of private columbaria through a licencing scheme and had come into effect since June 2017. Through monitoring and regularising the operation of private columbaria, it was intended to minimise the impact of such use in particular the environmental and traffic impacts on the nearby residents. Traffic impact assessments taking into account other columbaria in the area were required to be submitted in support of applications for private columbaria, so that the cumulative impact arising from those columbaria on the district could be assessed.

12. In response to the Vice-chairman's enquiry about the planning history of the Site, Ms Jessica H.F. Chu, DPO/STN, made the following main points:

- (a) the Site was first zoned for residential use and green belt on the first statutory plan gazetted in 1961. It was then rezoned to "Industrial" in 1967, and was later rezoned to "V" and "GB" in 1978 where the Fo Tan Village was developed. The zoning of the Site remained unchanged since then; and
- (b) structures were observed in existence at the Site from aerial photos taken in 1964. According to the information provided by the applicant, the Site was previously used as a Buddhist Temple before the current columbarium use came into operation in 2008.

13. Mr Patrick Fan, the applicant's representative, supplemented that the structures at the Site had existed since the 1950s. According to their record, there was no change and alteration to the structure since then. After the Site was purchased by the applicant in 2006, it had been operated as a columbarium since 2008.

14. As the applicant's representatives had no further points to raise and there were no

further questions from Members, the Chairman informed the applicant's representatives that the hearing procedure for the application had been completed and the Committee would deliberate on the application in their absence and inform the applicant of the Committee's decision in due course. The Chairman thanked the representatives from PlanD and the applicant for attending the meeting. They left the meeting at this point.

Deliberation Session

15. The Chairman recapitulated the history of the Site and the major considerations of the application including its compatibility with the surrounding areas, pedestrian access arrangement and technical acceptability, as well as the licensing requirements should the subject rezoning application be approved.

16. The Vice-chairman expressed that the application could be considered favourably as the columbarium use was located in a convenient location well-served by public transport, and accessible via an independent pedestrian access not shared by nearby villagers, no significant adverse traffic and environmental impacts were envisaged and concerned government departments had no objection to or no adverse comment on the application. Members generally had no objection to the rezoning application.

17. After deliberation, the Committee decided to agree to the application by rezoning the application site from "Village Type Development" and "Green Belt" to "Other Specified Uses" annotated "Columbarium (1)". Amendments to the Sha Tin Outline Zoning Plan would be submitted to the Committee for consideration prior to gazetting under the Town Planning Ordinance.

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/TP/30

Application for Amendment to the Approved Tai Po Outline Zoning Plan S/TP/28, To rezone the application site from “Comprehensive Development Area (1)” to “Residential (Group B) 11”, Tai Po Town Lot 183 S.A ss.1 (Part), Various Lots in D.D. 11 and Adjoining Government Land, Fung Yuen, Tai Po
(RNTPC Paper No. Y/TP/30)

18. The Secretary reported that the application site was located in Tai Po. The application was submitted by Fantastic State Limited (FSL), which was a subsidiary of CK Asset Holdings Limited (CKAHL). Mott MacDonald Hong Kong Limited (MMHK) and Environmental Resources Management (ERM) were two of the consultants of the applicant. The following Members had declared interests on the item:

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

Mr K.K. Cheung - his firm having current business dealings with FSL, CKAHL, MMHK and ERM; and

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

19. The Committee noted that the applicant had requested deferment of consideration of the application and Dr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting. As Mr K.K. Cheung had no involvement in the application and the property owned by Dr Venus Y.H. Lun had no direct view of the application site, the Committee agreed that they could stay in the meeting.

20. The Committee noted that the applicant’s representative requested on 27.8.2021 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 applicant requested deferment of the application.

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

Tuen Mun and Yuen Long West District

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/TM/24 Application for Amendment to the Approved Tuen Mun Outline Zoning Plan No. S/TM/35, To rezone the application site from "Green Belt" to "Government, Institution or Community", Lots 1744 S.D ss.1 (Part) and 1744 S.D RP (Part) in D.D. 132, Hing Fu Street, Tuen Mun (RNTPC Paper No. Y/TM/24B)

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

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

24. The Committee noted that the applicant's representative requested on 25.8.2021 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 third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

Sai Kung and Islands District

[Ms W.H. Ho and Ms Jane W.L. Kwan, Senior Town Planners/Sai Kung and Islands (STPs/SKIs), were invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting]

A/SK-CWBS/40 Proposed Tent Camping Ground and Excavation of Land in "Conservation Area" Zone, Lot 140 (Part) in D.D. 230, Siu Hang Hau Village, Clear Water Bay Road, Sai Kung
(RNTPC Paper No. A/SK-CWBS/40)

26. The Committee noted that the applicant requested on 26.8.2021 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 applicant

requested deferment of the application.

27. 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 (Presentation and Question Sessions only)]

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

Presentation and Question Sessions

28. Ms W.H. Ho, STP/SKIs, 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 10 of the Paper;

- (d) during the statutory publication period, 19 public comments were received, including seven supporting comments from the Hang Hau Rural Committee, Village Representative of Tai Hang Hau Village and individuals, 10 objecting comments from Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited and individuals, and two comments from individuals raising concerns on the application. 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 did not comply with the Town Planning Board Guidelines No. 10. The Director of Agriculture, Fisheries and Conservation had reservation on the application as the site possessed potential for agricultural rehabilitation. The Director of Environmental Protection did not support the application as the proposed septic tank and soakaway system were only about 10m away from the nearest stream and adverse water quality impact on the concerned stream was anticipated. The Chief Engineer/Mainland South, Drainage Services Department advised that the site was located in an open area with a nearby streamcourse, a drainage proposal to deal with the surface runoff of the site or the same flowing onto the site from the adjacent areas should be provided. As the proposed Small House would impose adverse impact on the existing landscape resources and natural stream course, and that its impact would likely extend beyond the site boundary, the Chief Town Planner/Urban Design and Landscape, PlanD had reservation on the application. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories, while land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the 10-year Small House demand forecast, it was capable of meeting the outstanding Small House applications. Given the adoption of a more cautious approach in considering Small House development in recent years, it was considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development

pattern, efficient use of land and provision of infrastructures and services. All similar applications within the “GB” zone on the subject Outline Zoning Plan were rejected by the Committee or the Board on review, approval of the subject application would set an undesirable precedent for other similar applications within the “GB” zone. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

29. In response to a Member’s enquiry on the structures located to the north and south of the application site, Ms W.H. Ho, STP/SKIs, said that they were village houses located within the “V” zone, and hence planning permission from the Board was not required.

Deliberation Session

30. 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 “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. The applicant fails to provide strong planning justifications for a departure from the planning intention;
- (b) land is still available within the “Village Type Development” (“V”) zone of Pan Long Wan, which is primarily intended for New Territories Exempted House/Small House development. It is considered more appropriate to concentrate the village type development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services;
- (c) the proposed development is not in line with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small

House in the New Territories and the Town Planning Board Guidelines No.10 for Application for Development within Green Belt Zone in that the proposed development would cause adverse landscape impact on the surrounding areas and might pollute the natural streamcourse; and

- (d) approval of the application will set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving such similar applications will result in the encroachment on the “GB” zone by development and a general degradation of the natural environment and landscape character of the area.”

Agenda Item 8

Section 16 Application

[Open Meeting]

A/SK-HC/326 Proposed Houses with Minor Relaxation of Plot Ratio Restriction in “Residential (Group D)”, “Residential (Group E)” Zones and area shown as ‘Road’, Various Lots in D.D. 210 and 244 and Adjoining Government Land, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/326)

31. The Secretary reported that consideration of the application was rescheduled.

Agenda Item 9

Section 16 Application

[Open Meeting]

A/SK-HC/329 Proposed Temporary Tent Camping Ground and Barbecue Site for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lots 74 and 75 in D.D. 244, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/329)

32. The Committee noted that the applicant’s representative requested on 2.9.2021

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.

