

TOWN PLANNING BOARD

Minutes of 582nd Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 23.6.2017

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Professor K.C. Chau

Ms Janice W.M. Lai

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr C.H. Hau

Mr Alex T.H. Lai

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Chief Traffic Engineer/New Territories East,
Transport Department
Mr K.C. Siu

Chief Engineer (Works), Home Affairs Department
Mr Martin W.C. Kwan

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

Assistant Director/Regional 1,
Lands Department
Mr Simon S.W. Wang (Agenda Items 1 to 3)

Assistant Director/Regional 3,
Lands Department
Mr Edwin W.K. Chan (Agenda Items 4 to 62)

Deputy Director of Planning/District
Ms Jacinta K.C. Woo

Secretary

Absent with Apologies

Mr Ivan C.S. Fu

Ms Christina M. Lee

Mr H.F. Leung

Dr Lawrence K.C. Li

In Attendance

Assistant Director of Planning/Board
Miss Fiona S.Y. Lung

Chief Town Planner/Town Planning Board
Mr Kepler S.Y. Yuen

Town Planner/Town Planning Board
Miss Gloria Y.L. Sze (Agenda Items 1 to 5)
Mr Harris K.C. Liu (Agenda Items 6 to 62)

Agenda Item 1

Confirmation of the Draft Minutes of the 581st RNTPC Meeting held on 9.6.2017

[Open Meeting]

1. The draft minutes of the 581st RNTPC meeting held on 9.6.2017 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Sai Kung and Islands District

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/I-DB/2 Application for Amendment to the Approved Discovery Bay Outline Zoning Plan No. S/I-DB/4, To rezone the application site from “Other Specified Uses” annotated “Staff Quarters(5)” to “Residential (Group C)12”, Area 6f, Lot 385 RP & Ext. (Part) in D.D. 352, Discovery Bay, New Territories
(RNTPC Paper No. Y/I-DB/2D)

[The item was conducted in English and Cantonese.]

3. The Secretary reported that the application site was located in Discovery Bay and the application was submitted by Hong Kong Resort Company Limited (HKRCL), which was a subsidiary of HKR International Limited. Masterplan Limited (Masterplan), Urbis Limited (Urbis) and Ove Arup & Partners Hong Kong Limited (Arup) were three of the consultants of the applicant. The following Members had declared interests in the item:

- Mr Ivan C.S. Fu - having current business dealings with HKRCL, Masterplan, Urbis and Arup;
- Ms Janice W.M. Lai - having current business dealings with Urbis and Arup;
- Mr Alex T.H. Lai - his firm having current business dealings with Arup and handled a case involving HKRCL;
- Mr Stephen L.H. Liu - having past business dealings with HKRCL; and
- Dr Lawrence K.C. Li - co-owning with spouse a flat in Discovery Bay.

4. The Committee noted that Mr Ivan C.S. Fu and Dr Lawrence K.C. Li had tendered apologies for being unable to attend the meeting. As Ms Janice W.M. Lai, Mr Alex T.H. Lai and Mr Stephen L.H. Liu had no involvement in the application, the Committee agreed that they could stay in the meeting.

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

- Ms. Donna Y.P. Tam - District Planning Officer/Sai Kung and Islands (DPO/SKIs);
- Mr Richard Y.L. Siu - Senior Town Planner/Sai Kung and Islands (STP/SKIs); and

HKRCL

Mr Wilson Cheung
Mr Clarence Leung
Mr Simon Chau
Mr Wong Tak Wai

Masterplan

Mr Ian Brownlee
Ms Cynthia Chan

Arup

Mr Franki Chiu
Mr Elvis Lau

} Applicant's representatives

<u>Urbis</u> Mr Tim Osborne	}	Applicant's representatives
<u>WSP Asia Limited</u> Mr Ivan Yue		
<u>Mayer Brown JSM</u> Mr F.K. Au		

Presentation and Question Sessions

6. The Chairman extended a welcome and explained the procedure of the hearing. He then invited PlanD's representatives to brief Members on the background of the application. Mr Richard Y.L. Siu, STP/SKIs, drew Members' attention that three replacement pages (pages 7, 14 and 17 of the Main Paper) of the Paper incorporating the revised paragraphs 4.1, 9.1.7(c) and 9.2 were tabled at the meeting for Members' reference. He then presented the application with the aid of a PowerPoint presentation and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed rezoning from "Other Specified Uses" annotated "Staff Quarters(5)" ("OU(Staff Quarters)5") to "Residential (Group C)12" ("R(C)12") to facilitate a proposed medium-density residential development;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The District Lands Officer/Islands (DLO/Is) advised that the proposed residential development with a maximum gross floor area (GFA) of 21,600m² and plot ratio (PR) of 2.83 did not conform with the approved Master Plan (MP) No. MP6.0E7h(a). Should the Board approve the rezoning application and after the town planning procedures of the proposed amendment to the Outline Zoning Plan (OZP) had been completed, the owner of the application site (the Site) would need to apply to the Lands Department (LandsD) for approval to amend the MP. LandsD would then process the application and seek necessary approvals, including endorsement

of the Executive Council (ExCo) if it was decided that the proposal would result in a change of the development concept of the Site. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD considered that the scope of slope works and impact on trees should be reviewed. The existing trees would be affected by the slope upgrading works but further tree impact and treatment were not observed. The Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) advised that the submitted Geotechnical Planning Review Report (GPRR) was insufficient to demonstrate the geotechnical feasibility of the proposed slope upgrading/modification and natural terrain hazard mitigation works. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication periods, a total of 6,172 public comments were received. Amongst which, 4,446 were supporting comments from an Islands District Council (IsDC) member, local residents of Discovery Bay, owners/residents of Parkvale Village, staff and business operators in Discovery Bay, a non-government organisation and members of the general public; 1,257 were objecting comments from another IsDC member, Designing Hong Kong Limited, Kadoorie Farm and Botanic Garden Corporation, Owners' Committees of Parkvale Village and Hillgrove Village, owners/residents of Parkvale Village/Hillgrove Village/Serene Village/Woodland Court/Woodgreen Court, etc., local residents and members of the general public; and the remaining 469 offered comments/concerns on the application. Major comments/views were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper, which were summarised as follows:
 - (i) in terms of strategic planning context, Discovery Bay was not recommended as a potential development area or strategic growth area;

- (ii) Discovery Bay was intended for a holiday resort and residential/commercial development under the original land grant with a total planned population of 25,000 and a total domestic GFA of 900,683m² upon full development as stipulated in the OZP. Any further increase in population would have to be considered in the context of the general planning intention for the area and subject to detailed feasibility investigation on infrastructure and environmental capacities;
- (iii) the proposed medium-rise development should be justified in the context of the development concept of Discovery Bay which was intended for a holiday resort and residential/commercial development. Approval of the current application would set an undesirable precedent for similar rezoning applications. Given that there were six “OU(Staff Quarters)” sites on the OZP with similar nature and site conditions, the accumulative impact of developing those land with increase in population would further depart from the original development concept of Discovery Bay and overstrain the existing and planned infrastructure capacities;
- (iv) there were some 124,000m² domestic GFA allowed in the “Residential (Group C)2” (“R(C)2”) zone in Discovery Bay North on the OZP which had not been incorporated in the prevailing MP and yet to be implemented. The planned residential developments should be implemented first before new sites were proposed to be rezoned for additional residential development. The applicant had not indicated the implementation programme of the residential developments within the “R(C)2” zone and no justification had been provided; and
- (v) CTP/UD&L, PlanD considered that trees would be affected by the slope upgrading works, and H(GEO), CEDD considered that the information provided by the applicant was insufficient to demonstrate the geotechnical feasibility of the proposed slope upgrading/modification and natural terrain hazard mitigation works.

Regarding the public concerns on environmental, infrastructure and traffic issues, the comments of government departments and planning assessments above were relevant.

7. The Chairman then invited the applicant's representatives to elaborate on the application. Mr Ian Brownlee, the applicant's representative, informed the Committee that response to departmental comments had been prepared, which was tabled at the meeting. With the aid of a PowerPoint presentation, Mr Ian Brownlee made the following main points:

Background

- (a) the application was originally considered on 17.2.2017 but was deferred by the Committee since another s.12A application (No. Y/I-DB/3) relating to Area 10B of Discovery Bay was being processed. That application was subsequently withdrawn due to technical issues not yet resolved;
- (b) the applicant had addressed the outstanding departmental concerns on water supply and sewage treatment during the last four months, which had been resolved to departments' satisfaction and infrastructure provision was no longer recommended as a rejection reason. New rejection reasons were now recommended by PlanD;

Housing Supply

- (c) the applicant was aware of the policy on the provision of additional housing under the Chief Executive's Policy Address and the continuous shortage of housing supply. The Board had rezoned large areas of land which were considered no longer appropriate or would unlikely be implemented, including areas zoned "Recreation", "Open Space", "Government, Institution or Community", "Industrial" and "Green Belt" for housing purpose. Also, the density of some residential sites had been increased for a higher flat production;

- (d) the review of potential housing supply opportunities by the Government mainly focused on government land and no systematic review on private land had been undertaken. He was informed by the previous District Planning Officer that the Discovery Bay OZP would not be reviewed for increasing housing supply as the priority was on government land, and a review should be undertaken by the developer, taking into account the general planning intention for Discovery Bay as included in the Explanatory Statement (ES) of the OZP. The applicant had done so;

Discovery Bay

- (e) the existing Discovery Bay OZP was outdated as it was approved over 11 years ago, i.e. in February 2005;
- (f) the applicant's long-term visions for Discovery Bay were: (i) to better utilise the existing land resources to serve a larger population while generally retaining the character of the area; and (ii) to commence long-term planning, given that the committed development in Discovery Bay was being implemented. The review of the remaining development areas in the form of a Preliminary Concept Plan was submitted to the Government in 2013 for informal discussion. It was revised in 2014 upon receipt of comments, mainly on the reduction in the proposed development densities. The current rezoning application for Area 6f was submitted as no significant planning issues were involved;

