

TOWN PLANNING BOARD

Minutes of 680th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 24.9.2021

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

Mr L.T. Kwok

Mr K.W. Leung

Dr Venus Y.H. Lun

Dr Conrad T.C. Wong

Mr Y.S. Wong

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

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

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

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

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

Secretary

Absent with Apologies

Dr Jeanne C.Y. Ng

Mr Ricky W.Y. Yu

Miss Winnie W.M. Ng

In Attendance

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

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

Town Planner/Town Planning Board
Ms L.C. Cheung

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 679th RNTPC Meeting held on 10.9.2021

[Open Meeting]

2. The draft minutes of the 679th RNTPC meeting held on 10.9.2021 were confirmed without amendments.

Agenda Item 2

Matter Arising

[Open Meeting]

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

Sha Tin, Tai Po and North District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/TP/33 Application for Amendment to the Draft Tai Po Outline Zoning Plan S/TP/29, To rezone the application site from “Open Space” to “Government , Institution or Community (3)”, Lots 136 RP (Part) and 138 RP (Part) in D.D. 5 and adjoining Government Land, 8 Mui Shue Hang, Tai Po

(RNTPC Paper No. Y/TP/33A)

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

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

6. The Committee noted that the applicant’s representative requested on 13.9.2021 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 second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental and public comments.

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

information. Since it is 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.

Tuen Mun and Yuen Long West District

Agenda Item 4

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/TM-LTY Y/9 Application for Amendment to the Draft Lam Tei and Yick Yuen Outline Zoning Plan No. S/TM-LTY Y/11, To rezone the application site from “Residential (Group B) 1” to “Residential (Group B) 4”, Lots 523 RP, 714 RP, 718 RP, 719 RP, 721 RP, 722 RP, 723 RP, 724 RP and 725 in D.D. 130 and adjoining Government Land, Lam Tei, Tuen Mun

(RNTPC Paper No. Y/TM-LTY Y/9C)

8. The Secretary reported that Associated Architects Limited (AAL) and AECOM Asia Company Limited (AECOM) were two 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 AAL; and |
| Dr C.H. Hau | - | having past business dealings with AECOM. |

9. 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.

Presentation and Question Sessions

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

PlanD

Ms Janet K.K. Cheung - District Planning Officer/Tuen Mun & Yuen Long West (DPO/TMYLW)

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

Mr Keith C.H. Fung - Town Planner/Tuen Mun & Yuen Long West (TP/TMYLW)

Applicant's Representatives

Wing Mau Tea House Limited

Ms Winnie Chiu

Mr Raymond Fong

Ms Fanny Yip

Mr William Lai

Mr Ken Wong

KTA Planning Limited

Mr Kenneth To

Ms Veronica Luk

Associated Architects Limited

Ms Doris Lee

Mr Stephen Cheung

Landes Limited

Mr Ted Lam

Ramboll Hong Kong Limited

Mr David Yeung

11. 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.

12. With the aid of a PowerPoint presentation, 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 rezoning of the application site (the Site) from "Residential (Group B) 1" ('R(B)1') to "R(B)4" on the Draft Lam Tei and Yick Yuen Outline Zoning Plan (OZP) No. S/TM-LTYYY/11 to facilitate a medium-density residential development;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication periods, a total of 24 public comments, including 22 objecting comments (with joint signature letters with a total of 677 signatures), one supporting comment and one comment providing views, were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no in-principle objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed "R(B)4" sub-area with a maximum plot ratio (PR) of 2.5 and building height (BH) of 8 storeys excluding basement was in line with the overall planning intention of the "R(B)" zone for sub-urban medium-density residential development. Whilst the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD) expressed concern that the proposed development was undesirable from visual impact perspective and might not be compatible with the adjacent residential and village type developments, the Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD, considered that the proposed development would unlikely impose significant visual impact on the surrounding areas taking account of the

planned/existing medium and high-density developments. The proposed “R(B)4” sub-area was considered not incompatible with the existing and planned developments in the area. The applicant had submitted technical assessments to demonstrate that the proposed rezoning was acceptable from technical perspectives. Other concerned government departments had no objection to or no adverse comments on the application. Regarding the public comments received, the comments of concerned departments and the planning assessments above were relevant.

[Mr L.T. Kwok joined the meeting during PlanD’s presentation.]

13. The Chairman then invited the applicant’s representatives to elaborate on the application. With the aid of a PowerPoint presentation, Ms Veronica Luk, the applicant’s representative, made the following main points:

Background and Planning Objectives

- (a) the application to increase the development intensity of the Site would boost housing supply. Peripheral idle Government land was proposed to be included into the Site for better utilization of land resources;
- (b) land exchange application for private residential development on the Site with a maximum PR of 1.0 and BH of 4 storeys over single-storey car park was under processing by the Lands Department;

The Indicative Scheme and Design Concepts

- (c) the indicative scheme comprised nine residential blocks with a domestic Gross Floor Area (GFA) of about 19,650m². A total of 307 flats would be provided;
- (d) the proposed development would be compatible with the surrounding areas. The residential towers were oriented towards the nullah in the west so as to minimize noise impact from the elevated railway track in the east. A

4.5m-wide setback along the western boundary would be provided to increase the buffer distance between the Site and San Hing Tsuen further west across the nullah;

- (e) a 3m-wide footpath would be re-provided at the northern boundary of the Site to facilitate pedestrian movement from San Hing Tsuen to the Lam Tei Light Rail Transit (LRT) Station and Castle Peak Road. The footpath would be open 24 hours for public use;
- (f) road improvement works for vehicular and pedestrian accesses between the southern tip of the Site and Ng Lau Road would be undertaken by the applicant. The works fell outside the scope of the current application;

The Rezoning Proposal

- (g) the Site was proposed to be rezoned from “R(B)1” to “R(B)4” with a maximum PR of 2.5, a maximum site coverage of 40% and a maximum BH of 8 storeys excluding the basement carpark (+35 mPD);
- (h) the Site was separated from the main “R(B)1” zone by a “Government, Institution or Community” (“G/IC”) zone and an existing housing development named Lingrade Garden. The proposed development would not affect the remaining area of the subject “R(B)1” zone;

Justifications for Increasing Development Intensity

- (i) the proposed maximum PR and BH were within the range for medium-density developments, which were compatible with the Lam Tei sub-urban setting;
- (j) back in the 1990s, developments in Lam Tei were concentrated at the two sides of the LRT station. A strip of land to the east of the station was zoned “Commercial” with maximum PR of 3.6 whilst the land to the west of the station (covering the Site) was zoned “R(B)2” with PR of 1.0 given

the limited infrastructure provision at that time. The Site was subsequently rezoned to “R(B)1” but with no change in permitted development intensity. The Site had been zoned “R(B)1” for over 20 years and in view of the imminent housing need of the society, the development intensity of the Site should be reviewed to increase housing land supply;

- (k) a piece of land in the vicinity of the Site was recently rezoned from “Residential (Group E)” to “Residential (Group A)” with maximum PR of 6.5 and BH of 160mPD for a public housing development. The proposed PR of 2.5 for the Site was not incompatible;
- (l) the proposed BH was in line with the stepped building height profile along the Castle Peak Road - Lam Tei section. Visual impact of the proposed development was considered acceptable;
- (m) the applicant had submitted technical assessments to demonstrate that the proposed rezoning was technically feasible in traffic, environmental, drainage and sewerage aspects; and
- (n) the re-provision of a 3m-wide footpath for public use at the Site was a planning merit.

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

15. The Chairman and a Member raised the following questions:

- (a) the different views on visual impact assessment from CA/CMD2, ArchSD and CTP/UD&L, PlanD;
- (b) noting that the site was in the vicinity of rail tracks, whether the development would be subject to adverse noise impact;

- (c) the planned use for the “G/IC” zone to the north of the Site;
- (d) whether the “R(B)1” zone had been fully developed; and
- (e) whether the proposed PR/GFA exemption for the clubhouse was acceptable.

16. In response, Mr Alexander W.Y. Mak, STP/TMYLW, made the following main points:

- (a) given that the Site was in close proximity to some existing low-rise residential and village type developments, in particular those in San Hing Tsuen to the west, the CA/CMD2, ArchSD considered that the proposed development might alter the visual character of the area. On the contrary, CTP/UD&L, PlanD was of the view that the proposed development would unlikely cause significant visual impact especially when considering the wider local context where there was an existing elevated structure of Tuen Ma Line to the immediate east of the Site and there were planned medium to high-density residential developments in the vicinity;
- (b) the applicant had proposed mitigation measures to address the possible noise impact from the railways, including single aspect building design for residential towers along the eastern site boundary and architectural fin for Towers 1 and 4;
- (c) the “G/IC” zone to the north of the Site was reserved for a primary school development;
- (d) to the immediate north of the Site within the subject “R(B)1” zone was an existing residential development named Lingrade Garden, and the remaining part of the “R(B)1” zone further north was mainly ponds and land without known development programme; and

- (e) the proposed PR/GFA exemption of 5% for the clubhouse facilities would be considered by the Building Authority at the general building plan submission stage.

17. 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

18. The Chairman recapitulated the background of the application and the major planning considerations of the application including its compatibility with the surrounding areas and technical acceptability as detailed in the Paper and invited Members to consider the application.

19. After deliberation, the Committee decided to agree to the application for rezoning the Site from "R(B)1" to "R(B)4" with stipulation of maximum PR, BH and site coverage as proposed. Amendments to the draft Lam Tei and Yick Yuen OZP No. S/TM-LTY/11, together with the revised Notes and Explanatory Statement, would be submitted to the Committee for consideration prior to gazetting under section 7 of the Town Planning Ordinance.

Sai Kung and Islands District

[Mr Kenneth C.K. Yeung, 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 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/I-LWKS/4 Proposed Excavation and Filling of Land for Permitted Public Utility Pipeline (Underground Power Cable) in “Green Belt” Zone, Government Land near Sham Wat Road, Luk Wu, Tai O, Lantau
(RNTPC Paper No. A/I-LWKS/4)

20. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP), which was a subsidiary of CLP Holdings Limited (CLP). The following Members had declared interests on the item:

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

21. The Committee noted that Dr Jeanne C.Y. Ng had tendered an apology for being unable to attend the meeting. As the interest of Dr Conrad T.C. Wong was direct, the Committee agreed that he should be invited to leave the meeting temporarily during the deliberation session. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

22. With the aid of a PowerPoint presentation, Mr Kenneth C.K. Yeung, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;

- (b) the proposed excavation and filling of land for permitted public utility pipeline (underground power cable);
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, one objecting comment 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. While the proposed excavation and filling of land was not entirely in line with the planning intention of the “Green Belt” zone, it was to provide electricity supply to facilitate the operation of the existing columbarium use and to fulfil the requirements of the Fire Services Department on the provision of fire service installations in the specified instrument application under the Private Columbaria Ordinance. Sympathetic consideration could be given to the application. The proposed development met the assessment criteria of the Town Planning Board Guidelines No. 10. The proposed works were small in scale and 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.

23. In response to a Member's question on the scale of the existing columbarium, Mr Kenneth C.K. Yeung, STP/SKIs said that the existing columbarium for which the proposed power cable was to serve had existed before publication of the first development permission area plan for the area in 2011. There had been no material change in the use of land and the building since the land use survey conducted in 2011. The columbarium could be regarded as an 'existing use' under the Town Planning Ordinance. There was however no information at hand on the number of niches within the existing columbarium.

[Dr Conrad T.C. Wong left the meeting temporarily at this point.]

Deliberation Session

24. While not opposing the application, a Member shared the concern as raised in the public comment that there might be suspected expansion of the existing columbarium. Members noted that the existing columbarium fell within an area zoned “Government, Institution or Community (1)” (“G/IC(1)”) on the Outline Zoning Plan (OZP), ‘columbarium’ use was neither a Column 1 nor Column 2 use, and hence intensification or expansion of the columbarium was not allowed under the OZP.