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

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/SK-PK/265 Five Proposed Houses (New Territories Exempted House - Small House) in "Village Type Development" and "Green Belt" Zones, Lots 1090 S.A (Part), 1090 S.B (Part), 1090 S.C (Part), 1090 S.D (Part), 1090 S.E, 1090 S.F and 1090 RP (Part) in D.D. 217 and Adjoining Government Land, Kau Sai San Tsuen, Sai Kung

(RNTPC Paper No. A/SK-PK/265)

Presentation and Question Sessions

34. 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 five proposed houses (New Territories Exempted House (NTEH) -

Small House);

- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication periods, a total of 71 objecting comments (with 65 in standard format) from the village representative and indigenous villagers of Kau Sai San Tsuen and individuals were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Whilst part of the site (about 47%) fell within an area zoned “Green Belt” and the proposed houses were not in line with its planning intention, the proposed development was considered not incompatible with the surrounding environment. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories, more than 50% of the site fell within the “Village Type Development” (“V”) zone and the footprint of the proposed Small Houses fell entirely within the village ‘environs’ of Kau Sai San Tsuen. While land available within the “V” zone was insufficient to fully meet the 10-year Small House demand forecast, it was capable of meeting the outstanding Small House applications. Given the adoption of a more cautious approach in considering Small House development in recent years, it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services. Nevertheless, the site was the subject of a previously approved application (No. A/SK-PK/220) submitted by the same applicants and concerned government departments had no objection to or no adverse comment on the application. In view of the above, sympathetic consideration could be given to the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

35. Members had no question on the application.

Deliberation Session

36. 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 10.9.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the provision of septic tanks, as proposed by the applicants, at a location to the satisfaction of the Director of Lands or of the TPB; and
- (b) the implementation of the necessary landslide mitigation measures identified in the Geotechnical Planning Review Report to the satisfaction of the Director of Civil Engineering and Development or of the TPB.”

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

[The Chairman thanked Ms W.H. Ho and Ms Jane W.L. Kwan, STPs/SKIs, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Sha Tin, Tai Po and North District

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

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/999 Temporary Public Vehicle Park (excluding container vehicle) for a Period of 5 Years in “Residential (Group A)” Zone, Section A of Sha Tin Town Lot No. 229, May Shing Court, Sha Tin
(RNTPC Paper No. A/ST/999)

38. The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA). The following Members had declared interests on the item:

- | | | |
|--|---|---|
| Mr Gavin C.T. Tse
<i>(as Chief Engineer
(Works), Home Affairs
Department)</i> | - | being a representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and Subsidised Housing Committee of the HKHA; |
| Dr Conrad T.C. Wong | - | having current business dealings with HKHA; |
| Mr K.K. Cheung | - | his firm having current business dealings with HKHA ; |
| Mr L.T. Kwok | - | his serving organisation was operating social service teams supported by HKHA and openly bid funding from HKHA; and |
| Mr Y.S. Wong | - | being a member of Funds Management Sub-committee of the Finance Committee of HKHA. |

39. The Committee noted that Dr Conrad T.C. Wong and Mr L.T. Kwok had tendered apologies for being unable to attend the meeting. As the interests of Messrs Gavin C.T. Tse and Y.S. Wong were direct, the Committee agreed that they should be invited to leave the meeting temporarily during the deliberation for the item. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary public vehicle park (excluding container vehicle) for a period of five years;
- (c) departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication period, two objecting comments from individuals were received. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The proposal would help utilise resources more efficiently. The planning permission sought for a temporary period of five years was considered reasonable so that the vacant parking spaces could be let to non-residents flexibly while the parking demand of the residents could be further reviewed. There were six previously approved applications for the same use at the application site. Approval of the application was consistent with the Committee's previous decisions. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

41. Members had no question on the application.

Deliberation Session

42. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 10.9.2026 on the terms of the application as submitted to the Town Planning Board and subject to the following condition:

“priority should be accorded to the residents of May Shing Court in the letting of the surplus vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.”

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

[Mr Gavin C.T. Tse rejoined the meeting at this point.]

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/673 Proposed House (New Territories Exempted House - Small House) in
“Green Belt” Zone, Government Land in D.D. 26, Ha Tei Ha Village,
Shuen Wan, Tai Po
(RNTPC Paper No. A/TP/673A)

44. The Secretary reported that the application site was located in Tai Po. Dr Venus Y.H. Lun had declared an interest on the item for owning a property in Tai Po.

45. As the property owned by Dr Venus Y.H. Lun had no direct view of the application site, the Committee agreed that she could stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, one objecting comment from an individual was received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the proposed development was not in line with the planning intention of the “Green Belt” zone, the Director of Agriculture, Fisheries and Conservation had no strong view on the application from nature conservation point of view. The proposed development was considered not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application. The application was generally in line with the Town Planning Board Guidelines No. 10. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories, more than 50% of the proposed Small House footprint fell within the village ‘environs’ of Ha Tei Ha. While land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the 10-year Small House demand forecast, it was capable of meeting the outstanding Small House applications. Given the adoption of a more cautious approach in considering Small House development in recent years, it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services. Nevertheless, the site was the subject of a previously approved application (No. A/TP/618) for Small House development submitted by the same applicant and the District

Lands Officer/Tai Po, Lands Department (LandsD) advised that the Small House grant application had been approved awaiting the issuance of offer letter. In view of the above, sympathetic consideration could be given to the application. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

47. In response to a Member's enquiry, Ms Kathy C.L. Chan, STP/STN, explained that the slight shift of the proposed Small House footprint to the west was in response to LandsD's request for better alignment with a nearby completed Small House development.

Deliberation Session

48. 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 10.9.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

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

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

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/699 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lot 1598 S.A
ss. 1 in D.D. 19, Ha Tin Liu Ha Tsuen, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/699)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, two 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 did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development, with part of the application site (about 74.5%) falling within an area zoned “Agriculture” (“AGR”), was not in line with the planning intention of the “AGR” zone, and there was no strong planning justification in the submission for a departure from the planning intention. The Director of Agriculture, Fisheries and Conservation did not support the application as the site possessed potential for agricultural rehabilitation. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories, more than 50% of the proposed

Small House footprint fell within the village ‘environs’ of Ha Tin Liu Ha, and the proposed development located within the water gathering grounds would be able to connect to the public sewerage system. While land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the 10-year Small House demand forecast, it was capable of meeting the outstanding Small House applications. Given the adoption of a more cautious approach in considering Small House development in recent years, it was considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services. There was a previous application for the same use at the application site submitted by the same applicant, which was rejected by the Town Planning Board (the Board) on review. Rejection of the current application was in line with the Board’s previous decision. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

51. Members had no question on the application.

Deliberation Session

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

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

intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.”

Agenda Items 14 and 15

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/154 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1574 S.C ss.1 in D.D. 91, Kai Leng, Sheung Shui
(RNTPC Paper No. A/NE-PK/154 and 155)

A/NE-PK/155 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 1570 S.A in D.D. 91, Kai Leng, Sheung Shui
(RNTPC Paper No. A/NE-PK/154 and 155)

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

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the proposed houses (NTEH - Small House) on each of the application sites;
- (c) departmental comments were set out in paragraph 10 of the Paper;

- (d) during the statutory publication period, two public comments, with one from an individual indicating no comment and the other objecting comment from Kadoorie Farm and Botanic Garden Corporation (KFBG), were received for application No. A/NE-PK/154; and four public comments, with one indicating no comment from an individual, one objecting comment from KFBG and two from individuals providing views not relevant to the application, were received for application No. A/NE-PK/155. 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 applications based on the assessments set out in paragraph 12 of the Paper. Whilst the proposed developments were not in line with the planning intention of the “AGR” zone and the Director of Agriculture, Fisheries and Conservation did not support the applications as the sites possessed potential for agricultural rehabilitation, the proposed Small Houses were considered not incompatible with the surrounding rural landscape character and those approved Small Houses formed a new village cluster in the locality. The Commissioner for Transport considered that the Small House developments should be confined within the “Village Type Development” (“V”) zone but considered that only one Small House involved in each application could be tolerated. The Chief Engineer/Construction, Water Supplies Department advised that the applicants might need to divert or protect the existing water mains found on the sites. To address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories (the Interim Criteria), more than 50% of the footprint of both proposed Small Houses fell within the village ‘environs’ of Kai Leng and land available within the “V” zone was insufficient to meet even the outstanding Small House applications. As such, the applications generally complied with the Interim Criteria. Besides, the sites were the subject of two previously approved planning applications (No. A/NE-PK/35 and 36) for Small House

development submitted by the same applicants and the District Lands Officer/North, Lands Department advised that the Small House grant applications were under processing. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

55. Members had no question on the applications.

Deliberation Session

56. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 10.9.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. Each of the permissions was subject to the following conditions:

- “(a) the provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB;
- (b) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (c) the submission and implementation of a proposal for water mains diversion before commencement of works to the satisfaction of the Director of Water Supplies or of the TPB.”