Changing Circumstances in Discovery Bay

- (g) there had been changes in Discovery Bay since the original scheme was approved, including: (i) the initial development area around Tso Yuen Wan which had been progressively expanded to include the area to the north around Yi Pak Wan; (ii) Lantau Island was connected by road traffic to other parts of Hong Kong by the Lantau Link in May 1997; (iii) the completion of the Discovery Bay Tunnel connecting to the northern part of Lantau Island in 2000 and the provision of bus services to MTR stations which reduced the

reliance on ferry services, especially during typhoons, as well as the need to provide staff quarters; and (iv) the connection to the public water supply and sewerage systems in 2000, leading to the redundancy of the treatment plants in Discovery Bay;

- (h) water from the Discovery Bay Reservoir was currently used to supply flushing water and irrigation water in Discovery Bay and all pipes were in place. If the connection to the public water supply system was not feasible, the water treatment plant would be reactivated to provide potable water to the Site. Also, a package sewage treatment plant (designed to meet the stringent standards imposed by the Government) would be provided at the Site by the applicant, if necessary. All the proposals were technically feasible;

The Site

- (i) staff quarters were no longer required at the Site. The Site was formed and grassed. No additional site formation was required and the Site was ready for development. The Site would remain unused unless it was rezoned. It should be rezoned for residential development for better utilization of the Site. The Site was within a residential area surrounded by “Residential (Group C)4” zone and the form and scale of the proposed residential development was the same as the neighbouring development, Parkvale Village, and also in line with the general planning intention for the area. When viewing from the Discovery Bay Plaza towards the Site, the proposed development was compatible with the surrounding areas with high-rise buildings along the backdrop and low-rise buildings at the front;

The Planned Population of 25,000 in the OZP

- (j) the design population of 25,000 was set many years ago and not an absolute control figure. It was not related to any infrastructure or transport constraint. The ES of OZP allowed for an increase in population, which stated that “any further increase in population would have to be considered

in the context of the general planning intention for the area and subject to detailed feasibility investigations on infrastructure and environmental capacities". The application would only result in an increase in population from 25,000 to 26,000, which was insignificant in relation to transport, sewerage, water supply and environmental capacities. The sewage and consumption of water supply in Discovery Bay would only be increased by 0.2% and 0.3% respectively. The technical feasibility of the proposed development had been proven by technical assessments;

Departmental Comments

- (k) the Secretary for Development confirmed that the proposed development was in line with the Government's initiative for increasing housing supply, provided that there were no insurmountable problems. There was neither adverse departmental comment nor insurmountable problem arising from the proposed development;
- (l) CTP/UD&L, PlanD considered that the proposal would be compatible with the surrounding environment and indicated that six of the compensatory trees should be relocated in different locations. The concern had been addressed in the revised drawing in the information tabled at the meeting;
- (m) the submitted GPRR identified the need for a Natural Terrain Hazard Study, which would be necessary either for staff quarters or the proposed development. The consultant team had further liaised with GEO upon receipt of his comments and the responses to all comments were also included in the information tabled at the meeting;

Strategic Context

- (n) the Paper referred to three outdated planning documents, including the Territorial Development Strategy Review 1998, South West New Territories Development Strategy Review 2001 and the Revised Lantau Concept Plan 2007, and mentioned about strategic growth areas, which were irrelevant to

the application. Discovery Bay was identified as an existing built-up area in the recently announced Sustainable Lantau Blueprint. The applicant was neither proposing a potential development area nor strategic growth area, but a small and modest change to the OZP for better use of an infill development site;

General Planning Intention

- (o) the application was in line with the general planning intention of the OZP. The scale, form and location of the proposed development would complement the general planning intention, and the existing building form in the area. The existing holiday resort elements in Discovery Bay such as plazas, beaches and mountains would not be affected;

Setting of Precedent

- (p) the application would not set an undesirable precedent, but was following the Policy Address to optimize the use of the underutilized sites for providing housing in Hong Kong. Each application would be considered on its own merits and within the planning context under the OZP. The proposed rezoning would not depart from the concept of the OZP nor set an undesirable precedent;

Undeveloped Site not included in the MP

- (q) referring to paragraph 11.5 of the Paper, the reason for the long time required for implementing the existing “R(C)2” zone in Discovery Bay North on the OZP was mainly due to the slow process for approval of MPs under the lease. There was a letter dated 2013 from the applicant addressing to the Director of Lands in the tabled information, which expressed the concern of the applicant as the application for approval of MP 6.0E7h(a) was submitted in 2000, and it was yet to be approved in 2013. MP 6.0E7h(a) was subsequently approved in March 2016, taking 16 years for the completion of land documentation. The application for approval of

MP 7.0 was submitted in 2002 and it was still being processed. Assuming the application would be approved in 2020, the construction would be completed in 2030. For Area 6f (i.e. the Site), assuming the current rezoning application would be approved, the statutory planning procedure be completed in 2020 and the application for approval of MP for Area 6f be approved in 2030, the construction of Area 6f would be completed in 2033. Long processing time for approval of land documentation should not be a reason for not proceeding with the current rezoning application;

Endorsement of the MP by ExCo

- (r) DLO/Is advised that if the proposed amendment to the OZP had been completed, the applicant would have to apply for approval to amend the MP and LandsD would seek the endorsement of ExCo. The normal practice of PlanD in taking forward an approved s.12A application had been changed in that the endorsement of changes to MP under the land grant by ExCo was now proposed as a prerequisite prior to the reference of the OZP by the Chief Executive in Council (CE in C) to the Board for amendment. In other words, the planning process would not be taken forward before the land administration process. The applicant requested that should the rezoning application be approved, the approved Discovery Bay OZP should be referred by the CE in C to the Board for amendment and the land administration process would then be initiated; and

Rejection Reasons

- (s) neither of the two rejection reasons suggested in the Paper was justified for rejecting the application. For rejection reason (a), the consultant team had explained the reason for taking a long time to proceed with further residential developments in Discovery Bay North under the current OZP and there was a need to ensure a continuous supply of new flats in Discovery Bay. The reason for not using the Site for staff quarters was also explained. Rejection reason (b) did not apply as only a population of 1,000 would be accommodated in the proposed residential development and it would not

overstrain the existing and planned infrastructure capacities in Discovery Bay. The compatibility of the Site with the surrounding areas and the use of a vacant development site were strong justifications for approving the current rezoning application.

8. With the aid of a PowerPoint presentation, Mr Wilson Cheung, the applicant's representative, made the following main points:

The Planning of Discovery Bay

(a) although the Discovery Bay OZP was prepared by PlanD, Discovery Bay had been planned by the applicant for over 30 years, instead of PlanD. The current OZP was largely a duplicate of MP 6.0E7h(a) prepared and submitted by the applicant for approval in 2000. The planning of Discovery Bay was being reviewed by the applicant from time to time and Discovery Bay was developing in a systematic manner. The reasons for taking a long time to develop Discovery Bay were that it was in a remote area with a large area of about 650 hectare but the demand for housing was not high;

Staff Quarters

(b) several pieces of land were identified by the applicant for better use, e.g. Area 6f (i.e. the Site) with a permitted GFA of 170m² reserved for staff quarters. The Site, without any road access, had been formed and remained vacant for over 20 years. There were a number of overnight facilities in Discovery Bay, mainly because in the past, the staff could not access to Discovery Bay during typhoons when the ferry service was suspended. Staff quarters were required so that some of the operational staff could stay in Discovery Bay overnight. The demand for staff quarters had been reduced since the completion of Discovery Bay Tunnel in 2000, with provision of road access to Discovery Bay;

The Site

- (c) the rezoning of the Site could provide about 470 residential units. Discovery Bay was targeted at the middle-income group and the highest residential unit price was similar to that in Yuen Long. Should the rezoning be approved, future residents at the Site would not be able to enjoy panoramic sea views as the residential buildings would be behind some existing buildings and thus, the selling price could not be comparable with those higher-end developments in Discovery Bay. The development intensity in terms of the permitted PR for Discovery Bay was currently 0.173 and it would be increased by a negligible figure of 0.004 to 0.177 should the application be approved. The characteristics and resort elements of Discovery Bay, such as golf course, marine club and marina bay, would not be affected by the proposed development. The transportation mode would remain the same and no additional bus route was required as there were existing bus routes serving the adjoining residential developments;

Development Programme for Discovery Bay

- (d) being a developer relying on residential developments as income sources, it was not the intention of the applicant to delay any development and the applicant had urged LandsD to speed up the MP approval process since 2000. As mentioned by Mr Ian Brownlee, it took 16 years to approve MP 6.0E7h(a) and the application for MP 7.0 had been submitted for 15 years but yet to be approved. Assuming the statutory town planning procedure for the Site would be completed in 2020 and it would take 10 years' time to process the MP for the Site by LandsD, the construction of the development at the Site would take 3 years and it would be completed in 2033. It was hoped that MP approval process for the Site could be shortened so that the development at the Site could be completed before the approval of MP 7.0. The applicant had been in liaison with DLO/Is and wrote many times to the Director of Lands in the past 17 years;

Local Consultation

- (e) the applicant was the sole owner of Discovery Bay. Although it was not a statutory requirement to consult residents of Discovery Bay, the applicant had maintained close communications with all residents in liaison groups, briefing sessions, owners' committee meetings, annual general meetings as well as the passenger liaison group, etc. Besides, leaflets and feature stories were distributed and enquiry hotline was available. The proposal was explained to the residents and concerns of the residents were addressed and thus, over 70% of the public comments supported the application; and

Guiding Principles for Discovery Bay

- (f) three guiding principles for designing Discovery Bay, which were tranquillity, serenity and safety, were put forward by the Chairman of the HKRCL more than 30 years ago and they were currently still valid. The former two were related to the overall development, environment and characteristics of Discovery Bay and the latter referred to the car-free environment in the area. The guiding principles would still be valid if the rezoning proposal was approved.

9. As the presentations of PlanD's representative and the applicant's representatives were completed, the Chairman invited questions from Members.

Future Use of the "OU(Staff Quarters)" Sites

10. The Chairman and a Member enquired if the applicant had the intention to rezone all the six "OU(Staff Quarters)" zones on the OZP for residential use.