25. 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 24.9.2025, 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.

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

Agenda Item 6

Section 16 Application

[Open Meeting]

A/I-PC/14 Proposed House in “Village Type Development” Zone, Lots 194 RP and 197 RP in D.D. Peng Chau and Adjoining Government Land, Peng Chau

(RNTPC Paper No. A/I-PC/14)

27. The Committee noted that the applicant’s representative requested on 7.9.2021 deferment of consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

28. 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/66 Proposed Temporary Educational Field Study Centre for a Period of 3 Years and associated Excavation of Land in "Conservation Area" and "Coastal Protection Area" Zones, Government Land in D.D. 238, Little Palm Beach, Clear Water Bay, Sai Kung
(RNTPC Paper No. A/SK-CWBN/66A)

Presentation and Question Sessions

29. 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 temporary educational field study centre for a period of three years and associated excavation of land;
- (c) departmental comments were set out in paragraph 8 of the Paper;

- (d) during the statutory publication periods, a total of 36 comments were received, including one supporting, 24 objecting and 11 raising concerns on the application. Major views were set out in paragraph 9 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. There was a general presumption against development in the “Conservation Area” (“CA”) and “Coastal Protection Area” (“CPA”) zones. There was no strong justification in the submission to demonstrate that the proposed development and excavation of land were needed to support the conservation of the existing natural landscape or scenic quality of the area or was an essential infrastructure project with overriding public interest that warranted a departure from the planning intentions of the “CA” and “CPA” zones, even on a temporary basis. The Chief Town Planner/Urban Design and Landscape, PlanD had reservation on the application as disruption of natural coastal vegetation and topography had been undertaken prior to any planning permission was granted, approval of the planning application might encourage other similar applications in the zones. The Director of Agriculture, Fisheries and Conservation had reservation on the application as there was no adequate ecological information to support the ecological evaluation and some of the ecological impacts were not considered in the application. The Commissioner for Transport could not support the application based on the information available in the submission and the technical feasibility of maneuvering of delivery, construction and operation vehicles along Hang Hau Wing Lung Road was not justified. The Commissioner of Police also raised concerns on the adverse traffic impact generated by the proposed development, in particular when no mitigation measure was proposed to address the potential traffic problems and there was no mechanism to enforce the proposed shuttle bus services. The Director of Environmental Protection indicated that the information provided by the applicant was insufficient to demonstrate that the requirements of sewerage treatment could be fulfilled and the potential sewerage impact arising from the proposed development could not be ascertained. Regarding the public comments received, the comments of

government departments and planning assessments above were relevant.

30. Two Members raised the following questions:

- (a) whether the applicant was a profit-making organization and had any related experience in operating such proposed use; and
- (b) noting that there was some concrete paving at the application site (the Site), whether the application would involve land filling.

31. In response, Ms W.H. Ho, STP/SKIs, made the following main points:

- (a) the applicant claimed itself to be a non-profit making organization founded in 2020 and was registered as a company limited by guarantee under the Companies Ordinance. There was no information submitted by the applicant in relation to its experience in operating the proposed use; and
- (b) according to the applicant, modular integrated construction methods might be adopted for constructing the educational field study centre and no land filling would be proposed. As the Site was formerly used as a tuckshop, some concrete paving had remained thereat.

Deliberation Session

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

- “(a) the proposed development and excavation of land are not in line with the planning intention of the “Conservation Area” (“CA”) zone which is primarily to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as country park from the adverse effects of development, and the planning intention of the “Coastal Protection Area” (“CPA”) zone which is to

conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. There is a general presumption against development within both zones. The applicant fails to provide strong justification in the submission for a departure from the planning intention of the “CA” and “CPA” zones, even on a temporary basis; and

- (b) the applicant fails to demonstrate that the proposed development would not cause adverse ecological, traffic and sewerage impacts on the site and the surrounding area.”

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/TKO/124 Religious Institution (Church) in “Residential (Group A) 6” Zone,
Units B01 - B03, B05, B06, G02, G05, G05A and G13, B/F and G/F,
Capri Place, 33 Tong Yin Street, Tseung Kwan O
(RNTPC Paper No. A/TKO/124)

33. The Secretary reported that the application site (the Site) was located in Tseung Kwan O (TKO). The following Members had declared interests on the item:

Mr L.T. Kwok - his serving organisation having social service units in TKO; and

Mr Alan K.L. Lo - he and his spouse owning properties in TKO.

34. As the interest of Mr L.T. Kwok was indirect and as the properties owned by Mr Alan K.L. Lo and his spouse had no direct view of the Site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

35. 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 religious institution (church);
- (c) departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication period, 52 comments were received, including 49 supporting and 3 objecting to the application. 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 applied use was considered not incompatible with other existing uses at Capri Place and the surrounding developments which were predominantly residential cum commercial developments with commercial uses on the lower floors. As the majority of the church use would be located on B/F and commercial uses were provided in the adjacent developments, it would not bring significant impact on the intended provision of retail and commercial activities in the area. With separate access, it was unlikely that the applied use would cause nuisance to the residents or adverse impacts on the surroundings. Concerned government departments had no objection to or adverse comment on the application. There were two approved similar applications in the same “Residential (Group A)” zone. Regarding the public comments received, the comments of concerned departments and the planning assessments above were relevant.

36. Members had no question on the application.

Deliberation Session

37. 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 24.9.2025, 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 provision of fire service installations and water supplies for fire-fighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

[Dr Conrad T.C. Wong joined the meeting at this point.]

Agenda Item 9

Section 16 Application

[Open Meeting]

A/TKO/125 Proposed Underground Public Vehicle Park (excluding Container Vehicle) cum Permitted Town Park in “Open Space” Zone, Government Land in Area 66, Tseung Kwan O
(RNTPC Paper No. A/TKO/125)

39. The Secretary reported that the application site (the Site) was located in Tseung Kwan O (TKO) and the application was submitted by the Transport Department (TD). The following Members had declared interests on the item:

Ms Carrie K.Y. Leung - being the representative of TD;

Mr L.T. Kwok - his serving organisation having social service units in TKO; and

Mr Alan K.L. Lo - he and his spouse owing properties in TKO.

40. The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Ms Carrie K.Y. Leung was direct, the Committee agreed that she could stay in the meeting but should refrain from participating in the discussion of the item. As the interest of Mr L.T. Kwok was indirect and as the properties owned by Mr Alan K.L. Lo and his spouse had no direct view of the Site, the Committee agreed that they could stay in the meeting.

41. The Committee noted that the applicant's representative requested on 9.9.2021 deferment of consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Items 10 & 12

Section 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

A/SK-HC/325 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 481 S.C in D.D. 244, Ho Chung, Sai Kung

A/SK-HC/331 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 483 in D.D. 244, Ho Chung, Sai Kung

(RNTPC Papers Nos. A/SK-HC/325B and 331)

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (NTEH - Small House) on each of the application sites;
- (c) departmental comments were set out in paragraph 9 of the Papers;
- (d) during the statutory publication period, two objecting comments were received for planning application No. A/SK-HC/325 and major views were set out in paragraph 10 of the Paper. No public comment was received for planning application No. A/SK-HC/331; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Papers. While 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 application sites (the Sites) possessed potential for agricultural rehabilitation, there were no active farming within the Sites and their nearby areas. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories, the footprint of the proposed Small Houses fell entirely within the village ‘environs’ of Ho Chung. While land available within the “Village Type Development” (“V”) zone was insufficient to meet the 10-year Small House demand forecast, it was capable to meet the outstanding Small House applications. Given the adoption of a more cautious approach in considering applications for Small House development in recent years, it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. Nevertheless, noting that the sites were situated near the edge of the “V” zone and located amidst a new village cluster in the “AGR” zone where the Ho Chung Village Office as well as existing Small Houses/sites approved for Small House development were found, and that application No. A/SK-HC/331 was the subject of a previously approved application, sympathetic consideration might be given to the applications. The proposed developments were considered not incompatible with the surrounding environment. Other concerned government departments had no objection to or no adverse comment on the applications. There were 74 and 73 similar approved applications in the same “AGR” zone for the respective application No. A/SK-HC/325 and A/SK-HC/331. Approval of the current applications was in line with the Committee’s previous decisions. Regarding the public comments received for planning application No. A/SK-HC/325, the comments of government departments and planning assessments above were relevant.

45. Members had no question on the application.

Deliberation Session

46. A Member was concerned whether approval of the current applications would set a precedent for Small House applications in the “AGR” zone which would lead to further proliferation of Small House development. The Committee noted that sympathetic consideration might be given to the applications mainly on the ground that the Sites were located in close proximity to the “V” zone and located amidst a new village cluster, and approval of the current applications would unlikely set a precedent for proliferation of other Small House developments in the “AGR” zone. In fact, there were five Small House applications in the same “AGR” zone rejected by the Committee as they were located in the water gathering grounds and were far away from the existing village cluster. The Chairman remarked that each planning application would be considered on a case by case basis.

47. The same Member opined that in assessing the current applications, the main supporting ground should be the location of the Sites amidst the new village cluster. The cautious approach that more weighting should be put on the number of outstanding Small House applications rather than the long-term demand forecast in considering whether there was a general shortage of land in meeting Small House demand remained unchanged.

48. Members noted that the construction waste disposed at the Site of planning application No. A/SK-HC/331 (as shown on Plan A-4 of the Paper) was mainly from the Small House construction sites nearby.

49. After deliberation, the Committee 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 24.9.2025, 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 condition:

“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.”

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

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/SK-HC/328 Proposed House (New Territories Exempted House - Small House) in
“Village Type Development” Zone and area shown as ‘Road’, Lot 1332
S.B in D.D. 244, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/328)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed 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, one comment raising concern 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 part of the application site (the Site) (about 50%) fell within an area shown as ‘Road’ which was previously reserved for the provision of a road under the Hiram’s Highway Improvement Stage 1 Project, the concerned

road works had been completed and the area shown as 'Road' was not required for the project. Thus, the application would not jeopardise the implementation of any planned road. Although the Town Planning Board had adopted a more cautious approach in approving applications for Small House development in recent years and it was considered more appropriate to concentrate the proposed Small House development within "Village Type Development" ("V") zone, about 50% of the Site and 68% of the footprint of the proposed Small House fell within the "V" zone. In view of its proximity to the village cluster and not affecting any existing and planned roads, sympathetic consideration might be given to the application. The proposed development generally complied with the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

52. Members had no question on the application.

Deliberation Session

53. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 24.9.2025, 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 provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB.”

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

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/SK-PK/267 Temporary Eating Place (Restaurant) for a Period of 3 Years in Area shown as 'Road', G/F, 11A Po Tung Road, Lot 1813 (Part) in D.D. 221, Sai Kung
(RNTPC Paper No. A/SK-PK/267)

Presentation and Question Sessions

55. 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 temporary eating place (restaurant) for a period of three years;
- (c) departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication period, one comment raising concerns on the application was 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 applied use was not in line with the planning intention of the area shown as 'Road', given the temporary nature of the use and that the application site (the Site) fell outside the boundary of the Hiram's Highway Improvement Project Stage 2 Project, approval of the application on a temporary basis would not frustrate the long-term planning intention of the area shown as 'Road'. The applied use was not incompatible with the surrounding uses. Concerned government departments had no objection to or no adverse comment on the application. The Site was the subject of two previously

approved applications for the same use and the planning permission of the last approved application (No. A/SK-PK/259) was revoked due to non-compliance with the approval condition on the provision of fire service installations (FSIs) within the required time frame. According to the applicant, he had misinterpreted that granting of fire services certificate under the licensing procedure of the restaurant would have fulfilled the planning condition on provision of FSIs, and had not made a separate submission to comply with the said planning condition. In view of the above, sympathetic condition could be given to the current application. Shorter compliance periods were recommended in order to closely monitor the progress of compliance with approval conditions. A number of similar applications had been approved in the vicinity of the Site. Approval of the current 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.