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

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/710 Temporary Private Car Park for a Period of 3 Years in “Village Type Development” Zone, Lot 1055 RP in D.D. 23, Po Sam Pai Village, Tai Po

(RNTPC Paper No. A/NE-TK/710)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary private car park for a period of three years;
- (c) departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication period, two objecting comments from individuals were received. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 10 of the Paper. Whilst the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, there was no Small House application received for the site. Approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “V” zone. The applied use was considered not incompatible with the surrounding area. Concerned government departments had no objection to or no adverse comment on the application. There was one previously approved application for the same use at the application site and four similar

applications (with one approved and three rejected) within the same “V” zone. The circumstances of the approved similar application were applicable to the current application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

59. Members had no question on the application.

Deliberation Session

60. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

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

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

Agenda Items 17 and 18

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LK/138 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1518 S.A ss.1 in D.D. 39, Ma Tseuk Leng,
Sha Tau Kok

(RNTPC Paper No. A/NE-LK/138 and 139)

A/NE-LK/139 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1518 RP in D.D. 39, Ma Tseuk Leng, Sha Tau
Kok

(RNTPC Paper No. A/NE-LK/138 and 139)

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

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the proposed houses (NTEH - Small House) on each of the application sites;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, five public comments, with one from the Chairman of Sheung Shui District Rural Committee indicating no comment and four objecting comments from Kadoorie Farm and Botanic Garden Corporation and individuals, were received for each application. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed developments were not in line with the planning intention of the “AGR” zone and the Director of Agriculture, Fisheries and Conservation did not support the applications as the sites possessed potential for agricultural rehabilitation, the proposed Small Houses were considered not entirely incompatible with the surrounding environment. The Commissioner for Transport considered that the Small House developments should be confined within the “Village Type Development” (“V”) zone but considered that only one Small House involved in each application could be tolerated. Other concerned government departments had no objection to or no adverse comment on the applications. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories, while land available within the “V” zone of Ma Tseuk Leng, Ma Tseuk Leng San Uk Ha and Shek Kiu Tau village cluster was insufficient to fully meet the 10-year Small House demand forecast, it was capable of meeting the outstanding Small House applications. Given the adoption of a more cautious approach in considering Small House development in recent years, it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services. Nevertheless, the application sites (the Sites) were the subject of two previously approved applications (No. A/NE-LK/83 and 84) for Small House development submitted by the same applicants and the District Lands Officer/North, Lands Department advised that the Small House grant applications were either under processing or already at an advanced stage. In view of the above, sympathetic considerations might be given to the applications. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

64. A Member enquired why the applicants submitted the current applications for the Sites after the approval of the previous applications in 2014. In response, Mr Tim T.Y.

Fung, STP/STN, said that since the approval of the two previous applications, the applicants had been liaising with the Lands Department on the Small House grant applications. Since processing of the Small House grant applications had not yet been completed before the previous planning approvals lapsed, the current two applications were therefore submitted. As such, sympathetic considerations might be given to the applications in accordance with the Interim Criteria.

Deliberation Session

65. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 10.9.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. Each of the permissions was subject to the following conditions:

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

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

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

67. 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 public vehicle park for private cars and medium goods vehicles, and warehouse for storage of construction materials for a period of three years;
- (c) departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication period, three public comments, with one from the Chairman of Sheung Shui District Rural Committee indicating no comment and two objecting comments from individuals, were received. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 10 of the Paper. Although the proposed use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the site possessed potential for agricultural

rehabilitation, approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “AGR” zone. The applied use was considered not incompatible with the surrounding land uses. Other concerned government departments had no objection to or no adverse comment on the application. There were two previously approved applications at the application site and five approved applications for temporary vehicle park within the same “AGR” zone. Approval of the application was in line with the Committee’s previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

68. Members had no question on the application.

Deliberation Session

69. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation for the public vehicle park and warehouse between 9:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation for the warehouse on public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on the site at any time during the planning approval period;
- (d) no car washing, vehicle repair, dismantling, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;

- (e) the existing run-in/out on the site should be maintained at all times during the planning approval period;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.3.2022;
- (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 10.6.2022;
- (h) the submission of proposals for water supplies for fire-fighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.3.2022;
- (i) in relation to (h) above, the provision of water supplies for fire-fighting and fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.6.2022;
- (j) the implementation of proposals for environmental mitigation measures within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 10.6.2022;
- (k) if any of the above planning condition (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning condition (f), (g), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

set out at Appendix V of the Paper.

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/751 Proposed Temporary Green Design and Plantation Research Centre for a Period of 3 Years in “Agriculture” Zone, Lots 751 RP (Part), 752 (Part), 753 S.A (Part), 753 RP (Part), 754 (Part), 757 (Part), 758 (Part), 759 (Part), 776 (Part), 777 (Part) and 778 (Part) in D.D. 83, Lung Yuek Tau
(RNTPC Paper No. A/NE-LYT/751)

Presentation and Question Sessions

71. 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 green design and plantation research centre for a period of three years;
- (c) departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication period, six public comments, with one from the Chairman of Sheung Shui District Rural Committee indicating no comment, four objecting comments from the Chairman, the First Vice-chairman and the Vice-chairman of Fanling District Rural Committee and Kadoorie Farm and Botanic Garden Corporation, and the remaining one from an individual expressing concerns on the application, were received. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the

application based on the assessments set out in paragraph 10 of the Paper. The proposed use was generally not in line with the planning intention of the “Agriculture” (“AGR”) zone. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site covered a broad area of active crop production farmland serving with agricultural infrastructures and made important contribution to the local crop production in Hong Kong. There was no strong justification in the submission for a departure from the planning intention of “AGR” zone, even on a temporary basis. Whilst the proposed use was not entirely incompatible with the surrounding environment, the Chief Town Planner/Urban Design and Landscape, PlanD did not support the application as there was insufficient information in the submission to illustrate the proposed treatments of the existing trees and viability of the landscape proposal and hence the potential landscape impact on the existing trees could not be reasonably ascertained. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

72. A Member enquired on the background and nature of the proposed research centre. In response, Mr Tim T.Y. Fung, STP/STN, explained that the applicant was the registered owner of the site representing a development company, and the proposed research centre was intended to explore innovative construction technologies and contribute to the development of green building design and energy efficiency. It would serve as a testing ground to identify suitable green design and plantation methods, and to serve as a platform for suppliers and professionals in the architectural and construction sector for knowledge and experience sharing. According to the information submitted by the applicant, it appeared that the operation of the proposed research centre was not purely academic-based. Instead, it was to provide a platform for knowledge sharing among construction industry. He further supplemented that some organisations, such as the Hong Kong Green Building Council and the Research Centre for Green Energy, Transport and Building of the Hong Kong Polytechnic University, were performing similar functions in the development of green energy and green building design.

Deliberation Session

73. A Member, while not supporting the application, considered that the detailed comments from DAFC in respect of the potential impact of the proposed development on crop production and active agricultural activities in the area including the application site should be highlighted for the applicant's attention. The Chairman proposed and Members agreed that the rejection reasons should be suitably amended to reflect the views from DAFC.

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

- “(a) the proposed use is not in line with the planning intention of the “AGR” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. The majority of the site is currently used for commercial crop production for local consumption which contributes to the local crop production in Hong Kong and should be proactively preserved. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis; and
- (b) the applicant fails to demonstrate in the submission that the proposed use would not cause adverse landscape impact on the surrounding areas.”

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/661 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lot 1088 S.B (Part) in D.D. 82, Ping Che Road, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/661A)

75. The Secretary reported that the application site (the Site) was located in Ta Kwu

Ling. Dr Conrad T.C. Wong had declared an interest on the item for his firm owning a piece of land in Ta Kwu Ling.

76. The Committee noted that Dr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

77. 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, three public comments, with one from the Chairman of Sheung Shui District Rural Committee indicating no comment and two from Kadoorie Farm and Botanic Garden Corporation and an individual raising concerns on the application, were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed use was considered generally not in conflict with the planning intention of the “Agriculture” (“AGR”) zone, and the Director of Agriculture, Fisheries and Conservation had no strong view against the application. Approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “AGR” zone. The proposed use was considered not incompatible with the surrounding environment. Other concerned government departments had no objection to or no adverse comment on the application. The Site was

the subject of a previously approved application for the same use. Approval of the application was consistent with the Committee's previous decision. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

78. Members had no question on the application.

Deliberation Session

79. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 5:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no use of public announcement system, portable loudspeaker or any form of audio amplification system, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.3.2022;
- (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 10.6.2022;
- (e) the submission of proposals for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.3.2022;
- (f) in relation to (e) above, the implementation of the proposals for fire service installations and water supplies for firefighting within 9 months from the

date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.6.2022;

- (g) the implementation of traffic management measures, as proposed by the applicant, within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 10.6.2022;
- (h) 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;
- (i) if any of the above planning condition (c), (d), (e), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (j) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

80. 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]

A/NE-TKL/681 Proposed Temporary Concrete Batching Plant for a Period of 5 Years
in “Industrial (Group D)” Zone, Lot 153 (Part) in D.D. 77, Ping Che
(RNTPC Paper No. A/NE-TKL/681)

81. The Secretary reported that the application site was located in Ta Kwu Ling. AECOM Asia Company Limited was one of the consultants of the applicant. The following Members had declared interests on the item:

- Mr K.K. Cheung - his firm having current business dealings with AECOM;
- Dr C.H. Hau - having past business dealings with AECOM; and
- Dr Conrad T.C. Wong - his firm owning a piece of land in Ta Kwu Ling.