11. Mr Wilson Cheung, the applicant's representative, made the following responses:

- (a) there were existing staff quarters at three of the "OU(Staff Quarters)" zones, which were adjacent to Peninsula Village, the fire station and to the south of the golf course respectively. Although the demand for staff quarters was

reduced, there was a need to retain such use;

- (b) amongst the remaining three undeveloped “OU(Staff Quarters)” zones, the GFA for the one at the junction of Marina Drive/Discovery Bay Road was already taken up by the one adjacent to Peninsula Village. The one adjacent to Bijou Hamlet was located at the hill top and there was no intention for changing its use. The remaining one was the application site; and

- (c) the “OU(Staff Quarters)” zone with existing staff quarters adjacent to Peninsula Village was included in the application site of the s.12A application (No. Y/I-DB/3) for rezoning to residential development. That rezoning application was not aimed at changing the use of staff quarters. Area 10b, where the application site of Y/I-DB/3 was located, was a barging and services area in Discovery Bay 30 years ago for loading/unloading activities and garages. It had been the back-of-house area for Discovery Bay in the past. As barges were no longer required due to availability of road traffic, Area 10b had become an eyesore, and was proposed to be rezoned for a better overall planning. It was a coincidence that some existing staff quarters were located in Area 10b.

Tree Compensation and Urban Biodiversity

12. A Member raised the following questions:

- (a) reasons for not improving the tree compensation proposal, noting that the compensation rate in terms of girth size was below 1:1 while the tree compensation rate in terms of number was slightly higher than 1:1;

- (b) reasons for only proposing the planting of individual trees in landscape gardens in the tree compensation proposal, instead of compensating the loss of the whole piece of woodland at the Site; and

- (c) reasons for not incorporating the concept of biodiversity in the proposal, given that it had been promoted by the Government since the promulgation of the Hong Kong Biodiversity Strategy and Action Plan.

13. Mr Ian Brownlee and Mr Tim Osborne, the applicant's representatives, made the following responses:

- (a) unlike "Conservation Area" or "Green Belt" zones, the whole Area 6f had already been zoned as a development site and some of the trees would need to be removed for site formation works;
- (b) the footprint of the proposed development had limited the available space for greening within the Site. Re-establishment works would be available for any tree which would be affected by the proposed slope works; and
- (c) the issue of biodiversity would be addressed at the detailed design stage as it was difficult to incorporate the strategy of biodiversity in the preliminary scheme of the planning application.

14. The same Member stated that the concept of biodiversity was not found in the proposal and it could be incorporated as a planning principle of the application. Also, given that there were available spaces within the Site as well as in Discovery Bay for tree planting, the tree compensation rate could be increased.

15. In response, Mr Tim Osborne said that tree planting would be included, as shown on the compensatory planting plan and the site context needed to be taken into account given that the Site was enclosed by woodland. The tree compensation ratio of 1:1 in terms of quality was not a prerequisite for approval of the rezoning application. Mr Wilson Cheung supplemented that if tree compensation in areas outside Area 6f was acceptable, the applicant would be willing to carry out compensatory planting outside the Site.

16. The same Member further added that more active enhancement on urban biodiversity should be put forward through landscaping, and it was not acceptable to compensate removal of tree patches, only by planting of individual trees along roadside.

[Mr David Y.T. Lui left the meeting at this point.]

Future Development in Discovery Bay

17. In response to the Chairman's enquiries, Ms Donna Y.P. Tam, DPO/SKIs, said that the total domestic GFA allowed in the OZP was 900,683m², while the domestic gross building area allowed in the prevailing MP 6.0E7h(a) was 775,655m². There were some 124,000m² GFA as permitted under the Discovery Bay OZP yet to be realized and not yet incorporated in the MP under the lease, i.e. the undeveloped "R(C)2" zone in Discovery Bay North, which was highlighted in orange on Plan Z-1a of the Paper.

18. Mr Wilson Cheung supplemented that the unrealized GFA was allowed in the OZP, but yet to be incorporated in MP under the lease as MP 7.0 and to be approved by LandsD. Notwithstanding the above, the general building plans of site formation works for the "R(C)2" site were approved by the Buildings Department and the site formation works were completed.

19. The Chairman raised the following questions:

- (a) the need for additional infrastructure provision of water supply and sewage treatment if the current rezoning application with a proposed GFA of 21,600m² was approved; and
- (b) other than the subject rezoning application, whether there was any other plan for further developments in Discovery Bay.

20. Mr Wilson Cheung made the following responses:

- (a) concerned departments had no objection to the infrastructural provision and the additional infrastructure facilities required for the proposed rezoning was minimal; and

- (b) Area 10b was proposed to be rezoned for residential development in s.12A rezoning application (No. Y/I-DB/3), but the application was subsequently withdrawn due to various technical difficulties. If the technical issues could be resolved, a fresh application might be submitted.

[Professor K.C. Chau arrived to join the meeting at this point.]

Others

21. In response to a Member's enquiry, Ms Donna Y.P. Tam said that the full reports of technical assessments submitted by the applicant, e.g. Tree Survey Report and Environmental Study were attached with the Paper for Members' consideration.

22. 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 them of the Committee's decision in due course. The Chairman thanked the representatives of PlanD and the applicant's representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

23. The Chairman recapitulated that the application was a s.12A application to rezone the Site from "OU(Staff Quarters)5" to "R(C)12" for a proposed medium-density residential development, with a proposed maximum GFA of 21,600m². Concerend government departments generally had no adverse comment on the technical assessments. PlanD did not support the application. The main points for consideration included that the unique background of comprehensive development concept in Discovery Bay; the scope for further residential development under the current OZP; and the cumulative impact of approving similar rezoning proposals once a precedent was established.

24. Members noted that the same applicant submitted another s.12A rezoning application (No. Y/I-DB/3) for rezoning a site at Area 10b in Discovery Bay from various zones to facilitate a low to medium-density residential development. The current

application was originally scheduled for consideration by the Committee on 17.2.2017 and PlanD requested to defer the consideration of the application such that it could be considered together with application No. Y/I-DB/3, taking into account the unique background of the comprehensive development concept in Discovery Bay and the possible cumulative impacts of the proposed developments under the two applications on the natural environment and the infrastructure capacities in the area. After consideration of the applicant's presentation, the Committee on 17.2.2017 agreed that the current application should be submitted for its consideration together with application No. Y/I-DB/3. However, application No. Y/I-DB/3 was subsequently withdrawn by the applicant on 7.4.2017.

25. Some Members supported PlanD's recommendation of rejecting the application and had the following major views:

- (a) Discovery Bay was not recommended as a strategic growth area. Given the unique background of comprehensive development concept in Discovery Bay, the proposed development would have cumulative impacts on the overall planning of the area, and developments in Discovery Bay should be assessed comprehensively;
- (b) the applicant had indicated intention for further residential developments in Discovery Bay. There was still undeveloped domestic GFA allowed on the OZP. Other than for providing more housing units, there was no strong justification for rezoning the Site for residential use;
- (c) the approval of the application would set an undesirable precedent for similar applications for rezoning of "OU(Staff Quarters)" or other zones on the Discovery Bay OZP; and
- (d) the applicant had failed to address the comments regarding the landscape proposal.

26. Some Members, however, considered that the technical issues, except landscape and geotechnical ones, had been resolved by the applicant and there would not be insurmountable technical problems arising from the proposed development. The proposed

development could also facilitate the supply of housing units.

27. The Vice-chairman was of view that as site area of the application site was not small and the applicant had indicated intention for further residential developments in Discovery Bay, it would be more appropriate to assess the application with other developments in Discovery Bay comprehensively.

28. The Chairman concluded that Members in majority did not support the application. Although the major technical issues of the proposed development had been resolved, the approval of the application would set an undesirable precedent for similar applications. The cumulative impact of approving similar rezoning applications was an important factor for consideration. There was scope for further residential development under the current OZP, and the proposed development should be assessed with other developments in Discovery Bay comprehensively.

29. After further deliberation, the Committee decided not to agree to the application for the following reasons:

- “(a) there is scope for further residential development under the current Outline Zoning Plan as the total maximum domestic gross floor area allowed has yet to be realised. No strong justification has been provided by the applicant for rezoning the application site for residential use; and
- (b) approval of the application would set an undesirable precedent for other similar rezoning applications, the cumulative impact of which would further depart from the original development concept of Discovery Bay and overstrain the existing and planned infrastructure capacities for Discovery Bay area.”

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 4

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/FSS/13 Application for Amendment to the Approved Fanling/Sheung Shui Outline Zoning Plan No. S/FSS/22, To rezone the application site from “Government, Institution or Community” to “Residential (Group A)4”, Lots 3261 S.A RP, 3261 S.B RP (Part), 3262 S.A, 3262 S.B RP (Part), 3262 S.B ss.1 (Part), 3262 S.C RP (Part), 3262 S.C ss.1 RP (Part), 3262 S.C ss.2 RP (Part), 3262 S.C ss.3 RP (Part), 3263 S.A (Part), 3263 S.B (Part), 3265 S.A RP (Part) and 3375 RP (Part) in D.D. 51 and Adjoining Government Land, Fanling, New Territories
(RNTPC Paper No. Y/FSS/13)

[The item was conducted in Cantonese.]

30. The Secretary reported that Urbis Limited (Urbis), Westwood Hong & Associates (Westwood) and Kinetics Noise Control (Asia) Limited (KNCAL) were three of the consultants of the applicant. The following Members had declared interests in the item:

- Mr Ivan C.S. Fu - having current business dealings with Urbis and Westwood;
- Ms Janice W.M. Lai - having current business dealings with Urbis; and
- Mr Alex T.H. Lai - his firm handled a case involving KNCAL.