56. In response to a Member's enquiry, Ms Jane W.L. Kwan, STP/SKIs, explained that obtaining a fire services certificate for licensing of the restaurant use could not be taken as fulfilling the planning approval condition on the provision of FSIs. The applicant was required to submit relevant layout plan incorporated with the proposed FSIs to the Fire Services Department (FSD) for granting of such certificate. As for the discharge of planning approval conditions, the applicant should submit and implement the FSIs by the specified compliance dates as imposed on the planning permission to the satisfaction of the FSD or of the Town Planning Board.

Deliberation Session

57. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 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 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 24.12.2021;

- (b) in relation to (a) 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 24.3.2022; and
- (c) if the above planning condition (a) or (b) is not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.”

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

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/SK-PL/2 Proposed Temporary Place of Recreation, Sports or Culture and Tent Camping Ground with Ancillary Storage for a Period of 3 Years in “Agriculture” Zone, Various Lots in D.D. 368, Pak Lap, Sai Kung
(RNTPC Paper No. A/SK-PL/2)

Presentation and Question Sessions

59. With the aid of a PowerPoint presentation, Ms Jane W.L. Kwan, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports or culture and tent camping ground with ancillary storage for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;

- (d) during the statutory publication period, 71 objecting comments (including 56 submissions in two types of standard letters) 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 applicant failed to justify that the proposed development would not generate adverse environmental and ecological impacts on the surrounding area. The Director of Agriculture, Fisheries and Conservation (DAFC) and the Director of Environmental Protection had reservation on the application. The applicant proposed a shuttle bus service which would traverse Sai Kung East Country Park via Pak Tam Chung Barrier and MacLehose Trail. The Commissioner for Transport did not support the application as the available information in the submission could not justify that the proposed transportation arrangement, parking and loading/unloading arrangements would not pose adverse traffic impact. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

60. In response to a Member's enquiry on whether the proposed use was already in operation, Ms Jane W.L. Kwan, STP/SKIs said that the application site (the Site) was subject to planning enforcement action against unauthorized development (UD) involving uses for place of recreation, sports or culture (including hobby farm and playground), tent camping ground, storage use and barbecue area. Enforcement Notice (EN) was issued and the UD had been partially discontinued upon expiry of the EN. Follow-up enforcement action would be taken where necessary.

Deliberation Session

61. A Member concurred with the views of PlanD and concerned government departments, in particular the Transport Department of not supporting the application. Given that vehicular access to the Site was currently under strict traffic control, approval of the application would set an undesirable precedent for similar cases and would result in adverse traffic impact on the area.

62. Another Member opined that planning applications in Pak Lap should be assessed with caution taking account of the long history of ‘destroy first, build later’ activities at the Site. The Member also said that the number of visitors that would be generated by the proposed development would be more than that mentioned in the applicant’s proposal. The cumulative adverse impacts resulted from the proposed development could be substantial and general degradation of the rural environment was expected.

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

“the applicant fails to demonstrate in the submission that the proposed development would not cause adverse traffic, environmental and ecological impacts on the surrounding areas.”

Agenda Items 15 to 19

Section 16 Applications

[Open Meeting]

A/SK-SKT/29 Proposed Social Welfare Facility (Residential Care Home for the Elderly and Multi-Services Centre) in “Residential (Group E)1” Zone, 1 Hong Ting Road, Sai Kung

A/SK-SKT/30 Proposed Social Welfare Facility (Residential Care Home for the Elderly) in “Residential (Group E)1” Zone and area shown as ‘Road’, 2 Hong Ting Road, Sai Kung

A/SK-SKT/31 Proposed Social Welfare Facility (Residential Care Home for the Elderly and Multi-Services Centre including Day Care Centre for the Elderly) in “Residential (Group E)1” Zone and area shown as ‘Road’, 6 Hong Ting Road, Sai Kung

A/SK-SKT/32	Proposed Social Welfare Facility (Residential Care Home for the Elderly) in “Residential (Group E)1” Zone and area shown as ‘Road’, 7 Hong Ting Road, Sai Kung
A/SK-SKT/33	Proposed Social Welfare Facility (Residential Care Home for the Elderly) in “Residential (Group E)1” Zone, 7 (Part) and 9 Hong Ting Road, Sai Kung (RNTPC Paper No. A/SK-SKT/29 to 33)

64. The Secretary reported that the applications were submitted by different applicants under the Stan Group Project Company Limited (SGL). Conley Investment Limited (CIL) was the applicant of two applications (i.e. A/SK-SKT/32 and 33) and Associated Architects Limited (AAL) was one of the consultants of the applicants. Mr K.K. Cheung had declared interests on the items for his firm having current business dealings with SGL, CIL and AAL.

65. The Committee noted that the applicants had requested deferment of consideration of the applications. As Mr K.K. Cheung had no involvement in the applications, the Committee agreed that he could stay in the meeting.

66. The Committee noted that the applicants’ representative requested on 13.9.2021 deferment of consideration of the applications for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicants requested deferment of the applications.

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

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

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/700 Proposed House (New Territories Exempted House - Small House) in
"Village Type Development" and "Agriculture" Zones, Lot 949 RP in
D.D. 8, Ping Long Village, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/700)

Presentation and Question Sessions

68. 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, one objecting comment was received. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application from agricultural development point of view, the proposed Small House development was considered not incompatible with the surrounding area. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories, more than 50% of the proposed Small House footprint fell within the village ‘environs’ of Ping Long and the proposed development located within Water Gathering Ground would be able to be connected to the public sewerage system. While land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the 10-year Small House demand forecast, it was capable of meeting the outstanding Small House applications. Given the adoption of a more cautious approach in considering applications for Small House development in recent years, it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. Nevertheless, the application site (the Site) was the subject of a previously approved application (No. A/NE-LT/473) 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 pending the execution of land grant documents. In view of the above, sympathetic consideration could be given to the application. There were five similar applications in the vicinity of the Site and within the same “AGR” zone with four approved and one rejected. The planning circumstances of the current application were similar to those of the approved applications. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

69. Members had no question on the application.

Deliberation Session

70. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 24.9.2025, 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 submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (b) the connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Water Supplies or of the TPB; and
- (c) the provision of protective measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or of the TPB.”

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

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/674 Proposed House (New Territories Exempted House - Small House) in
“Green Belt” and “Village Type Development” Zones, Lots 373 and
377 in D.D. 32 and adjoining Government land, Ha Wong Yi Au, Tai
Po
(RNTPC Paper No. A/TP/674A)

Presentation and Question Sessions

72. 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 adverse comment on the application 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” (“GB”) zone, the Director of Agriculture, Fisheries and Conservation had no strong view on the application from nature conservation point of view. 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 Type Development” (“V”) zone. 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/TP/581) for Small House application submitted by the same applicant and District Lands Officer/Tai Po, Lands Department (LandsD) advised that the Small House grant application had been approved pending the execution of land grant documents. In view of the above, sympathetic consideration could be given to the application. There were ten similar applications in the vicinity of the application site and within the same “GB” zone. However, the planning circumstances of the current application were not similar to those of the above applications. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

73. Members had no question on the application.

Deliberation Session

74. 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 24.9.2025, 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.”

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

Agenda Item 22

Section 16 Application

[Open Meeting]

A/ST/988 Proposed Office, Eating Place (Canteen) and Shop and Services in “Industrial (1)” Zone, No. 2 Yuen Shun Circuit, Yuen Chau Kok, Sha Tin
(RNTPC Paper No. A/ST/988C)

76. The Committee noted that the applicant’s representative requested on 14.9.2021 deferment of consideration of the application for two months so as to allow more time to amend the development proposal and to revise the architectural drawings and visual impact assessment. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a revised traffic impact assessment and clarifications on site coverage and parking layout to address departmental comments.

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

further deferment would be granted.

Agenda Item 23

Section 16 Application

[Open Meeting]

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

78. The Secretary reported that the application was for columbarium use and submitted by Areopagos Norge. The following Members had declared interests on the item:

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

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

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

80. The Committee noted that the applicant’s representative requested on 9.9.2021 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 second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a revised technical assessment to address departmental comments.

- (d) during the statutory publication period, 35 supporting 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. The proposed use was small in scale and was considered not incompatible with the industrial and industrial-related uses in the subject building and the surrounding developments. The application generally complied with the Town Planning Board Guidelines No. 25D and relevant government departments had no objection to or no adverse comment on the application. In order not to jeopardise the long-term planning intention of industrial use for the application premises and to monitor the supply and demand of industrial floor space in the area, a temporary approval of five years was considered suitable.

83. Members had no question on the application.

Deliberation Session

84. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 24.9.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

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

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

Agenda Item 25

Section 16 Application

[Open Meeting]

A/ST/1001 Renewal of Planning Approval for Temporary Shop and Services for a Period of 3 Years in “Industrial” Zone, Portion of Ground Floor, HK JEBN Group Centre, 13-15 Shing Wan Road, Tai Wai
(RNTPC Paper No. A/ST/1001)

86. The Committee noted that the application was for renewal of planning approval for temporary shop and services for a period of three years. No public comment was received during the statutory publication period.

87. The Committee noted that the Planning Department had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 34D and concerned government departments had no objection to or no adverse comment on the application.

Deliberation Session

88. 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 to 19.10.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition:

“the existing fire service installations implemented at the application premises should be maintained in efficient working order at all times.”

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

Agenda Item 26

Section 16 Application

[Open Meeting]

A/ST/1002 Social Welfare Facility (Residential Care Home for the Elderly) in
 “Green Belt” Zone, G/F - 2/F, Block 2, Sea View Villa, 5800 Tai Po
 Road, Sha Tin

 (RNTPC Paper No. A/ST/1002)

90. The Committee noted that the applicant’s representative requested on 15.9.2021 deferment of consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

91. 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 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/752 Temporary Private Vehicle Park for Private Car and Light Goods Vehicle (Excluding Container Vehicle) and Loading/Unloading for a Period of 3 Years in “Residential (Group C)” Zone, Lots 799 S.A RP, 800 S.B RP and 801 S.B in D.D. 83, 192 Sha Tau Kok Road, Lung Yeuk Tau, Fanling
(RNTPC Paper No. A/NE-LYT/752)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary private vehicle park for private car and light goods vehicle (excluding container vehicle) and loading/unloading for a period of three years;
- (c) departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication period, five public comments, including four objecting comments and one indicating no comment, 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 in line with the planning intention of the “Residential (Group C)” (“R(C)”) zone, the site was located at the fringe of the “R(C)” zone and it had been used for the same/similar uses since 1998. Approval of the application on a temporary basis for three years would not jeopardise the

long-term planning intention of the “R(C)” zone. The applied use was considered not incompatible with the surrounding area. The Commissioner for Transport considered that the application could be tolerated from traffic engineering point of view. Other concerned government departments had no objection to or no adverse comment on the application. The application site was the subject of seven previously approved applications for the same/similar uses submitted by the same applicant. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

93. Members had no question on the application.

Deliberation Session

94. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 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., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the peripheral fencing of the site should be maintained at all times during the planning approval period;
- (d) the existing fire service installations implemented shall be maintained in efficient working order at all times during the planning approval period;
- (e) the existing drainage facilities shall be properly maintained at all times during the planning approval period and rectified if they are found inadequate/ineffective during operation;

- (f) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.12.2021;
- (g) 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
- (h) if the above planning condition (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.”