82. The Committee noted that the applicant had requested deferment of consideration of the application and Dr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting. As Mr K.K. Cheung and Dr C.H. Hau had no involvement in the application, the Committee agreed that they could stay in the meeting.

83. The Committee noted that the applicant's representative requested on 27.8.2021 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 applicant requested deferment of the application.

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

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

Fanling, Sheung Shui and Yuen Long East District

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

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/79 Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles Only) for a Period of 3 years in “Village Type Development” Zone, Lots 706 S.A (Part), 707 S.C (Part), 707 S.D (Part), 707 S.E, 707 S.F, 707 S.G, 707 S.H, 707 S.I, 707 S.J, 709 S.A ss.8 (Part), 710 S.A, 710 S.B, 710 S.C, 710 S.D, 710 S.E, 710 RP and 711 S.A in D.D. 92, Kwu Tung North
(RNTPC Paper No. A/KTN/79)

Presentation and Question Sessions

85. 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 public vehicle park (private cars and light goods vehicles only) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, three public comments from individuals, including one indicating no comment and two objecting comments, were received. Major views were set out in paragraph 10 of

the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, approval of the application on a temporary basis for three years would not jeopardise the long-term planning intention of the “V” zone. The applied use was considered not incompatible with the surrounding area. The Commissioner for Transport considered that the application was tolerable from traffic engineering point of view. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

86. Members had no question on the application.

Deliberation Session

87. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

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

- (c) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site at any time during the planning approval period;
- (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 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 10.3.2022;
- (f) in relation to (e) above, the provision of 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 10.6.2022;
- (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 10.3.2022;
- (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 10.6.2022;
- (i) if any of the above planning condition (a), (b), (c), or (d) is not complied with during the planning approval period, the approved hereby given shall cease to have effect and shall be revoked 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.”

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

Agenda Item 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

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

90. As the interest of Dr Lawrence K.C. Li was indirect, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

91. 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 place of recreation, sports or culture (horticultural learning centre) 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, four public comments, with two objecting comments from individuals, one from Kadoorie Farm and Botanic Garden Corporation providing views and the remaining one from an 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 temporary use for a period of three years and filling of land could be tolerated based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the site possessed potential for agricultural rehabilitation, approval of the application on a temporary basis for three years would not jeopardise the long-term planning intention of the “AGR” zone. The applied use was considered not entirely incompatible with the surrounding environment and significant adverse landscape impact was not anticipated. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

92. Members had no question on the application.

[Dr Lawrence K.C. Li left the meeting at this point.]

Deliberation Session

93. Noting that the site was used for the applied use without planning permission, a Member enquired whether the consideration for applications involving unauthorized development would be different. The Chairman said that planning application and enforcement action were under separate regime under the Town Planning Ordinance. In considering planning applications, the Committee/the Town Planning Board (the Board) would take into account the relevant Town Planning Board Guidelines and pertinent assessment criteria. Even if a site was subject to on-going enforcement action, the planning application would be considered based on its planning circumstances and would not be rejected solely because of the site being the subject of enforcement action; and enforcement action, including prosecution action, would be undertaken by the Planning Authority regardless of whether planning permission was granted.

94. Another Member remarked that since the planning application and enforcement action were under separate regime, the consideration of the application by the Committee should not be pre-empted by the fact that the site was subject to enforcement action. It would allow the Committee to fully assess the application based its individual circumstances.

95. In response to two Members' enquiry regarding the approval condition requiring reinstatement of the site upon expiry of planning permission, the Chairman explained that according to the recommended approval condition, reinstatement of the site to an amenity area through planting and demolition of the structures on the site was required.

96. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 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) 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 10.3.2022;
- (c) in relation to (b) 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 10.6.2022;
- (d) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.3.2022;
- (e) in relation to (d) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.6.2022;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall

be maintained at all times during the planning approval period;

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

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

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/501 Proposed Utility Installation for Private Project in “Village Type Development” Zone, Lot 934 S.AC in D.D.100, Hang Tau Village, Kwu Tung South

(RNTPC Paper No. A/NE-KTS/501)

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

99. The Committee noted that Dr Lawrence K.C. Li had already left the meeting.

Presentation and Question Sessions

100. 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 utility installation for private project;
- (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 indicating no comment and the other raising concern 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 transformer room, as required by CLP Power Hong Kong Limited, was to provide electricity supply to 16 village houses in the vicinity of the site which were always permitted within the same “Village Type Development” (“V”) zone. The proposed utility installation was considered not in conflict with the planning intention of the “V” zone and not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

101. Members had no question on the application.

Deliberation Session

102. 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 10.9.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition:

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

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

Agenda Items 26 and 27

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/502 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1421 S.B in D.D. 100, Tsiu Keng Village, Sheung Shui
(RNTPC Paper No. A/NE-KTS/502 and 503)

A/NE-KTS/503 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1421 S.C in D.D. 100, Tsiu Keng Village, Sheung Shui
(RNTPC Paper No. A/NE-KTS/502 and 503)

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

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

106. The Committee noted that Dr Lawrence K.C. Li had already left the meeting.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the proposed house (NTEH - Small House) on each of the application sites;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, five public comments, with one from an individual indicating no comment and four objecting comments from Kadoorie Farm and Botanic Garden Corporation and individuals, were received. Major views were set out in paragraph 11 of the Paper;
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications based on the assessments set out in paragraph 12 of the Paper. Whilst the proposed developments were not in line with the planning intention of the “AGR” zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the sites possessed potential for agricultural rehabilitation, the proposed Small Houses were considered not incompatible with the surrounding environment. Other concerned government departments had no objection to or no adverse comment on the applications. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories (Interim Criteria), 100% of the footprint of both proposed Small Houses fell within the village ‘environs’ of Tsiu Keng. While land available within the “Village Type Development” (“V”) zones of Tsiu Keng Village was insufficient to fully meet the 10-year Small House demand forecast, it was capable of meeting the outstanding Small House applications. Given the adoption of a more cautious approach in considering Small House development in recent years, it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone

for more orderly development pattern, efficient use of land and provision of infrastructures and services. Nevertheless, the Sites were the subject of two previously approved applications (No. A/NE-KTS/345 and 346) for Small House development submitted by the same applicants and the District Lands Officer/North, Lands Department advised that the Small House grant applications were being processed at an advanced stage. In view of the above and considering that there were existing village houses just next to the sites, sympathetic consideration might be given to the applications. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

108. Members had no question on the application.

Deliberation Session

109. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 10.9.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. Each of the permissions was subject to the following conditions:

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

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

Agenda Item 28

Section 16 Application

[Open Meeting]

A/FSS/282 Proposed Minor Relaxation of Domestic Plot Ratio Restriction for Permitted Residential Development with Commercial Uses in “Commercial/Residential” Zone, 1 Luen Fat Street, Fanling
(RNTPC Paper No. A/FSS/282A)

111. The Secretary reported that Llewelyn-Davies Hong Kong Limited (LD) was one of the consultants of the applicant. Mr Ricky W.Y. Yu had declared an interest on the item for having past business dealings with LD.

112. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr Ricky W.Y. Yu had no involvement in the application, the Committee agreed that he could stay in the meeting.

113. The Committee noted that the applicant’s representative requested on 26.8.2021 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 second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/305 Proposed House in “Village Type Development” Zone, Lot 521C in
D.D. 112, Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/305A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house;
- (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 did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed house was generally not in line with the planning intention of the “Village Type Development” (“V”) zone which was primarily for Small House developments by indigenous villagers. Whilst there was no Small House application being processed at the site, the District Lands Officer/Yuen Long, Lands Department advised that non-New Territories Exempted House development (non-NTEH) land exchanges would not normally be entertained within the defined village ‘environs’ or “V” zones even planning permission was given. The site was under a Block Government Lease demised for agricultural use with no building entitlement. Although the proposed development was considered not

incompatible with the surrounding areas, the site was in close proximity to the Shek Kong Barracks, which might result in security concerns as raised by the Secretary for Security. There was no similar planning approval for house (non-NTEH) development within the same “V” zone. Approval of the application would set an undesirable precedent for similar applications, the cumulative effect of which would reduce the land available for Small House development within the “V” zone. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

116. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Village Type Development” (“V”) zone which is primarily to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. There is no strong justification in the submission for a departure from such planning intention;
- (b) the application site is in close proximity to the Shek Kong Barracks. Approval of the application may result in security concerns; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the “V” zone. The cumulative effect of approving such similar applications would reduce the land available for Small House development.”