31. The Committee noted that Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting. As Ms Janice W.M. Lai and Mr Alex T.H. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

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

Ms. Maggie M.Y. Chin - District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FSYLE);

Mr Otto K.C. Chan - Senior Town Planner/ Fanling, Sheung Shui and Yuen Long East (STP/FSYLE); and

Crown Success Holdings Limited

Ms Anna Suen

Aikon Development Consultancy Limited

Miss Phoebe Shiu

Tony TN Chan Surveyors International Limited

Sr Tony Chan

Design Consultants Limited

Mr Franklin Leung

Urbis

Ms Winona Ip

CTA Consultants Limited

Mr Kelvin Leung

} Applicant's representatives.

Presentation and Question Sessions

33. The Chairman extended a welcome and explained the procedure of the hearing. He then invited PlanD's representatives to brief Members on the background of the application. With the aid of a PowerPoint presentation, Ms Maggie M.Y. Chin, DPO/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed rezoning from "Government, Institution or Community" ("G/IC") to "Residential (Group A)4" ("R(A)4") to facilitate a proposed residential development cum supporting retail facilities;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, a total of 6,163 public comments were received. Amongst which, 6,136 were supporting comments from members of the general public; 20 were objecting comments from the Chairman of the Fanling District Rural Committee (FDRC), two North District Council (NDC) members, three schools in the area and members of the general public; and the remaining seven comments received from the Chairman of NDC, Chairman of FDRC, a NDC member and Designing Hong Kong Limited either indicated no comment or made suggestions on the application. Major comments/views were set out in paragraph 10 of the Paper. The District Officer (North) also conveyed that local objections and/or concerns were received from the Chairman of FDRC, the three Indigenous Inhabitant Representatives (IIRs) and the Resident Representative (RR) of Fanling Wai, as well as the two IIRs and RR of Fan Leng Lau, which were set out in paragraph 9.1.16 of the Paper; and
- (e) PlanD's views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper, which were summarised as follows:
 - (i) there was no long-term designated Government, Institution and Community (GIC) use for the application site (the Site). According to the requirement of the Hong Kong Planning Standards and Guidelines (HKPSG) and the planned population of Fanling/Sheung Shui New Town, there was in general no shortfall of GIC facilities. Relevant government departments had no request for use of the Site for GIC purposes. Taking into account the existing and planned GIC facilities in the Fanling/Sheung Shui New Town, the additional population would have no adverse implication on GIC, school and open space provisions

in the area;

- (ii) the proposed rezoning for residential use was compatible with the surrounding developments which were predominantly high-density residential neighbourhoods with various GIC uses and open space. The proposed development with a maximum building height (BH) of 128mPD was compatible with the BH of the “Residential (Group A)” zones in the surrounding areas ranging from 91mPD to 130mPD, and the applicant had also proposed visual mitigation measures to minimize the visual impact on the surrounding areas;
- (iii) relevant government departments had no adverse comment on the proposed traffic enhancement measures and technical assessments. Concerns of relevant government departments such as the requirement for Noise Impact Assessment, and other detailed technical assessments would be dealt with at the land exchange stage. Concerned government departments had no objection to or no adverse comment on the application; and
- (iv) regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

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

- (a) the consultant team closely liaised with various government departments in the past few years. Following the Government’s long-term vision of increasing housing supply and to fulfill social responsibility, the consultant team endeavoured to respond to queries of different government departments and considered comments and needs of the local residents carefully to improve the development scheme;

- (b) facilities which would be open to the public had been proposed in the development scheme, such as widening or improvement of footpath, greening of roads to achieve a walkable environment between the surrounding areas and Fanling MTR Station. Besides, a new vehicular access with roundabout extending from the northern end of Yan Shing Lane to the south of the Site, which would be constructed and paid by the applicant, was proposed to serve both the proposed development and the approved mixed housing development by the Hong Kong Housing Society (HKHS) to the immediate east; and
- (c) about 6,000 public comments were received during the statutory publication periods and amongst which, 99% of the commenters supported the application. It was hoped that the Board would approve the rezoning application.

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

36. Some Members raised the following questions:

- (a) the reason(s) for not connecting the proposed development to the existing government sewerage system, but to propose the use of an on-site bioreactor for sewage treatment;
- (b) if there was any known future development at the existing carpark to the immediate east of the Site;
- (c) if the proposed widening of footpath along the eastern boundary of the Site involved private or government land;
- (d) the distance between Fung Ying Seen Koon (FYSK) and the proposed development; and

- (e) the BHs of the proposed development and the approved mixed housing development of HKHS.

37. Ms Maggie M.Y. Chin, DPO/FSYLE, made the following responses:

- (a) sewage in most of the developments in Fanling and Sheung Shui was currently discharged to the Shek Wu Hui Sewage Treatment Works (SWHSTW). As the capacity of SWHSTW had been reserved for planned developments and committed housing developments in the area, the Environmental Protection Department and Drainage Services Department had confirmed that there was no spare capacity at SWHSTW for treating sewage generated from the proposed development. In this regard, the applicant had proposed to provide an on-site sewage treatment plant at the basement of the proposed development;
- (b) the adjacent public carpark site was the subject of a s.16 application for proposed mixed housing development submitted by HKHS, including public rental and subsidized sale flats, elderly flats and two residential care homes for the elderly. It was approved with conditions by the Committee in February 2017;
- (c) the proposed widening of the existing footpath would involve mostly government land. The application site boundary had been set back in order to cater for the proposed widening of the existing footpath to 6m to serve as an emergency vehicular access (EVA) as well as a public pedestrian passage. Pedestrians could access from Fanling MTR Station to the three schools to the south of the Site and Fanling South via the widened footpath. The concerned EVA would be managed and maintained by the applicant;
- (d) according to the indicative scheme submitted by the applicant, the proposed residential block would be located at the southern portion of the Site and some shops would be located in the northern portion. With reference to Plan Z-5 of the Paper, FYSK at further north was accessible via Pak Wo Road and its site formation level was higher than that of the Site; and

- (e) with reference to Plan Z-6 of the Paper, the maximum BHs of the proposed development and the approved mixed housing development of HKHS were 128mPD and 130mPD respectively. The maximum BHs of Fanling Town Centre and Fanling Centre in close proximity to Fanling MTR Station were about 89-100mPD. To the south of the Site were three schools (secondary schools and one special school), with BHs ranging from four to eight storeys. The maximum BH of Yan Shing Court, which was to the further south of the Site, was 117-119mPD.

38. In response to a Member's enquiry, Ms Maggie M.Y. Chin showed the land ownership pattern of the surrounding areas of the Site with reference to Plan Z-5 of the Paper.

39. A Member raised the following questions:

- (a) whether the elderly flats at the HKHS's mixed housing development were located at low-rise buildings;
- (b) the distance between the HKHS's mixed housing development and the proposed development;
- (c) whether there would be restaurants at the ground floor of the proposed development facing the elderly flats of the HKHS's mixed housing development, causing nuisances to the elderly flats; and
- (d) whether the concept of biodiversity would be incorporated in the landscaping of the proposed development at the detailed design stage, given that the concept had been promoted by the Government in recent years.

40. Ms Maggie M.Y. Chin made the following responses:

- (a) the elderly flats at the HKHS's mixed housing development were located within a building block with a maximum BH of 130mPD; and

- (b) with reference to Plan Z-5 of the Paper, the distance between the blocks of the HKHS's mixed housing development and the indicative scheme of the proposed development was about 30m. As the current application was a rezoning application and only an indicative scheme was submitted by the applicant, the building design would be reviewed by the applicant at the detailed design stage.

41. Sr Tony Chan, the applicant's representative, made the following responses:

- (a) with reference to the ground floor plan of the indicative scheme, all the proposed shops would be facing the west, instead of facing the elderly flats. The layout would be reviewed at the detailed design stage; and
- (b) he thanked for the Member's suggestion and said the concept of biodiversity would be incorporated in the landscaping of the proposed development at the detailed design stage.

42. Noting from Plan Z-5 of the Paper that there were some domestic structures on private land within the same "G/IC" zone, the Chairman enquired whether the domestic structures would be affected by the proposed rezoning should the current application be approved. In response, Ms Maggie M.Y. Chin said that subsequent to the approval of the current application, a review of the "G/IC" zone would be necessary taking into account the domestic structures on both private and government land. Given that there was no vehicular access and the different site levels within the subject "G/IC" zone, relevant departments would need to be consulted regarding the traffic arrangement and infrastructural capacity issues. The zoning of the HKHS's mixed housing development site would be reviewed after its completion. Should the current rezoning application be approved, findings of the "G/IC" review as mentioned together with the proposed OZP amendments would be submitted to the Committee for consideration.

43. Noting that there were local concerns, the Chairman enquired the impact of the proposed rezoning on the Permitted Burial Ground of Wu Tip Shan. With reference to Plan Z-5 of the Paper, Ms Maggie M.Y. Chin said that it was located to the further west and north of the Site and was accessible via a footpath leading from Pak Wo Road. There was no need

to pass through the Site to gain access to the Permitted Burial Ground.

44. 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 them of the Committee's decision in due course. The Chairman thanked the representatives of PlanD and the applicant's representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

45. The Chairman remarked that concerned departments had no adverse comment on the technical assessments submitted for the current rezoning application. From the land use point of view, the consideration of the application should take into account the land uses in the surrounding areas of the Site. Should the current rezoning application be approved, a review on the residual land within the subject "G/IC" zone would be necessary, and the proposed OZP amendments would be submitted to the Committee for consideration after the review.

46. A Member considered that the approval of the current application might pre-empt the review of the subject "G/IC" zone. It might be more appropriate to conduct the review prior to approval of the current rezoning application.

47. Another Member remarked that concerned departments had no intention to reserve the Site for GIC uses, and considered that the design of the proposed shops should be improved at the detailed design stage.

48. The Vice-chairman considered that infrastructural provision was one of the considerations of the current rezoning application. If the infrastructural provision for the Site was sufficient and the rezoning of the Site would not affect the future rezoning of other areas in the subject "G/IC" zone, the rezoning application of the Site could be considered on an individual basis.

49. The Chairman concluded that Members generally had no objection to the rezoning application, and the findings of the review of the subject “G/IC” zone would be submitted for the Committee for consideration together with the proposed rezoning of the Site.