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

Agenda Item 28

Section 16 Application

[Open Meeting]

A/NE-TKL/682 Temporary Warehouse with Ancillary Workshop for a Period of 3 Years in “Open Storage” Zone and area shown as ‘Road’, Lots 885 and 1552 S.A ss.3 (Part) in D.D. 77 and Adjoining Government Land, Ping Che

(RNTPC Paper No. A/NE-TKL/682)

96. The Secretary reported that the application site (the Site) was located in Ta Kwu Ling and Dr Conrad T.C. Wong had declared an interest on the item for his firm owing a piece of land in Ta Kwu Ling area.

97. The Committee noted that the applicant had requested deferment of consideration of the application. As the piece of land owned by Dr Conrad T.C. Wong’s firm had no direct view of the Site, the Committee agreed that he could stay in the meeting.

98. The Committee noted that the applicant's representative requested on 9.9.2021 deferment of consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 29

Section 16 Application

[Open Meeting]

A/NE-TKL/683 Temporary Wholesale Trade with Ancillary Warehouse for a Period of 5 Years in "Open Storage" Zone, Lots 1256 (Part) and 1257 RP (Part) in D.D. 79, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/683)

100. The Secretary reported that the application site (the Site) was located in Ta Kwu Ling and Dr Conrad T.C. Wong had declared an interest on the item for his firm owing a piece of land in Ta Kwu Ling area.

101. The Committee noted that the applicant had requested deferment of consideration of the application. As the piece of land owned by Dr Conrad T.C. Wong's firm had no direct view of the Site, the Committee agreed that he could stay in the meeting.

102. The Committee noted that the applicant's representative requested on 13.9.2021 deferment of consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

103. 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 30

Section 16 Application

[Open Meeting]

A/NE-TKL/684 Renewal of Planning Approval for Temporary Vehicle Repair Workshop for Lorry, Coach and Container Vehicle with Ancillary Office and Electricity Transformer Station for a Period of 3 Years in "Open Storage" and "Agriculture" Zones, Lots 783 and 784 in D.D. 77 and Adjoining Government Land, Ping Che
(RNTPC Paper No. A/NE-TKL/684)

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

105. The Committee noted that the application was for renewal of planning approval for temporary vehicle repair workshop for lorry, coach and container vehicle with ancillary office and electricity transformer station for a period of three years. During the statutory publication period, three public comments, including one objecting, one indicating no comment, and one raising concern on the application, were received. Major views were set out in paragraph 10 of the Paper.

106. The Committee noted that the Planning Department considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 11 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 34D. Concerned government departments had no objection to or no adverse comment on the application, except the Director of Environmental Protection who did not support the application as there were sensitive receivers of residential use in the vicinity of the Site and environmental nuisance from the applied use was expected. However, there was no 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.

Deliberation Session

107. 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 6:15 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the peripheral fencing shall be maintained on site at all times during the planning approval period;

- (d) the existing drainage facilities should be maintained properly and those facilities if found inadequate or ineffective should be rectified during the planning approval period;
- (e) all existing trees shall be maintained in good condition at all times during the planning approval period;
- (f) the existing fire service installations implemented on the site should be maintained in efficient working order at all times;
- (g) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning period to the satisfaction of the Director of Drainage Services or the TPB by 20.1.2022;
- (h) if any of the above planning condition (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (i) if the planning condition (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (j) upon expiry of the planning permission, the reinstatement of the “Agriculture” portion of the site to an amenity area to the satisfaction of Director of Planning or of the TPB.”

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

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/597 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 263 S.D ss.9 in D.D. 9, Kau Lung Hang, Tai Po
(RNTPC Paper No. A/NE-KLH/597)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, one comment expressing concern 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. Although the proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application from agricultural development point of view, the proposed development was considered not entirely 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 proposed Small House footprint fell within the village ‘environs’ of Yuen Leng and

Kau Lung Hang and the proposed development located within water gathering ground would be able to be connected to the public sewerage system. While land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the 10-year Small House demand forecast, it was capable to meet the outstanding Small House applications. Given the adoption of a more cautious approach in considering applications for Small House development in recent years, it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. Nevertheless, the site was the subject of two previously approved applications (Nos. A/NE-KLH/358 and 527) for Small House development submitted by the same applicant. There was no change in major development parameters when compared to the last approval. In view of the above, sympathetic consideration might be given to the current application. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

110. Members had no question on the application.

Deliberation Session

111. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 24.9.2025, 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 submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (b) the connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Water Supplies or of the TPB; and

- (c) the provision of protective measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or of the TPB.”

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

[Mr Ivan M.K. Chung, the Chairman, left the meeting and Mr Stephen L.H. Liu, the Vice-chairman, took over the chairmanship at this point. The meeting was adjourned for a 5-minute break.]

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/598 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 263 S.D ss.15 in D.D. 9, Kau Lung Hang Village, Tai Po
(RNTPC Paper No. A/NE-KLH/598)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, two objecting public comments were received. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application from agricultural development point of view. There was no strong planning justification in the submission for a departure from the planning intention. 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 Yuen Leng and Kau Lung Hang, and the proposed development located within the water gathering grounds would be able to be connected to the public sewerage system. While land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the 10-year Small House demand forecast, it was capable of meeting the outstanding Small House applications. Given the adoption of a more cautious approach in considering Small House development in recent years, it was considered more appropriate to concentrate the proposed Small House 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 on review. The circumstances for rejection of the previous application were still valid. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

114. Members had no question on the application.

Deliberation Session

115. 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 Yuen Leng and Kau Lung Hang 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 infrastructure and services.”

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/599 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lot 975 S.A in
D.D. 7, Wai Tau Tsuen, Tai Po
(RNTPC Paper No. A/NE-KLH/599)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) - Small House);

- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, three objecting comments were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application from agricultural development point of view. There was no strong planning justification in the submission for a departure from the planning intention. The application did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories (the Interim Criteria) in that the site located within the water gathering ground would not be able to be connected to the existing or planned public sewerage system in the area, and the applicant failed to demonstrate that the proposed development would not cause adverse water quality impact in the area. Both the Director of Environmental Protection and Chief Engineer/Construction, Water Supplies Department objected to the application. Although 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 were two similar applications rejected by the Committee in the same “AGR” zone and the circumstances for rejecting these cases were applicable to the current application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

117. Members had no question on the application.

Deliberation Session

118. 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;
- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the applicant fails to demonstrate that the proposed development located within the water gathering ground would be able to be connected to the existing or planned sewerage system and would not cause adverse impact on the water quality in the area; and
- (c) land is still available within the “Village Type Development” (“V”) zone of Wai Tau Tsuen 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 infrastructure and services.”

Agenda Item 34

Section 16 Application

[Open Meeting]

A/NE-TK/711 Proposed Temporary Car Park (Private Cars Only) for a Period of 3
Year in “Agriculture” Zone, Lot 725 RP (Part) in D.D. 29 and
Adjoining Government Land, Ting Kok, Tai Po
(RNTPC Paper No. A/NE-TK/711)

119. The Committee noted that the applicant requested on 21.9.2021 deferment of consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

120. 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 35

Section 16 Application

[Open Meeting]

A/NE-TK/713 Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Recreation” Zone, Lots 1646 RP (Part), 1651 S.B RP (Part) and 1652 RP (Part) in D.D. 17, Lo Tsz Tin, Tai Po

(RNTPC Paper No. A/NE-TK/713)

121. The Committee noted that the application was for renewal of planning approval for temporary shop and services (real estate agency) for a period of three years. No public comment was received during the statutory publication period.

122. The Committee noted that the Planning Department had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 34D and concerned government departments had no objection to or no adverse comment on the application.

Deliberation Session

123. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 21.11.2021 until 20.11.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;

- (b) the submission of a proposal for fire service installations and water supplies for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 21.5.2022;

- (c) in relation to (b) above, the implementation of the fire service installations and water supplies for fire-fighting within 9 months from the date of

planning approval to the satisfaction of the Director of Fire Services or of the TPB by 21.8.2022;

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

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

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

Fanling, Sheung Shui and Yuen Long East District

[Mr Anthony K.O. Luk, District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FSYLE), Mr Patrick M.Y. Fung, Mr Wallace W.K. Tang and Ms Christine C.M. Cheung, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/FSS/281 Proposed House (New Territories Exempted House - Small House) in
 “Green Belt” Zone, Government Land in D.D.91, Ng Uk Tsuen,
 Sheung Shui

 (RNTPC Paper No. A/FSS/281A)

Presentation and Question Sessions

125. 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 (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, three public comments, including one indicating no comment and two objecting comments, 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 development was not in line with the planning intention of the “Green Belt” (“GB”) zone, the application was generally in line with the Town Planning Board Guidelines No. 10 in that it was located in close proximity to existing villages and in keeping with the surrounding uses, and the development was to meet the demand from indigenous villagers. The proposed development was considered not incompatible with the surrounding environment. The Director of Agriculture, Fisheries and Conservation had no strong view on the application from nature

conservation perspective and concerned government departments had no objection to or no adverse comment on the application. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories, the footprint of the proposed Small House fell entirely within the village ‘environs’ of Ng Uk Tsuen and land available within the “Village Type Development” (“V”) zone was insufficient to meet the outstanding Small House applications. As such, the application generally complied with the Interim Criteria and sympathetic consideration could be given to the application. There were two previously approved applications for Small House development on the application site submitted by different applicant and nine similar applications within the same “GB” zone approved by the Committee. Approving the current application was in line with the Committee’s previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

126. Members had no question on the application.

Deliberation Session

127. 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 24.9.2025, 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.”

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

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/314 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Lot 361 S.B RP (Part) in D.D. 112, Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/314)

Presentation and Question Sessions

129. 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 five years and filling of land;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, 40 objecting comments (38 of which were in a standard letter format) 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 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 from agricultural point of view. Approval of the application on a temporary basis for five years would not frustrate the long-term planning intention of the “AGR” zone. The proposed use was considered not incompatible with the surrounding environment and concerned

government departments had no objection to or no adverse comment on the application. Nevertheless, the site was in located close proximity to the Shek Kong Barracks, which might result in security concerns as raised by the Secretary for Security. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

130. Members had no question on the application.

Deliberation Session

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

“the application site is located in close proximity to the Shek Kong Barracks. Approval of the application may result in security concerns.”

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/899 Proposed Temporary Transitional Housing Development for a Period of 3 Years in “Comprehensive Development Area” Zone, Lot 2160 RP in D.D. 106 and Adjoining Government Land, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/899)

132. The Secretary reported that Mott MacDonald Hong Kong Limited (MMHK) was one of the consultants of the applicant. Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with MMHK.

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

Presentation and Question Sessions

134. With the aid of a PowerPoint presentation, Mr Anthony K.O. Luk, DPO/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary transitional housing development for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, 86 objecting comments (including 45 in standard forms) were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was generally in line with the planning intention of the “Comprehensive Development Area” (“CDA”) zone. The proposed transitional housing development was also in line with the Government’s policy to increase the supply of transitional housing for meeting the short-term needs of people waiting for public housing. The Secretary for Transport and Housing had given policy support to the application. The proposed use and development intensity were considered not incompatible with the surrounding committed uses. Both the Director of Agriculture, Fisheries and Conservation and Chief Engineer/Mainland North, Drainage Services Department (DSD) had no objection to the application from the nature conservation and drainage perspectives. Hence, filling the abandoned meander and tree felling within Area (b) of the “CDA” zone for providing more transitional housing units to meet the urgent needs might not be unjustified. The proposed amenity block at the application site (the Site) would also provide social welfare facilities and amenities for the future residents as well as the neighbourhood as a whole. 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

135. Some Members raised the following questions:

- (a) whether there was odour nuisance from the Kam Tin River abutting the north of the Site;
- (b) whether the applicant was the land owner of the Site; and
- (c) how the implementation of the committed tree replantation works could be ensured in the future permanent development of the “CDA” zone.