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/313 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lot 1593 (Part) in D.D. 112, Yuen Kong San Tsuen, Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/313)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports or culture (hobby farm) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) no public comment was received during the statutory publication period;
and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed use was generally not in conflict with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation had no strong view on the application. Approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “AGR” zone. The proposed use was considered not incompatible with the surrounding environment. Other concerned government departments had no objection to or no adverse comment on the application. There were three similar applications within the same “AGR” zone, which were all approved by the

Committee. Approval of the application was in line with the Committee's previous decisions.

119. In response to a Member's enquiry on the differences between general agricultural use and hobby farm, Mr Patrick M.Y. Fung, STP/FS&YLE, said that general agriculture activities usually involved only farmers and farm operators, while operation of hobby farm often involved also visitors, sometimes in groups or as private organisations. For hobby farms which were operated on a commercial basis, promotional materials or signs were usually displayed to attract customers, and its operation would usually have implications on the surrounding areas such as traffic.

120. The Secretary supplemented that general agricultural activities could usually be differentiated from hobby farms in terms of the nature of their operations. Agricultural activities that took place in a traditional farm usually involved only a few farmers working on a rather extensive area of farmland, while the operation of a hobby farm often involved more people and visitors, with farming activities carried out on relatively smaller plots of farmland. As such, the operation of a hobby farm might have a larger impact on car parking, traffic flow and pedestrian flow.

Deliberation Session

121. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system, as proposed by the applicant, is allowed to be used on the site at any time during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are

allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the implementation of the accepted drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.6.2022;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.3.2022;
- (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 10.6.2022;
- (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;
- (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; and
- (k) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/763 Temporary Animal Boarding Establishment for a period of 5 years and Filling of Land in “Agriculture” Zone, Lot 748 (Part) in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/763A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary 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, three objecting comments from the Kadoorie Farm and Botanic Garden Corporation and two individuals were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the site possessed potential for agricultural rehabilitation, approval of the application on a temporary basis for five years would not jeopardise the long-term planning intention of the “AGR” zone. The applied use was considered not incompatible with the surrounding area. Other concerned government departments had no objection to or no adverse comment on the application.

There were one previously approved application for the same use at the application site (the Site) and 29 approved similar applications within the same “AGR” zone. Approval of the application was in line with the Committee’s previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

124. In response to two Members’ enquiries, Mr Wallace W.K. Tang, STP/FSYLE, explained that the previous approval for the same use at the Site was revoked due to non-compliance with the approval condition on implementation of landscape proposal. As compared with the previous application, the site was currently fenced off and hard paved with existing structures. Given there was no substantial change in the layout of the applied use and significant adverse impact on the existing landscape resources within the Site was not anticipated, the Chief Town Planner/Urban Design and Landscape, PlanD had no adverse comment on the application and considered that incorporation of approval condition on the landscape aspect was not necessary.

125. Two Members raised enquiries on whether there were special considerations or requirements in assessing applications for animal boarding establishment and the requirements for erection of fencing. Mr Wallace W.K. Tang responded that in assessing such applications, apart from considering the planning intention of the site and land use compatibility with the surrounding areas, whether such use would induce environmental nuisance to nearby sensitive uses would also be one of the considerations. In the current application, the applicant had proposed appropriate measures to minimise the impact, including installation of structures with soundproofing materials, keeping all dogs indoor at all times and not using public announcement system and whistle blowing on the site. As such, PlanD had no objection to the application.

Deliberation Session

126. Noting that an approval condition on implementation of landscape proposal was considered not necessary in view of the applicant’s proposal to fence off the site, a Member expressed concern on whether erection of solid fences for animal boarding establishments would be taken as a substitution to implementation of landscape proposal in general, which

might result in degradation of the rural landscape.

127. The Chairman said that planning applications would be assessed based on the planning circumstances and individual merits of each case. The Urban Design and Landscape Unit, PlanD would also assess whether conservation of landscape resources on an application site was necessary, and recommend relevant approval conditions where appropriate. For animal boarding establishments, upon approval of the application, the operation would still need to fulfil the licence requirements under the purview of the Agriculture, Fisheries and Conservation Department, if appropriate.

128. Mr Stanley C.F. Lau, Principal Environmental Protection Officer (Strategic Assessment), Environmental Protection Department (EPD) clarified that erection of solid fence was not a requirement for the proposed animal boarding establishment. To minimise the possible environmental nuisance to the sensitive uses in the vicinity, EPD had advised that the proposed structures for animal boarding establishment at the Site should be enclosed with soundproofing materials with provision of 24-hour mechanical ventilation and air-conditioning system.

129. The same Member shared an observation that more and more solid fences were erected to fence off developments in the rural area in recent years. The Member expressed concerns on the adverse visual impact resulted from solid fencing and the gradual degradation of the rural landscape, and enquired if there were ways to prevent worsening of such situation. In response, the Chairman said that whilst owners/occupiers might have different considerations and concerns, like security and air ventilation, it was their choice to decide on the design and materials adopted in delineating the boundaries of the sites. Taking into account the planning circumstances of each case, relevant government departments might provide comments for applicant's consideration, including concern on solid fencing, where appropriate.

130. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 10.9.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

“(a) no operation between 9:00 p.m. and 6:00 a.m. (except for overnight animal

boarding), as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) all animals shall be kept inside the enclosed animal boarding establishment on the site, as proposed by the applicant, at all times during the planning approval period;
- (c) no public announcement system, portable loudspeaker, any form of audio amplification system, or whistle blowing is allowed to be used on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.3.2022;
- (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 10.6.2022;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.3.2022;
- (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 10.6.2022;
- (j) if any of the above planning condition (a), (b), (c), (d) or (g) is not complied

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

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

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

[Miss Winnie W.M. Ng left the meeting at this point]

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

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

- (a) background to the application;

- (b) the temporary container vehicle park with ancillary office for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, two objecting comments from individuals were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst a major part of the site fell within the “Other Specified Uses” annotated “Railway Reserve” zone and the applied use was not in line with the planning intention of the zone, the Railway Development Office, Highways Department advised that the alignment and programme of the Northern Link (NOL) were still under review and had no adverse comment on the application. Approval of the application on a temporary basis for three years would not jeopardise the future implementation of the NOL. The applied use was considered not incompatible with the surrounding land uses. The site fell within Categories 1 and 2 areas under the Town Planning Board Guidelines No. 13F and the application generally complied with the said guidelines. Other concerned government departments had no objection to or no adverse comment on the application. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. There were 17 previously approved applications (including one for the same use) at the application site and two approved similar applications in its vicinity. 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.

133. Members had no question on the application.

Deliberation Session

134. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no dismantling, maintenance, repairing, cleansing, paint spraying and other workshop activities shall be carried out on the site at any time during the planning approval period;
- (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 run-in/out proposal to/from San Tam Road within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport and Director of Highways or of the TPB by 10.3.2022;
- (d) in relation to (c) above, the implementation of the run-in/out proposal to/from San Tam Road within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport and Director of Highways or of the TPB by 10.6.2022;
- (e) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.3.2022;
- (f) in relation to (e) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.6.2022;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;

- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.3.2022;
- (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 10.6.2022;
- (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.”

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

Agenda Item 33

Section 16 Application

[Open Meeting]

A/YL-KTN/780 Temporary Warehouse (Storage of Pet Supplies and Gardening Goods) with Ancillary Office for a Period of 3 Years in “Other Specified Uses” annotated “Railway Reserve” and “Comprehensive Development Area” Zones, Various Lots in D.D. 104 and Adjoining Government Land, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/780)

136. The Committee noted that the applicant requested on 2.9.2021 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.

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

Agenda Item 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/781 Temporary Animal Boarding Establishment for a Period of 3 Years and Filling of Land in "Agriculture" Zone, Lot 949 (Part) in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/781)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary animal boarding establishment 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, 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. Whilst the applied use was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the site possessed potential for agricultural rehabilitation, approval of the application on a temporary basis for three years would not jeopardise the long-term planning intention of the “AGR” zone. The applied use was considered not incompatible with the surrounding area. Other concerned government departments had no objection to or no adverse comment on the application. The application site was the subject of a previous application (No. A/YL-KTN/759) submitted by the same applicant for the same use, which was rejected by the Committee mainly on the ground that the application would result in piecemeal development. Yet, the planning circumstances of the current application were different. There were 31 similar applications for temporary animal boarding establishment and eight applications involving filling of land (including five for animal boarding establishment) within the same “AGR” zone, which were all approved by the Committee. 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.

139. In response to a Member's questions, Mr Wallace W.K. Tang, STP/FSYLE, confirmed that all of the 31 similar applications involving 20 sites for temporary animal boarding establishment were approved. Relevant government departments including the Transport Department and Environmental Protection Department (EPD) had been consulted in processing such planning applications. The relevant technical assessments conducted under those applications had taken into account the cumulative transport and environmental

impacts in the area.