50. After further deliberation, the Committee decided to agree to the application for rezoning of the Site from “G/IC” to “R(A)4” to facilitate the proposed development. PlanD would work out the zoning boundaries, as well as the development parameters and restrictions to be set out in the Notes for the Committee’s agreement prior to gazetting under section 5 of the Town Planning Ordinance upon reference back of the OZP for amendment by the Chief Executive in Council.

[Dr F.C. Chan arrived to join the meeting and Mr Alex T.H. Lai left the meeting at this point.]

Tuen Mun and Yuen Long West District

Agenda Item 5

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/YL-PS/3 Application for Amendment to the Approved Ping Shan Outline Zoning Plan No. S/YL-PS/16, To rezone the application site from “Green Belt” to “Industrial (Group D)”, Lot 32 S.A RP (Part) in D.D. 127, Kiu Tau Wai, Ping Shan, Yuen Long, New Territories
(RNTPC Paper No. Y/YL-PS/3B)

[The item was conducted in Cantonese.]

51. The Secretary reported that RHL Surveyors Limited (RHL) was the consultant of the applicant. Mr H.F. Leung had declared interest in the item as RHL had made donation to the Department of Real Estate and Construction in the Faculty of Architecture of the University of Hong Kong, where he was working. The Committee noted that Mr H.F. Leung had tendered apologies for being unable to attend the meeting. The Committee also noted that the applicant had indicated that he would not attend the meeting.

52. The following representative from the Planning Department (PlanD) was invited to the meeting at this point:

Mr David C.M. Lam - District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW)

Presentation and Question Sessions

53. The Chairman extended a welcome and explained the procedure of the hearing. He then invited PlanD's representative to brief Members on the background of the application. With the aid of a PowerPoint presentation, Mr David C.M. Lam, DPO/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed rezoning from "Green Belt" ("GB") to "Industrial (Group D)" ("I(D)") for potential new business and business expansion;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper which were summarised as follows:
 - (i) the Project Manager (New Territories West), Civil Engineering and Development Department (CEDD) did not support the application on the grounds that it was not in line with the planning objectives, land use proposals and development programme of the Hung Shui Kiu New Development Area (HSK NDA) under the Hung Shui Kiu and Ha Tsuen Outline Zoning Plan (HSK OZP). The area to the west of the application site (the Site), including the western portion of the applicant's lot, was now zoned "Government, Institution or Community" on the HSK OZP which was reserved for a proposed hospital including polyclinic/specialist clinics and the Site was located near to the District Commercial Node of the NDA planned for mixed developments including commercial and residential uses;

- (ii) the Director of Environmental Protection did not support the application as there was no detailed information to ascertain the potential interface problems with the proposed hospital and residential structure in the vicinity of the Site;
 - (iii) the Director of Agriculture, Fisheries and Conservation did not support the application as the Site was largely occupied by an orchard, and the proposed rezoning would inevitably cause substantial tree felling and vegetation clearance;
 - (iv) the Chief Town Planner/Urban Design and Landscape, PlanD objected to the application as there was no landscape proposal and tree survey to ascertain the landscape impact from the proposed rezoning. Also, the proposed development was not justifiable as it would undermine the planning intention or function of the “GB” zone and approval of the application would pre-empt the implementation of the HSK NDA;
 - (v) the Commissioner for Transport, Chief Engineer/Mainland North, Drainage Services Department and Head of Geotechnical Engineering Office, CEDD advised that the applicant had not submitted traffic impact assessment, drainage information and Geotechnical Planning Review Report to ascertain the traffic and drainage impacts and the geotechnical feasibility of the proposed development respectively; and
 - (vi) other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, a total of 25 objecting comments were received from two Yuen Long District Council members, villagers of Hung Uk Tsuen and Kiu Tau Wai, the World Wide Fund for Nature Hong Kong, the Kadoorie Farm and Botanic Garden Corporation, the Hong Kong Bird Watching Society, Designing Hong Kong Limited, Green Sense and members of the general public. Major objection grounds were set out in paragraph 11 of the Paper; and

- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The applicant had not submitted any indicative scheme to ascertain the impact of the proposed rezoning and there would be no guarantee under the proposed “I(D)” zone that the Site would not be developed, and the retention of the current condition of the Site as proposed by the applicant would have to rely on other statutory or administrative means. The current “GB” zoning was considered appropriate given that the Site was part of a vegetated knoll with trees and shrubs. It was also considered inappropriate to rezone the Site to “I(D)” for the purpose of transferring plot ratio to the western portion of the applicant's lot and there was no strong justification to support the rezoning from “GB” to “I(D)”. Approval of the application was not consistent with the long-term planning intention of the area and the proposed industrial use was also incompatible with the adjacent future land uses. The applicant failed to demonstrate that the proposed rezoning would not result in adverse landscape, traffic, drainage and geotechnical impacts on the area. Approval of the application would set an undesirable precedent and the cumulative effect of which would lead to a general degradation of the environment of the area. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

54. As the applicant did not attend the meeting and there was no question from Members, the Chairman said that the hearing procedure for the application had been completed and the Committee would deliberate on the application. He thanked PlanD's representative for attending the meeting. Mr David C.M. Lam, DPO/TMYLW, left the meeting at this point.

Deliberation Session

55. Members noted that the applicant failed to demonstrate that the proposed rezoning would not result in adverse landscape, traffic, drainage and geotechnical impacts on the area, and that no similar application in the area had been approved by the Committee.

56. After deliberation, the Committee decided not to agree to the application for the following reasons:

- “(a) the application site is part of a vegetated knoll with trees and shrubs. The “Green Belt” (“GB”) zone is appropriate in order to prevent proliferation of structures and degradation of the natural feature. There is no strong justification for rezoning the site from “GB” to “Industrial (Group D)” zone;
- (b) the development under the proposed rezoning is considered not compatible with the planned uses in the surrounding area;
- (c) the applicant fails to demonstrate that the proposed rezoning would not lead to adverse landscape, traffic, drainage and geotechnical impacts on the surrounding areas; and
- (d) approval of the application will set an undesirable precedent for similar rezoning applications in the “GB” zone, the cumulative effect of which will lead to a general degradation of the environment of the area.”

Sai Kung and Islands District

Agenda Item 6

Section 16 Application

[Open Meeting]

A/SK-PK/242 Proposed Social Welfare Facility (Residential Care Home for the Elderly) in “Village Type Development” Zone, Lots 1029, 1030 and 1031 in D.D. 220 and Adjoining Government Land, Nam Shan, Sai Kung, New Territories
(RNTPC Paper No. A/SK-PK/242)

57. The Committee noted that the applicant’s representative requested on 14.6.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

58. 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 the further information and no further deferment would be granted unless under very special circumstances.

Agenda Item 7

Section 16 Application

[Open Meeting]

A/SK-SKT/13 Proposed Flat in “Residential (Group E)1” Zone, Lot 1104 in D.D. 215,
1 Hong Ting Road, Sai Kung, New Territories
(RNTPC Paper No. A/SK-SKT/13C)

59. The Secretary report that the site was located in Sai Kung Town and Ramboll Environ Hong Kong Limited (Environ), MVA Hong Kong Limited (MVA), The Boring Engineering Limited (TBEL) and Rankine & Hill (HK) Limited (R&H) were four of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Ivan C.S. Fu - having current business dealings with Environ and MVA;
- Ms Janice W.M. Lai - having current business dealings with Environ and her spouse owning a shop in Sai Kung Town; and
- Mr Alex T.H. Lai - his firm having past business dealings with TBEL and R&H.

60. The Committee noted that the applicant had requested deferral of consideration of the application, Mr Ivan C.S. Fu had tendered apology for being unable to attend the meeting and Mr Alex T.H. Lai had already left the meeting. The Committee agreed that Ms Janice W.M. Lai could stay in the meeting as she had no involvement in the application and the said property did not have a direct view of the site.

61. The Committee noted that the applicant’s representative requested on 20.6.2017 deferment of the consideration of the application for one month so as to allow time for preparation of further information to address departmental comments. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including responses to departmental comments as well as the revised Environmental Assessment and Quantitative Risk Assessment.

62. 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 a further one month was allowed for preparation of the submission of the further information. Since it was the fourth deferment and a total of seven months had been allowed for preparation and submission of further information, this was the last deferment and no further deferment would be granted.

Agenda Item 8

Section 16 Application

[Open Meeting]

A/SK-TLS/50 Proposed Public Utility Installation (Package Substation) and Excavation of Land in "Green Belt" Zone, Government Land in D.D. 253, Clear Water Bay Road, Tseng Lan Shue, Sai Kung, New Territories
(RNTPC Paper No. A/SK-TLS/50A)

63. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP). The following Members had declared interests in the item:

- Mr Stephen L.H. Liu - having past business dealings with CLP;
- Mr Alex T.H. Lai - his firm having past business dealings with CLP; and
- Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which obtained sponsorship from CLP before.

64. The Committee noted that the applicant had requested deferral of consideration of the application, Ms Christina M. Lee had tendered apology for being unable to attend the meeting, and Mr Alex T.H. Lai had already left the meeting. The Committee agreed that Mr

Stephen L.H. Liu could stay in the meeting as his interest was indirect.

65. The Committee noted that the applicant requested on 12.6.2017 deferment of the consideration of the application for two months so as to allow time to resolve 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 responses to departmental comments, a tree survey report and a revised tree layout plan.

66. 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 the further information. Since it was the second deferment and a total of three months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 9

Section 16 Application

[Open Meeting]

A/SK-TMT/61 Filling of Land of 1.2m – 1.7m for Agricultural Use in “Green Belt” Zone, Lots 402, 403, 408, 409 S.A (Part), 410, 411, 412, 427 and 430 RP in D.D. 216, Long Keng, Sai Kung, New Territories
(RNTPC Paper No. A/SK-TMT/61)

67. The Committee noted that the applicant requested on 15.6.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

68. 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 the further information, and no further deferment would be granted unless under very special circumstances.