136. In response, Mr Anthony K.O. Luk, DPO/FSYLE, made the following main points:

- (a) no odour nuisance relating to the Kam Tin River was identified by the relevant government departments including DSD and Environmental Protection Department (EPD). In that regard, no relevant assessment or mitigation measures were submitted under the application. The applicant, however, would mitigate any odour that might arise from the proposed sewage treatment plant at the Site;
- (b) the applicant was not the ‘current land owner’ of the Site but the operator of the proposed transitional housing; and
- (c) should the application be approved, an approval condition requiring the applicant to reinstate Area (b) of the “CDA” zone with tree planting upon the expiry of the planning permission was recommended to be imposed. The requirement for landscape treatment in Area (b) for any permanent development could also be exercised via the statutory planning control mechanism of the “CDA” zone.

137. A Member expressed concern that the unpleasant odours from Kam Tin River might affect future residents of the proposed transitional housing. In response, Mr Stanley C.F. Lau, Principal Environmental Protection Officer (Strategic Assessment), EPD, said that for areas in the vicinity of the Site, no complaint regarding odour nuisance from Kam Tin River had been received in the past three years.

Deliberation Session

138. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 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 run-in/out proposal at Kam Wui Road within 6 months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB by 24.3.2022;
- (c) in relation to (b) above, the implementation of the run-in/out proposal at Kam Wui Road within 9 months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB by 24.6.2022;
- (d) the submission of a footpath proposal along Kam Wui Road within 6 months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB by 24.3.2022;
- (e) in relation to (d) above, the implementation of the footpath proposal along Kam Wui Road within 9 months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB by 24.6.2022;

- (f) the implementation of the drainage proposal as detailed in the accepted Drainage Impact Assessment within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.6.2022;
- (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 contamination assessment plan and remediation action plan (if necessary) within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 24.3.2022;
- (i) in relation to (h) above, the implementation of the remedial actions prior to commencement of construction for the contaminated areas within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 24.6.2022;
- (j) the submission of a proposal 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 24.3.2022;
- (k) in relation to (j) 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 24.6.2022;
- (l) if any of the above planning condition (a) 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;
- (m) if any of the above planning condition (b), (c), (d), (e), (f), (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall

cease to have effect and shall on the same date be revoked without further notice; and

- (n) upon expiry of the planning permission, the reinstatement of Area (b) in the site with tree planting to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/783 Temporary Warehouse for a Period of 3 Years in “Other Specified Uses” annotated “Railway Reserve” and “Industrial (Group D)” Zones, Various Lots in D.D. 107, Fung Kat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTN/783)

140. The Secretary reported that the application was submitted by Harvest Hill (Hong Kong) Limited (HHHK). Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with HHHK.

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

Presentation and Question Sessions

142. 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 warehouse for a period of three years;

- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, 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 considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The “Other Specified Uses” annotated “Railway Reserve” zone (“OU(Railway Reserve)”) was intended for railway development of the proposed Northern Link (NOL), and the Highways Department had no in-principle objection to the application as the alignment and programme of the NOL were still under review. Besides, a minor portion of the application site (the Site) fell within the study area of a proposed public housing development, the Project Manager (West), Civil Engineering and Development Department had no adverse comment on the application given that the temporary nature of the application was not in contradiction with the tentative timeframe of the public housing development. Approval of the application on a temporary basis of three years would not jeopardise the implementation of the above developments. The applied use was considered not incompatible with the surrounding areas. The Director of Environmental Protection did not support the application as there were residential uses in the vicinity of the Site and the applied use would involve the use of heavy vehicles. Nevertheless, the applicant stated that the site was for storage of beverage products and the operations would mainly be undertaken within the warehouse structures. To minimise any possible environmental nuisances and to address the technical requirements of the relevant government departments, appropriate approval conditions were recommended. Other concerned government departments had no objection to or no adverse comment on the application. There were three previously approved applications but the applied uses were different from that of the current application. There were also nine approved similar applications within the same “OU(Railway Reserve)” zone. Approval of the current application

was in line with the Committee's previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

143. Members had no question on the application.

Deliberation Session

144. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 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. 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 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 heavy goods vehicle exceeding 24 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.3.2022;

- (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 24.6.2022;
- (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 24.3.2022;
- (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 24.6.2022;
- (k) if any of the above planning condition (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning condition (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/784 Proposed Temporary Shop and Services for a Period of 3 Years in
“Residential (Group C) 2”, “Open Space” and “Agriculture” Zones, Lot
513 in D.D.110, Kam Tin Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTN/784)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, five objecting comments were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The site mainly fell within an area zoned “Open Space” (“O”) and “Residential (Group C) 2” (“R(C)2”) on the Kam Tin North Outline Zoning Plan (OZP) with a minor portion in “Agriculture” zone on the Pat Heung OZP. Whilst the proposed use was not in line with the planning intentions of the “O” and “R(C)2” zones, the Director of Leisure and Cultural Services had no objection to the application as there was no plan for public open space development for the “O” portion of the application site (the Site). Besides, there was no development programme for the “R(C)2” portion of the Site. Approval of the current application on a temporary basis of three years would not

jeopardise the long-term development of the two zones. The proposed use was considered not incompatible with the surrounding area. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

147. Members had no question on the application.

[Mr Philip S.L. Kan left the meeting temporarily at this point.]

Deliberation Session

148. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 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 dismantling, maintenance, repairing, cleansing, paint spraying and other workshop activities shall be carried out on the site at any time during the planning approval period;
- (c) no medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (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 24.3.2022;

- (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 24.6.2022;
- (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 24.3.2022;
- (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 24.6.2022;
- (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.”

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

Agenda Item 41

Section 16 Application

[Open Meeting]

A/YL-KTN/785 Proposed Public Utility Installation (Solar Energy System) in “Agriculture” Zone, Lots 1758, 1759, 1760, 1761, 1763RP (Part), 1766RP (Part) and 1767RP (Part) in D.D. 107, Kam Tin North, Yuen Long
(RNTPC Paper No. A/YL-KTN/785)

150. The Secretary reported that the application was submitted by Bright Strong Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). The following Members had declared interests on the item:

- Miss Winnie W.M. Ng - being a director of the Kowloon Motor Bus Company (1933) Limited (KMB) and Long Win Bus Company Limited (Long Win), and SHK having shareholding interests in KMB and Long Win;
- Dr Conrad T.C. Wong - having current business dealings with SHK;
- Mr Peter K.T. Yuen - his relative being an independent non-executive director of SHK; and
- Mr K.K. Cheung - his firm having current business dealings with SHK.

151. The Committee noted that the applicant had requested deferment of consideration of the application and Miss Winnie W.M. Ng had tendered an apology for being unable to attend the meeting. As the interest of Dr Conrad T.C. Wong was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion of the item. As the interest of Mr Peter K.T. Yuen was indirect and Mr K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

152. The Committee noted that the applicant's representative requested on 16.9.2021 deferment of consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/900 Proposed Temporary Shop and Services for a Period of 3 Years and Filling of Land in "Agriculture" Zone, Lot 1165 (Part) in D.D. 106, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/900)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) the proposed temporary shop and services for a period of three years and filling of land;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, a public comment raising concern on the application was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. While the proposed use was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application from agricultural point of view, approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “AGR” zone. The proposed use was not incompatible with the surrounding land uses. According to the applicant, the filling of land was for site formation of structures and vehicle circulation purposes. The site layout had been revised to minimize the land filling extent to avoid conflict with the existing mature trees within the application site (the Site). Concerned government departments had no objection to or no adverse comment on the application. The last approved application (No. A/YL-KTS/809) submitted by the same applicant for the same use at the Site was revoked due to non-compliance with an approval condition. Shorter compliance periods were recommended in order to closely monitor the progress of compliance with relevant approval conditions. There were 11 similar applications for similar temporary use within the same “AGR” zone. Approval of the current 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.

155. Members had no question on the application.

Deliberation Session

156. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) existing trees within the site shall be maintained at all times during the planning approval period;
- (e) the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a 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 24.12.2021;
- (g) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.12.2021;

- (h) 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 24.3.2022;
- (i) if any of the above planning condition (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning condition (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; 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.”

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

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/901 Proposed Temporary Shop and Services for a Period of 5 Years in
“Village Type Development” Zone, Lots 1289 (Part) and 1293 (Part) in
D.D. 113, Cheung Po, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/901)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) the proposed temporary shop and services for a period of five years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, two 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. Although the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, there was no Small House application approved or under processing at the application site (the Site), approval of the application on a temporary basis for five years would not jeopardise the long-term planning intention of the “V” zone. The proposed use was considered not incompatible with the surrounding land areas. Concerned government departments had no objection to or no adverse comment on the application. There were two similar approved applications in the adjoining “V” zones. Approval of the current application was in line with the Committee's previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

159. In response to a Member's enquiry, Mr Wallace W.K. Tang, STP/FSYLE, said that the proposed development, with a total site area of about 512m², involved four structures (each with a floor area of about 54m²) for various shop and service uses, including real estate agency, clinic, convenience store and retail shop, etc. to serve the nearby locals. The scale of the proposed use was considered not excessive and as the Site was at a distance from other retail facilities, there was no objection to the proposed use.

Deliberation Session

160. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 24.9.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.3.2022;
- (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 24.6.2022;
- (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 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 24.3.2022;
- (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 24.6.2022;
- (i) if any of the above planning condition (a), (b), (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

Agenda Item 44

Section 16 Application

[Open Meeting]

A/YL-KTS/902 Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years in “Agriculture” Zone, Lots 123 (Part) and 124 (Part) in D.D. 113 and Adjoining Government Land, Ma On Kong, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/902)

162. The Committee noted that the applicant’s representative requested on 13.9.2021 deferment of consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

163. 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 45

Section 16 Application

[Open Meeting]

A/YL-KTS/903 Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Village Type Development” Zone, Lot 367 RP (Part) in D.D. 109, Kam Sheung Road, Kam Tin South, Yuen Long
(RNTPC Paper No. A/YL-KTS/903)

164. The Committee noted that the application was for renewal of planning approval for temporary shop and services (real estate agency) for a period of three years. During the statutory publication period, one objecting public comment was received. Major views were set out in paragraph 11 of the Paper.

165. 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.

Deliberation Session

166. 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 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no medium or heavy goods vehicle exceeding 5.5 tonnes including container tractor/trailer, as defined in the Road Traffic Ordinance, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing tree on the site shall be maintained at all times during the planning approval period;
- (e) the existing drainage facilities implemented 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 commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.4.2022;
- (g) in relation to (f) above, the provision of the fire service installations within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.7.2022;
- (h) if any of the above planning condition (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (i) if the above planning condition (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; 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.”

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

Agenda Item 46

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/889 Proposed Temporary Shop and Services for a Period of 5 Years in
 “Village Type Development” Zone, Lot 1033 S.A (Part) in D.D. 111,
 Ha Che, Pat Heung, Yuen Long
 (RNTPC Paper No. A/YL-PH/889)

168. Mr Wallace W.K. Tang, STP/FSYLE, said that there was a typographical error each on pages 1 and 4 of the Paper and clarified that the site was an Old Scheduled Agricultural Lot held under the Block Government Lease.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services for a period of five years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, one objecting comment was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, there was no Small House application approved or under processing at the application site (the Site), approval of the application on a temporary basis for five years would not jeopardise the long-term planning intention of the “V” zone. The proposed use was considered not incompatible with the

surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. There were eight similar applications approved within the same “V” zone and in the vicinity of the Site. Approval of the current 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.

170. In response to the Vice-chairman’s enquiry, Mr Wallace W.K. Tang, STP/FSYLE, said that according to the applicant, the structure within the Site had been erected long time ago. The aerial photos taken over the years also indicated that the structure had been existing for some years. Some repairing and renovation works were currently in progress.

Deliberation Session

171. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 24.9.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the submission of a 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 24.3.2022;
- (c) in relation to (b) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.6.2022;
- (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 24.3.2022;
- (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 24.6.2022;
- (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.”