140. In response to the Chairman's question regarding the fencing of the applied use, Mr Stanley C.F. Lau, Principal Environmental Protection Officer (Strategic Assessment), EPD, said that the applied use involved outdoor animal activities and a 2m-high solid metal wall was proposed by the applicant in the submission with a view to minimising nuisance to the nearby residents. Mr Wallace W.K. Tang, STP/FSYLE, supplemented that an approval condition relating to the erection of the solid metal wall (i.e. para. 12.2(e) of the Paper) was recommended to monitor its implementation.

141. A Member was concerned about the implications of allowing such temporary uses in the rural area on the development of Hong Kong as a liveable city. The Chairman explained that the Government had been carrying out comprehensive planning to restructure and convert sizeable brownfield and abandoned agricultural land in the rural area to facilitate higher density development. During the process, some land occupied by temporary uses might need to be cleared to make way for the implementation of New Development Area. Forward planning with restructuring and adoption of current planning standards would contribute to improving the rural landscape and making Hong Kong a more liveable city. Nonetheless, for areas with implementation programme yet to be formulated, the Town Planning Board would continue to process applications for temporary uses according to the prevailing planning considerations. Relevant government departments would be consulted so as to minimise the potential impacts of temporary uses on the surroundings.

[Dr Jeanne C.Y. Ng left the meeting at this point]

Deliberation Session

142. A Member expressed concern on the high concentration of animal boarding establishments in the Kam Tin North area. The Member remarked that 'Animal Boarding Establishment' was a use that might be exploited to accommodate unauthorised use. Such unauthorised use was difficult to be identified as animal boarding establishments were usually situated in an enclosed and fenced-off environment. Given the low threshold of traffic provision required for 'Animal Boarding Establishment', the actual traffic impact generated by unauthorised use in the disguise of animal boarding establishment might be

higher and hence would create considerable pressure on the local transport network. The Member said that close monitoring of such type of approved applications should be conducted. Another Member shared similar view and was sceptical on some applications for animal boarding establishment covering a disproportionately large site area but accommodating a few animals only.

143. The Secretary remarked that some of the applications approved for animal boarding establishment were not implemented and the permission had lapsed eventually. Hence, the number of approved applications might not reflect the actual animal boarding establishments in operation. She said that information on the commencement of such approved applications could be provided for Members' information in considering future similar cases.

144. The Chairman supplemented that while processing of planning applications and prosecution of unauthorized uses were under separate regime under the Town Planning Ordinance, PlanD would closely follow-up with any referral cases, and conduct regular checking through site visits and deployment of unmanned aerial vehicles to closely monitor the condition of sites with suspected unauthorized developments.

145. In response to a Member's enquiry, Mr Alan K.L. Lo, Assistant Director/Regional 3, Lands Department (LandsD), said that should planning approval be given to the planning application, the lot owner would need to apply to LandsD in the form of a waiver application to permit the structures to be erected or regularise any irregularities on site, if any. Regular checking (with at least once every three years) would also be conducted by LandsD to monitor if there was any unauthorized use. Given the extensive area in the New Territories and the difficulties in identifying the unauthorised use, referral from the public and media of such breaches would assist LandsD in the enforcement work. LandsD would actively follow-up with any referrals or complaints received.

146. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

“(a) no operation between 6:00 p.m. and 8:00 a.m. (except overnight animal

boarding), as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) all animals shall be kept inside the enclosed animal boarding structures on the site between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, at all times during the planning approval period;
- (c) no public announcement system, portable loudspeaker, any form of audio amplification system, or whistle blowing is allowed to be used on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the provision of a 2m high solid metal wall along the boundary of the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 10.3.2022;
- (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 10.3.2022;
- (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 10.6.2022;
- (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 10.3.2022;
- (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 10.6.2022;

- (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.”

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

Agenda Item 35

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/782 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lot 1456 in D.D. 107, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/782)

Presentation and Question Sessions

148. 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 place of recreation, sports or culture (hobby farm) 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, 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. The proposed use was generally not in conflict with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation had no strong view on the application from agricultural point of view. Approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “AGR” zone. The proposed use was considered not incompatible with the surrounding land uses. Other concerned government departments had no objection to or no adverse comment on the application. Whilst the last planning approval was revoked due to non-compliance with approval conditions, relevant government departments had no objection to the application with the submitted proposals. As such, sympathetic consideration might be given to the application. Shorter compliance periods for approval conditions were recommended to closely monitor the compliance. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

149. Members had no question on the application.

Deliberation Session

150. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 9:00 p.m. and 6:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the site at any time during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.12.2021;
- (f) in relation to (e) above, the implementation of the drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.3.2022;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.12.2021;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.3.2022;

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

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

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/897 Proposed Temporary Social Welfare Facilities (Elderly and Youth Centre) for a Period of 3 Years in “Village Type Development” Zone, Government Land in D.D. 106, Kam Tin, Yuen Long (Former Shek Wu School)

(RNTPC Paper No. A/YL-KTS/897)

Presentation and Question Sessions

152. 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 social welfare facility (elderly and youth 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, two public comments from a Yuen Long District Council member and an individual raising objection to/concerns on the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the concerned vacant school was one of the “Vacant School Premises Sites Reviewed under the Central Clearing House Mechanism” that would be put to short-term uses pending implementation of long-term uses. The current proposal involved adaptive reuse of the existing vacant school premises. Approval of the application on a temporary basis for three years would not jeopardise the long-term planning intention of the “V” zone. The proposed welfare related services thereat could help meet the service needs of young people and elderly in the locality. The proposed use was not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application. The site was involved in four previously approved applications. The second last approved application (No. A/YL-KTS/792) submitted by the same applicant for the same temporary use was revoked due to non-compliance with approval conditions. Shorter compliance periods were recommended to monitor the progress of compliance with approval conditions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

153. Two Members enquired about the background of the applicant and the relationship of the previous application with the current one. In response, Mr Wallace W.K. Tang, STP/FSYLE, made the following points:

- (a) the last application was submitted by Wu Zhi Qiao (Bridge to China) Charitable Foundation, for youth centre use with permission valid until 4.12.2023. An application for Short Term Tenancy (STT) was submitted to the Lands Department (LandsD) after planning approval was obtained. As informed by LandsD, the applicant of the last application had recently requested LandsD to stop the processing of the said STT application;
- (b) the applicant of the subject application was an individual. According to the information retrieved from a previous application, the application was probably submitted for an organisation related to the Hakka Culture;
- (c) according to the applicant, the centre was proposed to be managed by the village office led by Shek Wu Tong Village indigenous inhabitant representative, and the operation of the centre would be self-sustaining, without incurring the financial support from the Social Welfare Department; and
- (d) the proposed temporary social welfare facilities were intended to serve the elderly and young villagers in the vicinity.

Deliberation Session

154. At the invitation of the Chairman, Mr Alan K.L. Lo, Assistant Director/Regional 3, LandsD, elaborated the views of LandsD as outlined in paragraph 9.1.1(d) of the Paper. He said that upon approval of the planning application, the applicant would be required to submit a STT application. Pursuant to the “Guidelines for Application for Use of Vacant Government Land for Community, Institutional or Non-profit Making purposes on Short Term Basis”, application for community, institutional or non-profit making purposes from non-government organisation and social enterprise with necessary policy support from the relevant department or bureau would be processed. In processing the STT application, LandsD would consider the application in accordance with the applicable policy and practice.

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

temporary basis for a period of 3 years until 10.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (b) no vehicle 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 revised drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.12.2021;
- (d) in relation to (c) above, the implementation of the 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 10.3.2022;
- (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 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.12.2021;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 10.3.2022;
- (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.”

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

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/898 Renewal of Planning Approval for Temporary Shop and Services (Motor Vehicles Showroom) for a Period of 3 Years in “Residential (Group C)” and “Village Type Development” Zones, Lots 1689 S.C, 1689 S.D, 1689 S.E, 1689 S.F, 1689 S.G, 1689 S.H and 1689 RP in D.D. 109 and Adjoining Government Land, Kam Tin Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/898)

157. The Committee noted that the application was for renewal of planning approval for temporary shop and services (motor vehicles showroom) for a period of three years. During the statutory publication period, one objecting comment from an individual was received. Major views were set out in paragraph 11 of the Paper.

158. 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. 34D and concerned government departments had no objection to or no adverse comment on the application.

159. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 20.10.2021 until 19.10.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:30 p.m. and 10:30 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation between 10:30 a.m. and 11:30 a.m. on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a record of 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 20.1.2022;
- (i) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;

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

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

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/888 Proposed Temporary Shop and Services (Motor Vehicles Showroom) for a Period of 3 Years in “Village Type Development” Zone, Lots 2007 (Part) and 2018 S.A (Part) in D.D. 111, Pat Heung, Yuen Long (RNTPC Paper No. A/YL-PH/888)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services (motor vehicles showroom) 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. Whilst the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, there was no Small House application approved or under processing at the site. Approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “V” zone. The proposed use was considered not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. There were one previously approved application for similar use at the site and six approved similar applications within the adjacent “V” 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.