Sha Tin, Tai Po and North District

[Mr Kenny C.H. Lau, Ms Cindy K.F. Wong and Mr C.T. Lau, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/921 Temporary Office for a Period of 3 Years in "Industrial" Zone, Room 08, 10/F, Shing Chuen Industrial Building, 25-27 Shing Wan Road, Sha Tin, New Territories
(RNTPC Paper No. A/ST/921)

69. The Secretary reported that the site was located in Tai Wai, Sha Tin. Ms Christina M. Lee had declared interest in the item as her spouse owned a flat in Tai Wai. The Committee noted that Ms Lee had tendered apology for being unable to attend the meeting.

Presentation and Question Sessions

70. Mr Kenny C.H. Lau, STP/STN, presented the application and covered the

following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; 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 application was for partial conversion of 10/F of an existing industrial building for office use. It was not incompatible with the industrial and industrial-related uses in the subject industrial building and its vicinity and generally complied with the relevant consideration set out in Town Planning Board Guidelines No. 25D in that the applied use would have no adverse impact on the area on fire safety, traffic and environmental aspects and concerned departments had no objection to the application.

71. Members had no question on the application.

Deliberation Session

72. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.6.2020, 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 6 months from the date of planning approval to the satisfaction of the Director of Fire

Services or of the TPB by 23.12.2017;

- (b) in relation to (a), the implementation of the fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.3.2018; and
- (c) if the above planning conditions (a) or (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 11

Section 16 Application

[Open Meeting]

A/NE-FTA/167 Proposed Temporary Goods Distribution and Storage Use for a Period of 3 Years in “Other Specified Uses” annotated “Port Back-up Uses” Zone and an area shown as ‘Road’, Lots 182 RP (Part) and 183 RP (Part) in D.D. 52, Fu Tei Au, Sheung Shui, New Territories
(RNTPC Paper No. A/NE-FTA/167A)

74. The Committee noted that the applicant’s representative requested on 8.6.2017 deferment of the consideration of the application for two months so as to allow time for preparation of 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 responses to departmental comments and a revised site layout plan.

75. 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 the further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-FTA/168 Proposed Temporary Storage for Agricultural Product Use with Ancillary Office for a Period of 3 Years in "Agriculture" Zone, Government Land in D.D. 51, Shek Wu San Tsuen, Sheung Shui, New Territories
(RNTPC Paper No. A/NE-FTA/168)

76. The Committee noted that a replacement page (page 8 of the Paper) with revision in paragraph 10 had been tabled for Members' reference.

Presentation and Question Sessions

77. Ms Cindy K.F. Wong, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary storage for agricultural product use with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Commissioner for Transport did not support the

application as the applicant had not conducted a traffic impact assessment and failed to demonstrate the satisfactory manoeuvring of vehicles entering and exiting the site. The Director of Environmental Protection did not support the application as there were domestic structures in the vicinity and environmental nuisance was expected. The Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) had reservation on the application in that approval of the application would set an undesirable precedent for similar application thus causing further adverse landscape impact. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, a total of 34 comments was received. Among which, a North District Council (NDC) member and the Chairman of Sheung Shui District Rural Committee indicated no comments, while the remaining comments received from 石湖新村(河北段)街坊組, villagers of Shek Wu San Tsuen, another NDC members and individuals objected to the application. The District Officer (North) also conveyed that the representative of 石湖新村(河北段)街坊組 objected to the application on traffic, road safety and environmental hygiene grounds. Major objection grounds were set out in paragraphs 9 and 10 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone. It did not comply with the Town Planning Board Guidelines No. 13E in that the site fell within Category 3 areas, there was no previous planning approval and there were objections and adverse comments received from the concerned departments and the public. The applicant also failed to demonstrate that the applied use would have no adverse traffic, environmental and landscape impacts on the surrounding areas. Approval of the application would set an undesirable precedent for similar application in the “AGR” zone and the cumulative impact of which would result in a general degradation of the environment. Regarding the public comments,

the planning assessments above were relevant.

78. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed temporary use under application is not in line with the planning intention of the “Agriculture” (“AGR”) zone for the Fu Tei Au and Sha Ling area, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the application does not comply with the Town Planning Board Guidelines No. 13E in that there is no previous approval of open storage use granted for the Site and no exceptional circumstance to justify sympathetic consideration of the application; there are adverse departmental comments on the application; and the applicant fails to demonstrate that the proposed development would not cause adverse traffic, environmental and landscape impacts on the surrounding areas; and
- (c) the approval of the application will set an undesirable precedent for similar applications within the same “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.”

Agenda Items 13 to 16

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-FTA/169 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 293 S.A ss.2 in D.D. 52, Sheung Shui Wa Shan, Sheung Shui, New Territories

A/NE-FTA/170 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 293 S.A ss.3 in D.D. 52, Sheung Shui Wa Shan, Sheung Shui, New Territories

A/NE-FTA/171 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 293 S.A ss.4 in D.D. 52, Sheung Shui Wa Shan, Sheung Shui, New Territories

A/NE-FTA/172 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 293 S.A ss.5 and 293 S.C ss.1 S.A in D.D. 52, Sheung Shui Wa Shan, Sheung Shui, New Territories
(RNTPC Paper No. A/NE-FTA/169 to 172)

80. The Committee noted that the four applications for proposed house (New Territories Exempted House (NTEH) - Small House) were similar in nature and the sites were located in close proximity to one another and within the same “Agriculture” (“ARG”) zone. The Committee agreed that they could be considered together.

Presentation and Question Sessions

81. Ms Cindy K.F. Wong, STP/STN, presented the applications and covered the following aspects as detailed in the Paper :

- (a) background to the applications;
- (b) the proposed house (NTEH - Small House) on each of the sites;

- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix VIII of the Paper. The Director of Agriculture, Fisheries and Conservation did not support the applications as the sites were occupied by agricultural activities or had high potential for agricultural rehabilitation. The Commissioner for Transport had reservation on the applications and advised that Small House developments should be confined within the “Village Type Development” (“V”) zone as far as possible, but considered that the construction of four Small Houses could be tolerated. Other concerned departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of the statutory publication period, five comments on each of the applications were received. A North District Council member and the Chairman of Sheung Shui District Rural Committee supported or indicated no comment on the application respectively, whereas Designing Hong Kong Limited, Kadoorie Farm and Botanic Garden Corporation and an individual raised concerns on or objected to the applications. Major objection grounds and concerns were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Paper. Although the proposed Small Houses were not in line with the planning intention of the “AGR” zone, they were not incompatible with the surrounding rural areas. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the proposed Small House footprints fell within the village ‘environ’ of Wa Shan Village. Though land was still available within the “V” zone to meet the outstanding Small House applications, the proposed Small Houses were in close proximity to the “V” zone and the village proper of Wa Shan Village, and there were approved Small House applications at different stages of development nearby. Besides, the sites were the subject of previously approved applications No. A/NE-FTA/119 to 122 for Small House developments. Regarding the objecting public comments, the

comments of concerned departments and the planning assessments above were relevant.

82. Members had no question on the application.

Deliberation Session

83. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 23.6.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. Each of the permissions was subject to the following conditions :

Applications No. A/NE-FTA/169 and 170

- “(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.”

Applications No. A/NE-FTA/171 and 172

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

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

Agenda Items 17 and 18

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/629 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 1644 S.A in D.D. 76, Kan Tau Tsuen, Fanling, New Territories

A/NE-LYT/630 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1584 S.D in D.D. 76, Kan Tau Tsuen, Fanling, New Territories

(RNTPC Paper No. A/NE-LYT/629 and 630)

85. The Committee noted that the two applications for proposed house (New Territories Exempted House (NTEH) - Small House) were similar in nature and the sites were located in close proximity to one another and within the same “Agriculture” (“ARG”) zone. The Committee agreed that they could be considered together.

Presentation and Question Sessions

86. Ms Cindy K.F. Wong, STP/STN, presented the applications and covered the following aspects as detailed in the Paper :

- (a) background to the applications;
- (b) the proposed house (NTEH - Small House) on each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation did not support the applications as the sites had potential for agricultural rehabilitation. The Commissioner for Transport had reservation on the applications and advised that Small House developments should be confined within the “Village Type Development” (“V”) zone as

far as possible, but considered that the construction of two Small Houses could be tolerated. Other concerned departments had no objection to or no adverse comment on the applications;

- (d) during the first three weeks of the statutory publication period, five comments on each of the applications were received. A North District Council member, the Chairman of Sheung Shui District Rural Committee and the Fanling District Rural Committee supported or indicated no comment on the applications, whereas Designing Hong Kong Limited and two individuals objected to the applications. The District Officer (North) also conveyed that the Indigenous Inhabitant Representative and the Resident Representative of Kan Tau Tsuen objected to application No. A/NE-LYT/629 on traffic and drainage grounds. Major objection grounds were set out in paragraphs 9 and 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Paper. Although the proposed Small Houses were not in line with the planning intention of the “AGR” zone, they were not incompatible with the surrounding rural areas. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the proposed Small House footprints fell within the village ‘environ’ of Kan Tau Tsuen. Thought land was still available within the “V” zone to meet the outstanding Small House applications, the proposed Small Houses were in close proximity to the “V” zone of Kan Tau Tsuen and there were approved Small House applications at different stages of development nearby. Regarding the adverse public comments, the comments of concerned departments and the planning assessments above were relevant.

87. In response to a Member's enquiry, Ms Cindy K.F. Wong, STP/STN said that the subject planning applications were cross-village applications, the Small House Grants of which were subject to approval by the Lands Department.

Deliberation Session

88. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 23.6.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. Each of the permissions was subject to the following conditions :

For Application No. A/NE-LYT/629

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

For Application No. A/NE-LYT/630

- “(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.”