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

Agenda Item 47

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/890 Proposed Temporary Storage of Vehicles and Auto Parts with Ancillary Vehicle Repair Workshop for a Period of 3 Years in “Residential (Group D)” Zone, Lot 115 in D.D. 108, Fan Kam Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/890)

Presentation and Question Sessions

173. 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 storage of vehicles and auto parts with ancillary vehicle repair workshop for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, one comment raising concern on the application was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed use was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no known programme for permanent development within the “R(D)” zone. Approval of the application on a temporary basis for three years would not jeopardise the long-term planning intention of the zone. The proposed use was considered not incompatible with the surrounding area. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

174. Members had no question on the application.

Deliberation Session

175. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 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 medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (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 24.3.2022;
- (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 24.6.2022;
- (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 24.3.2022;
- (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 24.6.2022;
- (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.”

176. 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/YL-MP/304 Proposed Temporary School (Kindergarten cum Child Care Centre) for a Period of 3 Years in “Village Type Development” Zone, Lots 2261 S.S RP (Part), 2261 S.S ss.8 (Part), 2262 RP (Part), 2265 S.A, 2265 S.B, 2265 S.C, 2265 S.D and 2265 S.E RP (Part) in D.D. 104, Ha San Wai, Yuen Long
(RNTPC Paper No. A/YL-MP/304A)

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

Presentation and Question Sessions

178. Ms Christine C.M. Cheung, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary school (kindergarten cum child care 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, 11 supporting 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. The proposed kindergarten fell within an area zoned “Village Type Development” (“V”) where selected commercial, community and recreational uses might be permitted on application to the Town Planning Board. There was no Small House application at the Site and approval of the application on a temporary basis for three years would not jeopardise the long-term planning intention of the “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. The Site was the subject of a previously approved application for a permanent school (kindergarten) use, which was submitted by a different applicant and had been in operation since the permission granted by the Committee. Approval of the current application which involved a proposed child care centre in addition to the approved kindergarten was considered in line with the Committee's previous decision.

179. Members had no question on the application.

Deliberation Session

180. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 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 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 24.3.2022;
- (c) in relation to (b) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.6.2022;
- (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 24.3.2022;
- (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 24.6.2022;
- (f) in relation to (e) above, the implemented drainage facilities 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; and
- (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.”

181. 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]

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

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

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

184. The Committee noted that the applicant requested on 6.9.2021 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 second time that the applicant requested deferment of the application. Since the last deferment, the applicant had made pre-submission on various technical assessments with a view to addressing departmental comments.

185. 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 50

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/314 Proposed Temporary Eating Place for a Period of 3 Years in
“Commercial/Residential” and “Residential (Group D)” Zones, Lot
3250 S.B ss.24 S.A RP and 3250 S.B ss.34 RP in D.D. 104 and
Adjoining Government Land, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/314)

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

Presentation and Question Sessions

187. Ms Christine C.M. Cheung, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary eating place for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, one objecting comment was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The Site mainly fell within the “Commercial/Residential” (“C/R”) zone and a portion within the “Residential (Group D)” (“R(D)”) zone. Whilst the proposed use was always permitted with the “C/R” zone, it was not in line

with the planning intention of the “R(D)” zone. Nevertheless, the portion of “R(D)” was the road side area and there was no committed residential development, approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “R(D)” zone. The 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. The Site was the subject of one previously approved application and one previously rejected application. The circumstances of the current application were different from those of the rejected application. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

188. Members had no question on the application.

Deliberation Session

189. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 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 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 24.3.2022;
- (c) in relation to (b) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.6.2022;
- (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 24.3.2022;

- (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 24.6.2022;
- (f) in relation to (e) above, the implemented drainage facilities 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; and
- (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.”

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

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

Agenda Item 51

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/425 Temporary Shop and Services for a Period of 3 Years in “Residential (Group C)” Zone, Lots 1766 RP and 1767 RP (Part) in D.D. 105 and Adjoining Government Land, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/425)

Presentation and Question Sessions

191. Ms Christine C.M. Cheung, STP/FSYLE, presented the application and covered

the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary shop and services for 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 was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Residential (Group C)” (“R(C)”) zone, it could serve the local residents nearby. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the “R(C)” zone. The applied use was not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. Whilst the last planning approval for similar shop and services use submitted by the same applicant was revoked due to non-compliance with some 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. There were five approved similar applications in the same “R(C)” zone. Approval of the current application was in line with the previous decisions of the Committee. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

192. Members had no question on the application.

Deliberation Session

193. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 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 reserve onto/from public road at any time during the planning approval period;
- (b) the design of run in/out at San Tam Road within 3 months from the date of planning approval to the satisfaction of the Commissioner for Transport and Director of Highways or of the TPB by 24.12.2021;
- (c) the provision of run-in/run-out at 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 24.3.2022;
- (d) the submission of a 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 24.12.2021;
- (e) 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 24.12.2021;
- (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 the Director of Fire Services or of the TPB by 24.3.2022;
- (h) if any of the above planning condition (a) 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 (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.”

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

Agenda Item 52

Section 16 Application

[Open Meeting]

A/YL-ST/595 Proposed Temporary Open Storage of Construction Machinery and Materials for a Period of 3 Years in “Other Specified Uses” annotated “Service Stations” Zone, Lots 661 S.C RP and 674 RP (Part) in D.D. 99 and adjoining Government Land, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/595)

195. The Secretary reported that the application was rescheduled.

[The Vice-chairman thanked Mr Anthony K.O. Luk, DPO/FSYLE, Mr Patrick M.Y. Fung, Mr Wallace W.K. Tang and Ms Christine C.M. Cheung, STPs/FSYLE, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Tuen Mun and Yuen Long West District

[Ms Carol K.L. Kan, Mr Simon P.H. Chan, Mr Alexander W.Y. Mak, Ms Bonnie K.C. Lee 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 53

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/281 Proposed Temporary Institutional Use for a Period of 6 Years in
“Village Type Development” Zone, Government Land in D.D.116
(Ex-Pui Tak School), Ha Yau Tin Tsuen, Shap Pat Heung, Yuen Long
(RNTPC Paper No. A/YL/281)

Presentation and Question Sessions

196. Ms Carol K.L. Kan, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary institutional use for a period of six years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, one comment expressing views and three 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 proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the application site (the Site) was entirely Government land and was used as a school from 1947 until its closure in 1997. As there was no Small House application approved or under processing at the Site, approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “V” zone. The proposed use was considered not incompatible with the surrounding land uses. The Site was one of the vacant school premises (VSP) sites currently under the management of Lands Department. The

proposed use to serve the local community for meeting their needs for arts and cultural services on a short-term basis was generally in line with the recommended use under the latest VSP review by PlanD and in line with the Government's intention to optimise land resources by utilising VSP sites. There was one previously approved application for temporary institutional use and religious institution at the Site. Approval of the application was in line with the Committee's previous decision. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

[Mr Philip S.L. Kan rejoined the meeting during the presentation session.]

197. Members had no question on the application.

Deliberation Session

198. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 6 years until 24.9.2027 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system is allowed to be used on the site, at any time during the planning approval period;
- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.3.2022;

- (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 24.6.2022;
- (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 24.3.2022;
- (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 24.6.2022;
- (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.”

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

Agenda Item 54

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/305 Temporary Logistics Centre for a Period of 3 Years in “Residential (Group B) 1”, “Residential (Group B) 2”, “Open Space” Zones and area shown as ‘Road’, Various Lots in D.D. 129 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/305A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary logistics centre for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, three objecting comments were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not in line with the planning intentions of the “Residential (Group B)” and “Open Space” zones, the Project Manager (West) of Civil Engineering and Development Department and the Director of Leisure and Cultural Services had no objection to the application. Approval of the current application on a temporary basis of three years would not jeopardise the long-term development of the application site (the Site). The applied use was not incompatible with the surrounding land uses. The application was generally in line with the Town Planning Board Guidelines No. 13F.

Concerned government departments had no objection to or no adverse comment on the application, except the Director of Environmental Protection who did not support the application as there were sensitive receivers of residential users in the vicinity and the development involved the operation of heavy goods and container vehicles and thus environmental nuisance was expected. Nevertheless, there was no environmental complaint concerning the Site in the past three years. To minimise any potential nuisance and to address the technical requirements of the relevant government departments, appropriate approval conditions were recommended. The last approved application (No. A/HKS/108) for the same use at the Site submitted by the same applicant was revoked due to non-compliance with approval conditions. The applicant had included a tree preservation and landscape proposal and a fire services installations proposal in the current application and the Chief Town Planner/Urban Design and Landscape, PlanD and the Director of Fire Services considered the respective proposals acceptable. Shorter compliance periods were recommended in order to closely monitor the progress of compliance with the relevant approval conditions. There were two previous planning approvals for the same applied use granted to the Site and five similar applications within the same concerned land use zones. Approval of the current application was in line with the Committee's previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

201. A Member enquired about the differences in definition and planning considerations between the logistics centre and warehouse uses. Mr Simon P.H. Chan, STP/TMYLW, explained that a warehouse was mainly used for storage of goods (normally with less variety of goods) and for a longer period of time while logistics centre was mainly for distribution of goods which were stored for a relatively shorter period of time and with greater turn around. The traffic flow generated by the logistics centre would be higher than that of a warehouse use. Logistics centre was also considered as a kind of port back-up use for which Town Planning Board Guidelines No. 13F was applicable.

Deliberation Session

202. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no recycling, cleansing, repairing, dismantling and workshop activity, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the implementation of the accepted tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 24.3.2022;
- (f) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.12.2021;
- (g) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (h) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.3.2022;

- (i) 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
- (j) if any of the above planning condition (e), (f) 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.”

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

Agenda Item 55

Section 16 Application

[Open Meeting]

A/HSK/328 Proposed Temporary Shop and Services for a Period of 5 Years in
“Government, Institution or Community” Zone, Lots 6 S.C (Part) and 7
(Part) in D.D. 125, Fung Kong Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/328)

204. The Secretary reported that the application was withdrawn by the applicant on 24.9.2021 after issuance of the paper.

Agenda Item 56

Section 16 Application

[Open Meeting]

A/HSK/329 Temporary Logistics Centre with Ancillary Office and Canteen for a Period of 3 Years in “Government, Institution or Community”, “Residential (Group B) 2”, “Open Space” Zones and area shown as ‘Road’, Various Lots in D.D.129 and Adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/HSK/329)

205. The Committee noted that the applicant’s representative requested on 8.9.2021 deferment of consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

206. 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 57

Section 16 Application

[Open Meeting]

A/HSK/330 Renewal of Planning Approval for Temporary Open Storage of Construction Materials and Machineries and Storage of Tools and Parts with Ancillary Site Office for a Period of 3 Years in “Commercial (1)”, “Open Space”, “Open Space (1)” Zones and area shown as ‘Road’, Various Lots in D.D. 124 , Ping Shan, Yuen Long
(RNTPC Paper No. A/HSK/330)

207. The Secretary reported that the application was submitted by Team Harvest Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). The following Members had declared interests on the item:

Miss Winnie W.M. Ng - being a director of the Kowloon Motor Bus Company (1933) Limited (KMB) and Long Win Bus Company Limited (Long Win), and SHK having shareholding interests in KMB and Long Win;

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

Mr Peter K.T. Yuen - his relative being an independent non-executive director of SHK; and

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

208. The Committee noted that Miss Winnie W.M. Ng had tendered an apology for being unable to attend the meeting. As the interest of Dr Conrad T.C. Wong was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion of the item. As the interest of Mr Peter K.T. Yuen was indirect and Mr K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

209. The Committee noted that the application was for renewal of planning approval for temporary open storage of construction materials and machineries and storage of tools and parts with ancillary site office for a period of three years. During the statutory publication period, one objecting comment 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. Concerned government departments had no objection to or no adverse comment on the application, except the Director of Environmental Protection who did not support the application as there were sensitive receivers of residential use in the vicinity of the site and the development involved the use of heavy goods vehicles. Environmental nuisance was expected. However, there was no environmental complaint concerning the application site in the past three years. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended.