162. Members had no question on the application.

Deliberation Session

163. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Fridays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying and other

workshop activities shall be carried out on the site at any time during the planning approval period;

- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.3.2022;
- (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 10.6.2022;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.3.2022;
- (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 10.6.2022;
- (j) if any of the above planning condition (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning condition (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 39

Section 16 Application

[Open Meeting]

A/YL-MP/313 Renewal of Planning Approval for Temporary Shop and Services (Metal Hardware and Household Items Retail Shop) for a Period of 3 Years in “Open Space” Zone, Lot 2874 in D.D. 104, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/313)

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

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/291 Temporary Agricultural Use (Green Houses) with Ancillary Store Rooms and Rest Rooms for a Period of 3 Years in “Undetermined” Zone, Lots 605 RP (Part), 606 RP (Part) and 607 RP in D.D. 115, Nam Sang Wai, Yuen Long
(RNTPC Paper No. A/YL-NSW/291)

Presentation and Question Sessions

166. Ms Cherry C.H. Yuen, TP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary agricultural use (green houses) with ancillary store rooms

and rest rooms for a period of three years;

- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, one public comment from Kadoorie Farm and Botanic Garden Corporation providing views on the application was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Whilst the subject “Undetermined” (“U”) zone was identified in the 2017 Policy Address with potential for housing development, the long-term use of the “U” zone was subject to study. Approval of the application on a temporary basis for three years would not jeopardise the long-term land use planning for the area. The applied agricultural use was considered not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

167. Members had no question on the application.

Deliberation Session

168. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (b) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.3.2022;

- (c) in relation to (b) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.6.2022;
- (d) in relation to (c) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.3.2022;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.6.2022;
- (g) if any of the above planning condition (a) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning condition (b), (c), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

Tuen Mun and Yuen Long West District

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

Agenda Item 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-SKW/111 Proposed House (New Territories Exempted House - Small House) in
“Green Belt” Zone, Lot 399 RP and 412 RP in D.D. 378, So Kwun
Wat, Tuen Mun
(RNTPC Paper No. A/TM-SKW/111A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments were set out in paragraph 11 of the Paper;
- (d) during the statutory publication period, four objecting comments from Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature Hong Kong and individuals were received. Major views were set out in paragraph 12 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 13 of the Paper.

The proposed Small House development was not in line with the planning intention of the “Green Belt” (“GB”) zone and was considered incompatible with the rural character of the area. There was no strong justification in the submission for a departure from the planning intention. The application was not in line with the Town Planning Board Guidelines No. 10 and there were no exceptional circumstances to justify the application. Also, the Chief Town Planner, Urban Design and Landscape, PlanD had reservation on the application as approval of the application might attract other similar applications within the “GB” zone and the cumulative effect of approving such applications would result in a general degradation of the landscape quality of the area. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories (Interim Criteria), although the entire footprint and the site of the proposed Small House fell within the village ‘environs’ of So Kwun Wat Tsuen, they fell entirely outside the “Village Type Development” (“V”) zone. Land available within the “V” zone was sufficient to fully meet the 10-year Small House demand forecast. Since there was no general shortage of land in meeting the demand for Small House development in the “V” zone, the proposed development did not comply with the Interim Criteria. There were six similar applications within or straddling the same “GB” zone rejected by the Committee/the Board on review. Rejection of the application was generally in line with the previous decisions of the Committee/the Board. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

171. Members had no question on the application.

Deliberation Session

172. 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

“Green Belt” 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 no strong planning justification in the submission for a departure from the planning intention;

- (b) the proposed development is not in line with the Town Planning Board Guideline No. 10 for Application for Development within Green Belt Zone in that there are no exceptional circumstances to justify the application; and
- (c) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories in that there is no general shortage of land in meeting the demand for Small House development in the “Village Type Development” zone of So Kwun Wat Village.”

Agenda Item 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports of culture (sports training

ground) for a period of three years;

- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication periods, a total of five supporting public comments from the Chairman and Vice-chairmen of the Tuen Mun Rural Committee, the Chairman of the Tuen Mun North East Area Committee, village representatives of Fuk Hang Tsuen (upper and lower) and an individual were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the proposed use was not in line with the planning intention of the “Green Belt” (“GB”) zone, the site was used for school purpose before it was zoned “GB” on the draft Lam Tei and Yick Yuen Outline Zoning Plan gazetted on 7.6.1996. As there was currently no known implementation programme for long-term use of the site, approval of the application on a temporary basis for three years would not jeopardise the long-term use of the site. The proposed use was considered not incompatible with the surrounding areas. The site, being a vacant school premises (VSP), was left vacant since 2006. The proposed use was in line with the Government's intention to optimise land resources by utilising VSP sites. Moreover, the application was not in conflict with the Town Planning Board Guidelines No. 10. Concerned government departments had no objection to or no adverse comment on the application.

174. In response to a Member's question concerning the dilapidated condition of the VSP, Mr Alexander W.Y. Mak, STP/TMYLW, said that if reinforcement of structures were considered necessary by the applicant, the Buildings Department would provide detailed comments during the general building plan submission stage to govern the future renovation works by the applicant.

Deliberation Session

175. A Member considered that the application could be supported as it was a good example for optimising valuable land resources by utilising vacant sites and government premises. The Member expressed that more support and incentives should be given to support the operation of similar small-scale organisations which promoted sports and culture, bringing benefits to the society. In that connection, should there be similar applications in the future, more lenient consideration could be given so as to provide incentives to the applicants.

176. Another Member concurred with the above views and supplemented that occupation of old and dilapidated premises could be very costly. The Member cited an example that a large amount of money was spent by the Hong Kong Art Centre on renovating an old school campus upon award of tenancy from the Government Property Agency. Considering that the applicant had a good intention to promote sports, the Member hoped that relevant government departments could offer more assistance and technical support for the operation of the organisation especially the renovation work of the VSP.

177. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the submission of a natural terrain hazard study within 6 months from the date of planning approval to the satisfaction of the Director of Civil Engineering and Development or of the TPB by 10.3.2022;
- (b) in relation to (a) above, the implementation of the mitigation measures as identified in the natural terrain hazard study within 9 months from the date of planning approval to the satisfaction of the Director of Civil Engineering and Development or of the TPB by 10.6.2022;
- (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 10.3.2022;
- (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 10.6.2022;

- (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 10.3.2022;
- (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 10.6.2022;
- (h) if the above planning condition (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 (a), (b), (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.”

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

Agenda Item 43

Section 16 Application

[Open Meeting]

A/YL-PS/642 Proposed Residential Development (Houses) in “Comprehensive Development Area” Zone, Various Lots in D.D. 122 and Adjoining Government Land, Yung Yuen Road, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/642)

179. The Secretary reported that the application site was located in Ping Shan and Mr Ricky W.Y. Yu had declared an interest on the item for his firm having a project in Ping Shan area.

180. The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr Ricky W.Y. Yu was indirect, the Committee agreed that he could stay in the meeting.

181. The Committee noted that the applicant’s representative requested on 25.8.2021 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 applicant requested deferment of the application.

182. 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 44

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1123 Proposed Temporary Recyclable Collection Centre (Metal) for a Period of 3 Years in “Agriculture” and “Residential (Group D)” Zones, Lots 260 (Part), 261 (Part), 262, 263 and 264 in D.D.128, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HTF/1123)

Presentation and Question Sessions

183. 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 recyclable collection centre (metal) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, two objecting comments from individuals were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not in line with the planning intention of the “Agriculture” and “Residential (Group D)” (“R(D)”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the site possessed potential for agricultural rehabilitation, there was no known permanent development for the site and the adjoining area in the subject “R(D)” zone. Approval of the application on a temporary basis for three

years would not jeopardise the long-term planning intentions of the zones. The proposed use was considered not entirely incompatible with the surrounding area. 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. As compared with the seven similar applications, the current application, in terms of the nature of the applied use and scale of the operation, was akin to the six approved similar applications. As such, sympathetic consideration could be given to the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

184. Members had no question on the application.

Deliberation Session

185. The Committee noted that the operation of the proposed collection centre mainly involved the collection of scrap metal which would be handled within the proposed structure. No such activities would be conducted in the open area.

186. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 7:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no medium goods vehicle or heavy goods vehicle exceeding 5.5 tonnes is allowed to enter/exit or to be parked/stored on the site at any time during the planning approval period;

- (d) no workshop activities, as proposed by the applicant, are allowed on the site 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 10.3.2022;
- (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 10.6.2022;
- (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 Director of Fire Services or of the TPB by 10.3.2022;
- (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 Director of Fire Services or of the TPB by 10.6.2022;
- (j) if any of the above planning condition (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning condition (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon expiry of the planning permission, the reinstatement of the portion of the site zoned "Agriculture" to an amenity area to the satisfaction of the

Director of Planning or of the TPB.”

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

Agenda Item 45

Section 16 Application

[Open Meeting]

A/YL-LFS/404 Temporary Place for Recreation, Sports or Culture (Organic Farm, Barbecue Site, Education and Visitor Centre, Leisure Activity Area and Ancillary Facilities) for a Period of 3 Years and Filling of Land and Ponds in “Green Belt” and “Village Type Development” Zones, Various Lots in D.D.129 and Adjoining Government Land, Sha Kong Wai, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/404)

188. The Committee noted that the applicant’s representative requested on 31.8.2021 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 applicant requested deferment of the application.

189. 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 46

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/303 Temporary Open Storage of Metals and Plastics with Ancillary Office and Plastic Processing Workshop for a Period of 3 Years in “Government, Institution or Community” Zone and area shown as ‘Road’, Lot 256 (Part) in D.D. 125, San Wai, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/303A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage of metals and plastics with ancillary office and plastic processing workshop for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, two public comments from individuals raising objection to/concerns on the application were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intention of the “Government, Institution or Community” (“G/IC”) zone. The applicant had not provided strong justifications in the submission for a departure from the planning intention, even on a temporary basis. The Director of Environmental Protection did not support the application as the applied use would involve processes that might cause significant environmental nuisance to the surrounding areas. Other concerned government

departments had no objection to or no adverse comment on the application. Whilst the applied use was generally in line with the Town Planning Board Guidelines No. 13F that the site was involved in a previous planning approval and there were three approved similar applications within the same “G/IC” zone, all those applications did not involve similar workshop processes as the current application. Approval of the application might result in environmental nuisances to the existing residential dwellings.

191. Members had no question on the application.

Deliberation Session

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

“the applicant fails to demonstrate that the applied use would not generate adverse environmental impact on the surrounding area.”

Agenda Item 47

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/326 Temporary Shop and Services (Estate and Property Agency) for a Period of 3 Years in “Government, Institution or Community” Zone, Lot 1024 S.A RP (Part) in D.D. 124, Hung Chi Road, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/HSK/326)

Presentation and Question Sessions

193. 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 shop and services (estate and property agency) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, two public comments from individuals, with one objecting to the application and the other raising queries on the application, were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not in line with the planning intention of the “Government, Institution or Community” zone, the implementation programme of the concerned part of the Hung Shui Kiu/Ha Tsuen New Development Area was still being formulated. Approval of the application on a temporary basis for three years would not jeopardise the long-term development of the area. The applied use was considered not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. The site was the subject of a previously approved application for the same use. Approval of the application was in line with the Committee's previous decision. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

194. Members had no question on the application.

Deliberation Session

195. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 7:00 p.m. to 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.3.2022;
- (c) in relation to (b) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.6.2022;
- (d) in relation to (c) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.3.2022;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.6.2022;
- (g) if any of the above planning condition (a) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning condition (b), (c), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 48

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/327 Temporary Warehouse for Storage of Vehicle Parts for a Period of 3 Years in “Government, Institution or Community” Zone, Lots 2949 (Part), 2950 RP (Part) and 2956 (Part) in D.D. 129, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/327)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary warehouse for storage of vehicle parts for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, two objecting comments from individuals were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not in line with the planning intention of the “Government, Institution or Community” zone, approval of the application on a temporary basis for three years would not jeopardise the long-term development of the site. The applied use was considered not incompatible with the surrounding land uses. The Director of Environmental Protection did not support the application as there were sensitive uses in the vicinity. Nevertheless, there

was no environmental complaint related to the application site (the Site) in the past three years. Other concerned government departments had no objection to or no adverse comment on the application. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. There were six previously approved applications for temporary open storage and warehouse uses at the Site. 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.

198. Members had no question on the application.

Deliberation Session

199. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 7:00 p.m. to 8:00 a.m. on Mondays to Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no workshop activities, as proposed by the applicant, are allowed on the site during the planning approval period;
- (d) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the

satisfaction of the Director of Drainage Services or of the TPB by 10.12.2021;

- (f) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.3.2022;
- (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 10.6.2022;
- (h) if any of the above planning condition (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning condition (e), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 49

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/523 Temporary Shop and Services with Ancillary Office for a Period of 3 Years in “Residential (Group D)” Zone, Lots 4915 S.A (Part), 4915 S.B (Part), 4916 S.A & S.B (Part), 4917 RP (Part) and 4918 RP (Part) in D.D. 116 and Adjoining Government Land, Tai Tong Road, Yuen Long
(RNTPC Paper No. A/YL-TT/523)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary shop and services with ancillary office for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, two public comments from individuals, with one objecting to the application and the other providing views on the application, were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with the planning intention of the “Residential (Group D)” zone, the applied use could meet any such demand for shop and services in the area and there was no known programme for long-term development at the application site (the Site). Approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the area. The applied use was generally not incompatible with the surrounding uses. Concerned government departments had no objection to or no adverse comment on the application. Given that one previous approval for the same use was granted to the Site, approval of the current application was generally in line with the Committee's previous decision. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

202. Members had no question on the application.

Deliberation Session

203. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no 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;
- (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 within the site shall be maintained at all times during the planning approval period;
- (f) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (g) the 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 10.3.2022;
- (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 10.6.2022;

- (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 10.3.2022;
- (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 10.6.2022;
- (l) if any of the above planning condition (a), (b), (c), (d), (e), (f) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning condition (g), (h), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 50

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1105 Temporary Warehouse for Storage of Electronic Goods and Open Storage of Building Materials and Construction Machinery with Ancillary Workshop Activities for a Period of 3 Years in “Undetermined” Zone, Various Lots in D.D. 119 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1105)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary warehouse for storage of electronic goods and open storage of building materials and construction machinery with ancillary workshop activities for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, one objecting comment from an individual was received. Major views were set out in paragraph 11 of the Paper;
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was generally not in conflict with the planning intention of the “Undetermined” (“U”) zone. Whilst the application site (the Site) mainly fell within an area zoned “Residential - Zone 2 (with Commercial)”, marginally within an area zoned “District Open Space” and “Other Specified Uses” and partly within

an area shown as 'Road' on the Revised Recommended Outline Development Plan of Yuen Long South, both the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD and the Project Manager (West), Civil Engineering and Development Department had no objection to the temporary use for three years. Approval of the application on a temporary basis for three years would not jeopardise the long-term development of the area. The proposed use was considered generally not incompatible with the surrounding uses. The application was generally in line with the Town Planning Board Guidelines No. 13F in that the site fell within Category 1 areas and concerned government departments had no objection to or no adverse comment on the application, except the Director of Environmental Protection who did not support the application as there were sensitive receivers of residential users in the vicinity. Nevertheless, there was no substantiated environmental complaint concerning the Site in the past three years. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. There were 11 previous approvals for open storage and/or warehouse uses granted to the Site and 109 approved similar applications within or straddling the "U" zone. Approval of the application was generally in line with the Committee's previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

206. Members had no question on the application.

Deliberation Session

207. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 9:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no storage/handling of cathode-ray tubes and any other types of electronic waste, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) all existing trees within the site shall be maintained at all times during the planning approval period;
- (e) free public access to the existing footpath within the site, as proposed by the applicant, shall be allowed at all times during the planning approval period;
- (f) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.12.2021;
- (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 22.10.2021;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.3.2022;
- (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 10.6.2022;

- (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.”

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

Agenda Item 51

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1106 Renewal of Planning Approval for Temporary Warehouse for Storage of Event Supplies and Equipment with Ancillary Site Office for a Period of 3 Years in “Undetermined” Zone, Lots 1040 (Part) and 1042 (Part) in D.D. 119 and Adjoining Government Land, Pak Sha Tsuen, Yuen Long

(RNTPC Paper No. A/YL-TYST/1106)

209. The Committee noted that the application was for renewal of planning approval for temporary warehouse for storage of event supplies and equipment with ancillary site office for a period of three years. During the statutory publication period, one objecting comment from an individual was received. Major views were set out in paragraph 11 of the Paper.

210. The Committee noted that the Planning Department considered that the temporary use could be tolerated for a further period of three years based on the assessments

set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 34D and concerned government departments had no objection to or no adverse comment on the application.

211. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 22.9.2021 to 21.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no open storage or workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (e) all existing trees and landscape plantings within the site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period; and
- (h) 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.”

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

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

Agenda Item 52

Any Other Business

213. There being no other business, the meeting was closed at 5:30 p.m.