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

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/122 Proposed House (New Territories Exempted House - Small House) in
 “Agriculture” Zone, Lot 1586 S.B in D.D. 91, Kai Leng, Sheung Shui,
 New Territories

 (RNTPC Paper No. A/NE-PK/122)

Presentation and Question Sessions

90. Ms Cindy K.F. Wong, 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 – departmental comments were set out in paragraph 9 and appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation did not support the application as the site possessed high potential for agricultural rehabilitation. The Commissioner for Transport had reservation on the application and advised that Small House development should be confined within the “Village Type Development” (“V”) zone as far as possible, but considered that the construction of one Small House could be tolerated. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, four comments were received. A North District Council member and the Chairman of Sheung Shui District Rural Committee supported the application and indicated no comment respectively, whereas Designing Hong Kong Limited and an individual objected to the application. Major

objection grounds 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 assessment set out in paragraph 11 of the Paper. Although the proposed Small House was not in line with the planning intention of the “Agriculture” zone, it was not incompatible with the surrounding areas. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the proposed Small House footprint fell within the village ‘environ’ of Kai Leng Village and land within the “V” zone was insufficient to meet the outstanding Small House applications and the future Small House demand. The site was also in close proximity to the existing village proper of Kai Leng and there were approved Small House applications at different stages of development nearby. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

91. Members had no question on the application.

Deliberation Session

92. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 23.6.2021, 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.”

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

Agenda Item 20

Section 16 Application

[Open Meeting]

A/NE-TKL/564 Proposed Temporary Open Storage of Waste Paper, Waste Plastics and Waste Metal Cans for Recycling and Workshop for Recycling for a Period of 3 Years in “Agriculture” Zone, Lots 965 RP (Part) and 966 RP in D.D. 82, Ping Che Road, Ping Che, New Territories
(RNTPC Paper No. A/NE-TKL/564)

94. The Secretary reported that the site was located in Ta Kwu Ling. Mr Alex T.H. Lai had declared an interest in the item as his father co-owned two pieces of land in Ping Che, Ta Kwu Ling. The Committee noted that Mr Lai had already left the meeting.

95. The Committee noted that the applicant’s representative requested on 8.6.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

96. 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 the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 21

Section 16 Application

[Open Meeting]

A/NE-TKL/565 Temporary Social Welfare Facility (Residential Care Home for Persons with Disabilities) for a Period of 3 Years in “Agriculture” and “Government, Institution or Community” Zones, Lot 1267 in D.D. 84 and Adjoining Government Land, Tai Po Tin, Ta Kwu Ling, New Territories
(RNTPC Paper No. A/NE-TKL/565)

97. The Secretary reported that the site was located in Ta Kwu Ling. Mr Alex T.H. Lai had declared an interest in the item as his father co-owned two pieces of land in Ping Che, Ta Kwu Ling. The Committee noted that Mr Lai had already left the meeting.

98. The Committee noted that the applicant requested on 14.6.2017 deferment of the consideration of the application for two months so as to allow time for preparation of 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 the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/566 Proposed Temporary Workshop and Warehouse for Construction Materials for a Period of 3 Years in “Agriculture” Zone, Lots 2264 (Part) and 2265 (Part) in D.D. 76, Sha Tau Kok Road, Fanling, New Territories
(RNTPC Paper No. A/NE-TKL/566)

100. The Secretary reported that the site was located in Ta Kwu Ling. Mr Alex T.H. Lai had declared an interest in the item as his father co-owned two pieces of land in Ping Che, Ta Kwu Ling. The Committee noted that Mr Lai had already left the meeting.

Presentation and Question Sessions

101. Ms Cindy K.F. Wong, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary workshop and warehouse for construction materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Commissioner for Transport (C for T) did not support the application as the applicant failed to demonstrate there would be no adverse traffic impact generated by the proposed development. The Director of Environmental Protection (DEP) did not support the application in that there were domestic structures in the vicinity of the site and environmental nuisance was expected. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication, five comments were received. While a North District Council member and the Chairman of Sheung Shui District Rural Committee had no comment on the application, Kadoorie Farm and Botanic Garden Corporation, the Chairman of Fanling District Rural Committee (FDRC) and an individual objected to the application. The District Officer (North) also conveyed that the Chairman of FDRC cum Resident Representative of Ko Po and the Indigenous Inhabitant Representative of Ko Po objected to the application as there were already many workshops and warehouses in the area which caused adverse impacts on rural environment and air pollution. Major objection grounds were set out in paragraphs 9 and 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The applied use was not in line with the planning intention of the “Agriculture” zone and DAFC did not support the application. Besides, C for T and DEP did not support the application for reasons of potential adverse traffic and environmental impacts. There was no strong justification in the submission to justify a departure from the planning intention, even on a temporary basis. The site was the subject of three previous planning applications for various temporary open storage uses, which were all rejected by the Committee or the Board on review on similar grounds. There was no material change in the planning circumstances since the rejection of the previous applications. Regarding the public comments received, comments of concerned departments and the planning assessments above were relevant.

102. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed temporary use under application is not in line with the planning intention of the “Agriculture” (“AGR”) zone for the Ping Che and Ta Kwu Ling area, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the applicant fails to demonstrate that the proposed development would not cause adverse traffic and environmental impacts on the surrounding areas; and
- (c) the approval of the application will set an undesirable precedent for similar applications within the same “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.”

Agenda Item 23

Section 16 Application

[Open Meeting]

A/NE-TKLN/8 Temporary Staff Car Park and Site Office for Public Works for a Period of 3 Years in “Village Type Development” and “Recreation” Zones, Lots 388 S.A, 388 S.B, 388 RP (Part) and 390 RP (Part) in D.D. 78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling, North District, New Territories
(RNTPC Paper No. A/NE-TKLN/8)

104. The Committee noted that the applicant’s representative requested on 14.6.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time

that the applicant requested deferment of the application.

105. 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 the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-WKS/8 Proposed House (New Territories Exempted House) in “Green Belt”
Zone, Wo Kang Shan Lots 31 and 32 in D.D. 79, Wo Keng Shan
Village, Sha Tau Kok, New Territories
(RNTPC Paper No. A/NE-WKS/8)

Presentation and Question Sessions

106. Ms Cindy K.F. Wong, 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));
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Commission for Transport (C for T) had reservation on the application and considered that such type of development should be

confined within the “Village Type Development” zone as far as possible, but considered that the construction of one NTEH could be tolerated. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) objected to the application as the proposed house would affect mature trees located on government land and approval of the application would encourage the spreading of village development into the “Green Belt” (“GB”) zone which would lead to loss of quality landscape resource and deterioration of the landscape character of the area. The Director of Agriculture, Fisheries and Conservation (DAFC) had strong reservation on the application as substantial pruning of the tree crowns and tree roots of an Old and Valuable Tree (OVT) and some mature trees might be required for the proposed development. Senior Forestry Officer/Tree Unit, Lands Department (SForO/TU, LandsD) also had strong reservation on the application as the proposed development would affect the mature trees and the OVT which was maintained by LandsD. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, nine public comments were received. While a North District Council member supported the application and the Chairmen of Sheung Shui District Rural Committee and Fanling District Rural Committee had no comment, the Hong Kong Bird Watching Society, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited, Kadoorie Farm and Botanic Garden Corporation and individuals objected to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) 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 “GB” zone. No strong justification had been given in the submission to merit a departure from the planning intention. The application was not in line with the Town Planning Board Guidelines No. 10 in that the proposed development would affect the existing natural vegetation nearby, which were of high conservation value, and would have adverse landscape impact. Approval

of the application would set an undesirable precedent for similar applications in the area and the cumulative impacts of which would result in a general degradation of the environment and the landscape quality of the area. Regarding the public comment received, comments of concerned departments and the planning assessments above were relevant.

107. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone in the Wo Keng Shan area which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong justification in the submission for a departure from the planning intention;
- (b) the proposed development does not comply with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would affect the existing natural landscape and have adverse landscape impact. The applicant fails to demonstrate that the proposed development would have no adverse landscape impact on the surrounding areas; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the “GB” zone. The cumulative impacts of approving such applications would have adverse landscape impact and result in a general degradation of the environment of the area.”

Agenda Items 25 to 27

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/529 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 425 S.F in D.D. 9, Kau Lung Hang San Wai, Tai Po, New Territories

A/NE-KLH/530 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 425 S.G in D.D. 9, Kau Lung Hang San Wai, Tai Po, New Territories

A/NE-KLH/531 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 425 S.H in D.D. 9, Kau Lung Hang San Wai, Tai Po, New Territories
(RNTPC Paper No. A/NE-KLH/529 to 531)

109. The Committee noted that the three applications for proposed house (New Territories Exempted House (NTEH) - Small House) were similar in nature and the sites were located in close proximity to one another and within the same “Agriculture” (“AGR”) and “Village Type Development” (“V”) zones. The Committee agreed that they could be considered together.

Presentation and Question Sessions

110. Mr C.T. LAU, STP/STN, presented the applications and covered the following aspects as detailed in the Paper :

- (a) background to the applications;
- (b) the proposed house (NTEH – Small House) on each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. The Director of Agriculture, Fisheries and

Conservation (DAFC) did not support the applications as the sites were mostly within the “AGR” zone and had high potential for agricultural activities even though being hard paved. Other concerned departments had no objection to or no adverse comment on the applications;

- (d) during the first three weeks of the statutory publication period, one public comment was received objecting to each of the applications. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Paper. Although the proposed Small Houses were not in line with the planning intention of the “AGR” zone, they were not incompatible with the surrounding areas. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (Interim Criteria), more than 50% of the proposed Small Houses fell within the village ‘environs’ of Yuen Leng, Kau Lung Hang San Wai and Kau Lung Hang Lo Wai and land was still available within the “V” zone to meet the outstanding Small House applications. Nevertheless, the sites were located in close proximity to the existing village clusters in the north and south and were the subject of previously approved planning applications No. A/NE-KLH/415 to 417. Besides, the proposed Small Houses would be able to connect to public sewerage system and relevant departments had no objection to the applications. Regarding the adverse public comment, comments of concerned departments and the planning assessments above were relevant.

111. Some Members raised the following questions:

- (a) whether it would be possible to require the proposed Small Houses to be located away from the Ecologically Important Stream (EIS) as far as possible; and
- (b) in view of the cautious approach adopted in considering Small House applications, whether PlanD would recommend to reject the applications if

the site was not the subject of previous planning approvals.