Deliberation Session

211. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 10.10.2021 to 9.10.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation 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 dismantling, repairing or other workshop activity is allowed on the site at any time during the planning approval period;

- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the provision of waterworks reserve within 1.5m from the centreline on both sides of the existing water mains within the site at all times during the planning approval period;
- (f) all existing screen planting including trees and shrubs within the site shall be maintained in good condition at all times during the planning approval period;
- (g) the existing boundary fencing shall be maintained at all times during the planning approval period;
- (h) the submission of a drainage proposal within 6 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 10.4.2022;
- (i) in relation to (h) above, the implementation of the drainage proposal within 9 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 10.7.2022;
- (j) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS 251) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 21.11.2021;
- (k) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.4.2022;

- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.7.2022;
- (m) 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
- (n) if any of the above planning condition (h), (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 58

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/416 Proposed Temporary Shop and Services for a Period of 3 Years in
“Residential (Group D)” Zone, Lot 1367 (Part) in D.D.130, Tsoi Yuen
Tsuen, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/416)

Presentation and Question Sessions

213. 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 shop and services for a period of three years;

- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, three 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 proposed use was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, the use could provide shop and services to serve any such demand in the area. Approval of the application on a temporary basis for three years would not jeopardise the long-term planning intention of the 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 two approved similar applications within the same “R(D)” zone. Approval of the application was in line with the Committee’s previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

214. Members had no question on the application.

Deliberation Session

215. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 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 vehicle is allowed to be parked on or enter the site, as proposed by the applicant, at any time during the planning approval period;

- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.3.2022;
- (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 24.6.2022;
- (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 24.3.2022;
- (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 24.6.2022;
- (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.”

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

Agenda Item 59

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/418 Proposed Temporary Public Vehicle Park (Private Car) for a Period of 3 Years in “Residential (Group D)” Zone, Lots 2384 (Part) and 2386 (Part) in D.D.130, Tsoi Yuen Tsuen, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/418)

Presentation and Question Sessions

217. 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 public vehicle park (private car) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, nine 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 proposed use was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, the use could provide private car parking spaces to the nearby residents to serve any such demand in the area. Approval of the application on a temporary basis for three years would not jeopardise the long-term planning intention of the 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. Regarding the public comments received, the comments of government departments and planning

assessments above were relevant.

218. Members had no question on the application.

Deliberation Session

219. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) only private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site, as proposed by the applicant, at all times during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site at all times to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle washing, vehicle repairing, dismantling, car beauty or other workshop use is allowed on the site, as proposed by the applicant, at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the 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 24.3.2022;

- (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 24.6.2022;
- (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 24.3.2022;
- (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 24.6.2022;
- (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.”

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

Agenda Item 60

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/643 Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years
in “Residential (Group B) 1” Zone, Lots 123 (Part) and 124 RP (Part)
in D.D. 121, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/643)

221. The Secretary reported that the application site (the 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. The Committee noted that Mr Ricky W.Y. Yu had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary public vehicle park (private cars) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, one objecting comment 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 “Residential (Group B)” (“R(B)”) zone, there was no known development proposal to implement the zoned use. The use could provide parking spaces to meet any such demand in the area. Approval of the application on a temporary basis for three years would not jeopardise the

long-term planning intention of the 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 two previously approved applications for the same use at the Site and nine approved similar applications within the same “R(B)1” 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.

223. Members had no question on the application.

Deliberation Session

224. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

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

- (e) no vehicle washing, vehicle repairing, dismantling, car beauty or other workshop use is allowed on the site, as proposed by the applicant, at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing boundary fencing shall be maintained at all times during the planning approval period;
- (h) the existing trees within the site shall be maintained in good condition at all times during the planning approval period;
- (i) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.12.2021;
- (k) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.3.2022;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.6.2022;
- (m) if any of the above planning condition (a), (b), (c), (d), (e), (f), (g), (h) 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

- (n) if any of the above planning condition (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 61

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/644 Filling of Land for Permitted House (New Territories Exempted House) and Footpath in “Village Type Development” Zone, Lots 490 RP (Part), 492 S.B (Part), 492 S.F (Part) and 492 RP (Part) in D.D. 122, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/644)

226. The Secretary reported that the application site (the 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. The Committee noted that Mr Ricky W.Y. Yu had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

227. 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 filling of land for permitted house (New Territories Exempted House (NTEH)) and footpath;
- (c) departmental comments were set out in paragraph 9 of the Paper;

- (d) during the statutory publication period, one objecting comment was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The applied filling of land for permitted house (NTEH) and footpath was considered in line with the planning intention of the “Village Type Development” (“V”) zone. The requirement for planning permission for the applied filling of land was to address the possible drainage impact and adverse impacts on the natural environment. The Chief Engineer/Mainland North of Drainage Services Department had no objection in principle to the application from drainage point of view. The Director of Agriculture, Fisheries and Conservation had no comment on the application. The applied land filling was considered not incompatible with the surrounding areas in view of its extent and scale. A major portion of the Site was subject to a previously approved application for the same use. Approval of the current application was in line with the previous decision of the Committee. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

228. Members had no question on the application.

Deliberation Session

229. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission was subject to the following condition:

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

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

Agenda Item 62

Section 16 Application

[Open Meeting]

A/YL-PS/645 Renewal of Planning Approval for Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years in “Village Type Development” Zone, Lot 9 S.B RP (Part) in D.D.121, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/645)

231. 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. The Committee noted that Mr Ricky W.Y. Yu had tendered an apology for being unable to attend the meeting.

232. The Committee noted that the application was for renewal of planning approval for temporary public vehicle park (private cars) for a period of three years. During the statutory publication period, two objecting public comments were received. Major views were set out in paragraph 11 of the Paper.

233. 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.

Deliberation Session

234. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 3.11.2021 until 2.11.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) only private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site, as proposed by the applicant, at all times during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site at all times to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the site, as proposed by the applicant, at any time during the planning approval period;
- (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 boundary fencing shall be maintained during the planning approval period;
- (h) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (i) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities within 3 months from the date of the commencement of the renewed

planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.2.2022;

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

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

Agenda Item 63

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1124 Temporary Open Storage of Metal Waste and Logistics Centre for a Period of 3 Years in “Residential (Group D)” Zone, Lot 136 in D.D.128, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HTF/1124)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage of metal waste and logistics centre for a period of 3 years;

- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, two objecting comments were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no known permanent development at the application site (the Site) and the adjoining area. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term development of the Site. The applied use was not incompatible with the surrounding land uses. The application was generally in line with the Town Planning Board Guidelines 13F in that the Site fell within Category 2 areas and concerned government departments had no objection to or no adverse comment on the application. To address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. There were one previously rejected application which was subject to different circumstances, one previously approved application for the same use by the same applicant and five similar approved applications within the same “R(D)” zone. Approval of the current application was in line with the Committee’s previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

237. Members had no question on the application.

Deliberation Session

238. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 8:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no workshop activity, as proposed by the applicant, is allowed on the site at all times during the planning approval period;
- (d) no medium or heavy goods vehicle exceeding 5.5 tonnes, as defined under the Road Traffic Ordinance, is allowed to enter/be parked on the site, as proposed by the applicant, at all times during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.3.2022;
- (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 24.6.2022;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the provision of boundary fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 24.3.2022;
- (i) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2021;
- (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 24.3.2022;

- (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 24.6.2022;
- (l) if any of the above planning condition (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning condition (e), (f), (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 64

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1125 Proposed Temporary Animal Boarding Establishment for a Period of 3
Years in “Agriculture” Zone, Lot 130 (Part) in D.D.128, Ha Tsuen,
Yuen Long
(RNTPC Paper No. A/YL-HTF/1125)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) the proposed temporary animal boarding establishment for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, one objecting comment was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed use was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone. The Director of Agriculture, Fisheries and Conservation did not support the application as the application site (the Site) possessed potential for agricultural rehabilitation while the Chief Town Planner/Urban Design and Landscape, PlanD had reservation on the application as there was no previous approval for similar use within the “AGR” zone. Nevertheless, in view of the scale and nature of the proposed use and the requirement for reinstating the Site to amenity area upon expiry of the planning permission, approval of the application on a temporary basis for three years would not jeopardise the long-term planning intention of the “AGR” zone. The proposed use was considered not entirely incompatible with the surrounding landscape character. To minimise any potential environmental nuisances and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. The eight previously rejected applications at the Site were for different uses. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

241. Members had no question on the application.

Deliberation Session

242. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 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., except for the overnight animal boarding establishment, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no whistle, 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 during the planning approval period;
- (c) all animals shall be kept inside enclosed structures with soundproofing materials, mechanical ventilation and air-conditioning system, as proposed by the applicant, between 6:00 p.m. and 9:00 a.m. during the planning approval period;
- (d) no medium or heavy goods vehicle exceeding 5.5 tonnes, as defined under the Road Traffic Ordinance, is allowed to enter/be parked on the site, as proposed by the applicant, at all times during the planning approval period;
- (e) the provision of boundary fencing at the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 24.3.2022;
- (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 24.3.2022;
- (g) in relation to (f) above, the implementation of the drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.6.2022;

- (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 24.3.2022;
- (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 24.6.2022;
- (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.”

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

Agenda Item 65

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/406 Proposed Temporary Shop and Services (Shop for Selling Hardware Accessories) for a Period of 3 Years in “Recreation” Zone, Lots 2030 (Part), 2031 (Part), 2032 RP (Part) and 2033 RP (Part) in D.D.129 and Adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/406)

Presentation and Question Sessions

244. 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 shop and services (shop for selling hardware accessories) 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 was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not in line with the planning intention of the “Recreation” (“REC”) zone, there was no known development programme for 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 “REC” zone. The proposed use was considered not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application. There were four similar approved applications within the same “REC” zone

and the previously rejected application at the Site was for a different use. Approval of the current 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.

245. Members had no question on the application.

Deliberation Session

246. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 6:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no open storage and workshop activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.3.2022;
- (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 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.3.2022;

- (g) in relation to condition (f) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.6.2022;
- (h) if any of the above planning condition (a), (b), (c) 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 (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.”

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

Agenda Item 66

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/407 Proposed Temporary Eating Place for a Period of 3 Years in
“Residential (Group E)” Zone, Lot 2159 S.A RP in D.D.129, Lau Fau
Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/407)

Presentation and Question Sessions

248. 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 eating place 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 were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not in line with the planning intention of the “Residential (Group E)” (“R(E)”) zone, there was no known development programme for the application site. Approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “R(E)”) zone. The proposed use was considered not entirely incompatible with the landscape character of the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application. There were three similar approved applications within the same “R(E)”) zone. Approval of the current application was in line with the Committee's previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

249. Members had no question on the application.

Deliberation Session

250. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no medium and heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the 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 24.3.2022;
- (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 24.6.2022;
- (f) in relation to (e) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.3.2022;
- (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 24.6.2022;
- (i) if any of the above planning condition (a), (b), (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

Agenda Item 67

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/408 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Green Belt” Zone, Lots 280 (Part), 281 (Part), 283 (Part) and 286 (Part) in D.D.129 and Adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/408)

Presentation and Question Sessions

252. 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 place of recreation, sports or culture (hobby farm) 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 was received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper.

The proposed use was considered not in conflict with the planning intention of the “Green Belt” (“GB”) zone and 67% of the application site was proposed for cultivation area. The proposed use 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. There were nine similar approved applications within the same “GB” zone for hobby farm use. Approval of the current 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.

253. Members had no question on the application.

Deliberation Session

254. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 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) the removal of all hard-paving on the site, as proposed by the applicant, before operation of the proposed development;
- (c) no vehicle exceeding 5.5 tonnes is allowed to be parked/stored or enter/exit the site at any time during the planning approval period;
- (d) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.3.2022;

- (e) in relation to (d) above, the implemented drainage facilities 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 24.3.2022;
- (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 24.6.2022;
- (h) if any of the above planning condition (a), (b), (c) 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;
- (i) if any of the above planning condition (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; 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.”

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

Agenda Item 68

Section 16 Application

[Open Meeting]

A/YL-TT/524 Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years in “Village Type Development” Zone, Lot 1213 (Part) in D.D. 117, Tai Tong Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TT/524)

256. The Committee noted that the applicant’s representative requested on 17.9.2021 deferment of consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

257. 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 69

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1107 Temporary Logistics Centre for a Period of 3 Years in “Other Specified Uses” annotated “Storage and Workshop Use” Zone, Lots 1092 S.A, 1819 and 2008 S.H RP (Part) in D.D. 121 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1107)

Presentation and Question Sessions

258. 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 logistics centre for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, one objecting comment and one comment providing views 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 on a temporary basis for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the “Other Specified Uses” annotated “Storage and Workshop Use” (“OU(SW)”) zone and was not incompatible with the surrounding uses in the “OU(SW)” zone. Whilst the application site (the Site) mainly fell within an area zoned “OU(SW)” and partly within an area shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross-boundary Infrastructure and Development, PlanD and the Project Manager (West), Civil Engineering

and Development Department had no objection to the application. Approval of the application on a temporary basis would not jeopardize the long-term development of the area. The applied use was generally in line with the Town Planning Board Guidelines No. 13F. The Director of Environmental Protection did not support the application as there were sensitive receivers of residential users in the vicinity and the applied use would cause traffic of heavy vehicles and environmental nuisance was expected. Nevertheless, there was no environmental complaint concerning the Site received in the past three years. To minimise any potential environmental nuisance and to address the technical requirements of the relevant government departments, appropriate approval conditions were recommended. There were three previous planning approvals for the same use at the Site. Approval of the current application was generally in line with the Committee's previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

259. Members had no question on the application.

Deliberation Session

260. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 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 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no repairing, dismantling, cleaning or other workshop activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;

- (d) the existing drainage facilities on the site shall be maintained at all times during the 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 24.12.2021;
- (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 24.3.2022;
- (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 24.6.2022;
- (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.”

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

Agenda Items 70 and 71

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1108 Temporary Warehouse for Storage of Stage Equipment for a Period of 3 Years in “Undetermined” Zone, Lots 990 (Part), 991 (Part), 994 (Part), 1024 (Part), 1025 and 1026 (Part) in D.D. 119 and Adjoining Government Land, Pak Sha Tsuen, Yuen Long

A/YL-TYST/1109 Proposed Temporary Warehouse for Storage of Stage Equipment for a Period of 3 Years in “Undetermined” Zone, Lot 1020 (Part) in D.D. 119, Pak Sha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1108 and 1109)

262. The Committee agreed that as the two applications for applied/proposed temporary warehouse for storage of stage equipment for a period of three years were similar in nature and the application sites (the Sites) were located next to each other within the same “Undetermined” (“U”) zone, they could be considered together.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the applied/proposed temporary warehouse for storage of stage equipment for a period of three years on each of the Sites;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, no public comment was received for both the applications; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the applied/proposed temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied/proposed use was not in conflict with the “U” zone and was not incompatible with the surrounding uses. Whilst the Sites fell within an area zoned “District Open Space” on the Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross-boundary Infrastructure and Development, PlanD and the Project Manager (West), Civil Engineering and Development Department had no objection to the applications. Approval of the applications on a temporary basis would not jeopardize the long-term development of the area. Concerned government departments had no objection to or no adverse comment on the applications. There were 93 approved similar applications within/straddling the “U” zone. Approval of the applications was generally in line with the Committee's previous decisions. There were four similar applications in the same “U” zone rejected on the grounds of repeated non-compliance of approval conditions but the planning circumstances of the current applications were different.

264. Members had no question on the application.

Deliberation Session

265. After deliberation, the Committee decided to approve the applications on a temporary basis for a period of 3 years until 24.9.2024, each on the terms of the applications as submitted to the Town Planning Board (TPB) and each subject to the following conditions:

- “(a) no operation between 5:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) no medium or heavy goods vehicle, including container tractor/trailer, as defined in the Road Traffic Ordinance, is 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 repairing, dismantling, cleaning or other workshop activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (e) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.3.2022;
- (f) in relation to (e) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.3.2022;
- (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 24.6.2022;
- (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; and
- (j) if any of the above planning condition (e), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 72

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1110 Temporary Eating Place for a Period of 3 Years in “Government, Institution or Community” and “Residential (Group B) 1” Zones, Lots 2519 RP (Part), 2520 RP (Part), 2521 (Part) and 2522 (Part) in D.D. 124, Hung Shun Road, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/YL-TYST/1110)

Presentation and Question Sessions

267. 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 eating place for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, 12 public comments, including one supporting comment (in the form of petition letters with 59 signatures); nine objecting comments; and the remaining two raising queries or not expressing any particular view or stance, were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intentions of the “Government, Institution or Community” and “Residential

(Group B) ” zones, it could serve the demand for eating place in the area. There was no known development programme concerning the application site (the Site). Approval of the application on a temporary basis for three years would not frustrate the long-term planning development of the area. 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 were four previously approved applications for similar uses at the Site and three similar approved applications within the same “R(B)1” zone. Approval of the current application was in line with the Committee’s previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

268. In response to a Member’s enquiry, Mr Steven Y.H. Siu, STP/TMYLW, said that after the last planning permission lapsed in 2012, the eating place use had continued operation at the Site without valid planning permission and the applicant claimed that they had forgotten to apply for renewal of the planning approval.

Deliberation Session

269. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 10:00 p.m. and 7:00 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 24.3.2022;

- (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 24.6.2022;
- (d) in relation to (c) above, the implemented drainage facilities 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 24.3.2022;
- (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 24.6.2022;
- (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.”

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

Agenda Item 73

Section 16 Application

[Open Meeting]

A/YL-TYST/1111 Renewal of Planning Approval for Temporary Open Storage of Construction Materials, Machinery and Scrap Metals with Ancillary Site Office for a Period of 3 Years in “Residential (Group A) 3”, “Open Space” and “Village Type Development” Zones, Lots 322 S.A (Part), 323 (Part), 324 (Part) and 1421(Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long

(RNTPC Paper No. A/YL-TYST/1111)

271. The Committee noted that the application was for renewal of planning approval for temporary open storage of construction materials, machinery and scrap metals with ancillary site office for a period of three years. During the statutory publication period, three public comments were received, including two objecting comments and one comment raising concerns on the application. Major views were set out in paragraph 11 of the Paper.

272. 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. Concerned government departments had no objection to or no adverse comment on the application, except the Director of Environmental Protection who did not support the application as there were sensitive receivers of residential use in the vicinity of the application site (the Site), the applied use would cause traffic of heavy vehicles and environmental nuisance was expected. However, there was no environmental complaint concerning the Site in the past three years. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended.

Deliberation Session

273. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 6.10.2021 to 5.10.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the

following conditions:

- “(a) no operation between 6:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no used electrical appliances, televisions, computer monitors, computer/electronic parts or any other electronic waste is allowed to be stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no heavy goods vehicle, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to enter/exit the site at any time during the planning approval period;
- (f) the existing tree and landscape plantings on the site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period; and
- (i) if any of the above planning condition (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

Agenda Item 74

Section 16 Application

[Open Meeting]

A/YL-TYST/1112 Renewal of Planning Approval for Temporary Storage of Advertisement Material with Ancillary Workshop for a Period of 3 Years in “Undetermined” Zone, Lots 1198 S.E (Part), 1223 RP (Part) and 1224 RP (Part) in D.D. 119 and Adjoining Government Land, Kung Um Road, Yuen Long

(RNTPC Paper No. A/YL-TYST/1112)

275. The Committee noted that the application was for renewal of planning approval for temporary storage of advertisement material with ancillary workshop for a period of three years. No public comment was received during the statutory publication period.

276. 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. Concerned government departments had no objection to or no adverse comment on the application, except the Director of Environmental Protection who did not support the application as there were sensitive receivers of residential use in the vicinity of the application site (the Site) and environmental nuisance was expected. However, there was no environmental complaint concerning the Site in the past three years. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended.

Deliberation Session

277. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 10.10.2021 to 9.10.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 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 workshop activities, except ancillary glass cutting, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no container tractor/trailer, as defined in the Road Traffic Ordinance, is 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) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) all existing trees and landscape plantings within the site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period; and

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

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

Agenda Item 75

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1113 Proposed Temporary Shop and Services for a Period of 3 Years in
“Village Type Development” Zone, Lot 1628 (Part) in D.D. 121, Shan
Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1113)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, one objecting comment 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 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 “V” zone. The proposed use was considered not incompatible with the surrounding uses. Concerned government departments had no objection to or no adverse comment on the application. While one previous application at the Site was rejected, the planning circumstances of the rejected application were different from those of the current application. Given that there were five approved similar applications straddling or within the same “V” zone, approval of the current 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.

280. Members had no question on the application.

Deliberation Session

281. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 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) only private cars, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.3.2022;

- (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 24.3.2022;
- (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 24.6.2022;
- (g) if any of the above planning condition (a), (b) 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 (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.”

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

Agenda Item 76

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1114 Proposed Temporary Warehouse and Open Storage for Storage of Construction Machinery and Construction Materials for a Period of 3 Years in “Residential (Group A) 3” and “Open Space” Zones, Lots 2704 S.A & S.B (Part), 2707, 2708, 2709, 2710, 2711 in D.D. 120, Lots 1638, 1639 (Part), 1640 (Part), 1671, 1672, 1673 (Part), 1674 (Part), 1676 S.A & S.B (Part), 1668 (Part), 1669 (Part) in D.D. 121 and Adjoining Government Land, Shan Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1114)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary warehouse and open storage for storage of construction machinery and construction materials for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, one objecting comment and two comments providing views on the application were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the proposed use was not in line with the planning intentions of the “Residential (Group A) 3” and “Open Space” zones and the application site (the Site) fell within

the Yuen Long South Development Area, the Chief Engineer/Cross-Boundary Infrastructure and Development of PlanD, Project Manager (West) of Civil Engineering and Development Department and Director of Leisure and Cultural Services had no objection to the application. Approval of the application on a temporary basis for three years would not jeopardise the long-term development of the area. The applied use was considered not incompatible with the surrounding land uses. The application was generally in line with the Town Planning Board Guidelines No. 13F. Concerned government departments had no objection to or no adverse comment on the application, except the Director of Environmental Protection (DEP) who did not support the application as there were sensitive receivers of residential use in the vicinity, the applied use would cause traffic of heavy vehicles and environmental nuisance was expected. While there were some substantiated environmental complaints concerning the Site received by DEP in the past three years, they were related to a previous recycling workshop at the Site which was no longer in operation and not related to the current application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

284. Members had no question on the application.

Deliberation Session

285. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.9.2024 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 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) 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 24.12.2021;
- (e) 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 5.11.2021;
- (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 24.3.2022;
- (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 24.6.2022;
- (h) if any of the above planning condition (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning condition (d), (e), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

Agenda Item 77

Any Other Business

287. Since it was the last Rural and New Town Planning Committee meeting attended by Miss Fiona S.Y. Lung, the Secretary, before her retirement, on behalf of all Members, the Vice-chairman extended a vote of thanks for her contribution over the years.

288. There being no other business, the meeting was closed at 6:20 p.m.