112. Mr C.T. LAU, STP/STN, made the following responses:

- (a) according to the Buildings Department Practice Note For Authorized Persons and Registered Structural Engineers No. 295 (PNAP 295) – ‘Protection of natural streams/rivers from adverse impacts arising from construction works’, the applicant should avoid disturbance to the EIS and causing water pollution; and
- (b) the current applications were generally in line with the Interim Criteria, including the proposed Small Houses located within water gathering ground would be able to connect to the public sewer. Nonetheless, the likelihood of recommending the approval of the applications would be slim if they were not the subject of previous planning approvals.

Deliberation Session

113. A Member was concerned that the proposed Small Houses would affect the nearby EIS and said that they should be located away from the EIS as far as possible. The Committee noted that PNAP 295 had included the requirements to avoid any potential impact on natural streams/rivers and comments of concerned departments had been incorporated in the recommended advisory clauses.

114. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 23.6.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. Each of the permissions was subject to the following conditions :

- “(a) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB;

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

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

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/609 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lot 1308 S.A
in D.D. 19, San Tong, Tai Po, New Territories
(RNTPC Paper No. A/NE-LT/609)

Presentation and Question Sessions

116. Mr C.T. LAU, 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 – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site had high potential for rehabilitation of agricultural activities. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two comments objecting to the application were received from individuals. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House, which partly fell within the “Agriculture” zone, was not in line with the planning intention of that zone and DAFC did not support the application. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (Interim Criteria), despite the facts that more than 50% of the proposed Small House footprint fell within the village ‘environ’ of San Tong and it would be able to connect to the planned sewerage system, land was still available within the “Village Type Development” (“V”) zone to meet Small House demand. The application did not comply with the Interim Criteria. Besides, a similar application located to the southwest of the site was also rejected in 2016 on similar considerations. Regarding the adverse public comments, comments of concerned departments and the 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 and also to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the current 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 the New Territories in that there is no general shortage of land in meeting the demand for Small House development in the “Village Type Development” (“V”) zone of San Tong; and

- (c) land is still available within the “V” zone of San Tong 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.”

[Ms Janice W.M. Lai left the meeting at this point.]

Agenda Item 29

Section 16 Application

[Open Meeting]

A/NE-LT/611 Proposed House (New Territories Exempted House) in “Agriculture”
Zone, Lot 207 in D.D. 18, Lung A Pai, Lam Tsuen, Tai Po, New
Territories
(RNTPC Paper No. A/NE-LT/611)

119. The Committee noted that the applicant’s representative requested on 16.6.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information in support of the application. 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 the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 30

Section 16 Application

[Open Meeting]

A/NE-TK/611 Proposed Temporary Toilet for a Period of 3 Years with Ancillary Excavation Works in “Conservation Area” Zone and an area shown as ‘Road’, Government Land in D.D. 28, Tai Mei Tuk, Tai Po, New Territories
(RNTPC Paper No. A/NE-TK/611)

121. The Committee noted that the applicant’s representative requested on 15.6.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information in support of the application. It was the first time that the applicant requested deferment of the application.

122. 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 the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 31

Section 16 Application

[Open Meeting]

A/NE-TK/612

Proposed Temporary Village Car Park for a Period of 3 Years in “Green Belt” Zone, Lots 449 S.A to S.G, 449 RP, 450 S.A to S.N, 450 RP, 452 S.A ss.1 to ss.11, 452 S.A RP, 452 S.B ss.1, 452 S.B ss.2, 452 S.B RP (Part), 452 S.C ss.2 to ss.13, 452 S.C RP (Part), 452 S.D ss.1 to ss.6, 452 S.D RP, 452 S.E ss.1, 452 S.E ss.2, 452 S.E RP, 452 S.F to S.K and 452 RP in D.D. 28 and Adjoining Government Land, Tai Mei Tuk, Tai Po, New Territories
(RNTPC Paper No. A/NE-TK/612)

123. The Committee noted that the applicant’s representative requested on 14.6.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information in support of the application. It was the first time that the applicant requested deferment of the application.

124. 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 the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 32

Section 16 Application

[Open Meeting]

A/NE-TK/613 Temporary Barbecue Site for a Period of 3 Years in “Agriculture”
Zone, Lots 358, 359, 361, 493 (Part), 499, 500, 501, 502 (Part), 503
(Part), 504 (Part), 505 (Part), 506 (Part), 507 (Part), 508 (Part), 509
(Part), 511, 512 S.A, 512 S.B, 513, 514, 515, 528, 529, 530, 531, 532,
533, 534, 535 and 536 in D.D. 17, Ting Kok Village, Tai Po, New
Territories

(RNTPC Paper No. A/NE-TK/613)

125. The Committee noted that the applicant’s representative requested on 6.6.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information. It was the first time that the applicant requested deferment of the application.

126. 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 the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 33

Section 16 Application

[Open Meeting]

A/TP/611 Proposed Religious Institution and Columbarium in “Government, Institution or Community” Zone, Lot 1006 RP in D.D. 5, 2 Mui Shue Hang Village, Tai Po, New Territories
(RNTPC Paper No. A/TP/611B)

127. The Secretary reported that the site was located in Tai Po. Mr H.W. Cheung, the Vice-chairman, had declared an interest in the item as he owned a flat in Tai Po Market. The Committee noted that the applicant had requested deferral of consideration of the application and agreed that the Vice-chairman could stay in the meeting as the said property did not have a direct view on the site.

128. The Committee noted that the applicant’s representative requested on 9.6.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental and public comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including revised traffic impact assessment and geotechnical planning review report as well as proposals on traffic control and management plan.

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

[The Chairman thanked Mr Kenny C.H. Lau, Ms Cindy K.F. Wong and Mr C.T. Lau, STP/STN, for their attendance to answer Members' enquiries. Messrs Lau and Ms Wong left the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 34

Section 16 Application

[Open Meeting]

A/KTN/34 Temporary Warehouse of Industrial and Construction Materials and Ancillary Workshop for a Period of 3 Years in "Open Space" and "Other Specified Uses" annotated "Nature Park" Zones and an area shown as 'Road', Lots 744 and 749 in D.D. 92, Yin Kong, Sheung Shui, New Territories

(RNTPC Paper No. A/KTN/34)

130. The Secretary reported that the site was located in Kwu Tung North. Dr C.H. Hau had declared an interest in the item as he owned a property in Kwu Tung North. The Committee noted that the applicant had requested deferral of consideration of the application and agreed that Dr Hau could stay in the meeting as the said property did not have a direct view on the site.

131. The Committee noted that the applicant requested on 19.6.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

132. 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 the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 35

Section 16 Application

[Open Meeting]

A/NE-KTS/452 Proposed Temporary Storage (Cosmetic Products, Beverages and Construction Materials) with Ancillary Office for a Period of 3 Years in "Recreation" Zone, Lots 1618 (Part), 1619 and 1620 (Part) in D.D. 100 and Adjoining Government Land, Ying Pun, Kwu Tung South, New Territories
(RNTPC Paper No. A/NE-KTS/452)

133. The Committee noted that the applicants requested on 15.6.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicants requested deferment of the application.

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

[Ms S.H. Lam, Ms Ivy C.W. Wong and Ms Emily P.W. Tong, 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/NE-KTS/453 Proposed Animal Boarding Establishment (Kennel) in “Agriculture”
Zone, Lot 1100 RP (Part) in D.D. 92, Hang Tau Village, Kwu Tung
South, Sheung Shui, New Territories
(RNTPC Paper No. A/NE-KTS/453)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed animal boarding establishment (kennel);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as the recommended mitigation measures could not effectively reduce the impacts generated by the proposed kennel and the applicant failed to demonstrate there would be no adverse environmental impacts. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application in that approval of the application would encourage similar vegetation removal prior to application. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, nine comments were received. Among which, one supported the application and the remaining eight received from two North District Council (NDC) members, Kadoorie Farm and Botanic Garden Corporation, residents of Goodwood Park, villagers of Hang Tau Village and individuals objected to the application. The District Officer (North) also conveyed that a NDC member, the Indigenous Inhabitant Representatives and the Resident Representative of Hang Tau objected to the application mainly on noise, hygiene and traffic impacts arising from the proposed development. Major objection grounds were set out in paragraphs 9 and 10 of the Paper; and

- (e) 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 not in line with the planning intention of the “Agriculture” (“AGR”) zone and there was no strong justification given in the submission to justify a departure from the planning intention. There were domestic uses adjoining and near the proposed development and DEP and CTP/UD&L, PlanD did not support and had reservation on the application respectively. Approval of the application would set an undesirable precedent for similar applications within the “AGR” zone and the cumulative impact of which lead to further degradation of the environment in the area. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

136. Members had no question on the application.

Deliberation Session

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

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

to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the current submission for a departure from the planning intention;

- (b) the applicant fails to demonstrate that the proposed development would not generate adverse environmental impacts on the surrounding areas; and
- (c) approval of the application would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such applications would lead to further degradation of the environment in the “AGR” zone.”

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/454 Proposed 2 Houses (New Territories Exempted Houses) in “Agriculture” Zone, Lots 493 S.A and 493 RP in D.D. 94, Hang Tau Tsuen, Kwu Tung South, Sheung Shui, New Territories
(RNTPC Paper No. A/NE-KTS/454)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed two houses (New Territories Exempted Houses (NTEHs));
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The District Lands Officer/North, Lands Department

(DLO/N, LandsD) commented that the proposed NTEH developments were not acceptable from both lease and land administration point of views. The Commissioner for Transport (C for T) had reservation on the application in that such type of development should be confined within the “Village Type Development” (“V”) zone, but considered that the construction of two NTEHs could be tolerated. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site should be retained for agricultural use. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, five comments were received. While two comments indicated no comment on the application, three comments received from the Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual raised objection to the application. The District Officer (North) also conveyed that the Resident Representative of Hang Tau objected to the application on traffic grounds. Major objection grounds were set out in paragraphs 9 and 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 NTEH developments were not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application. There was no strong planning justification given in the submission to justify for a departure from the planning intention. Though the proposed NTEH developments were not entirely incompatible with the surrounding areas, DLO/N and C for T did not support and had reservation on the application respectively. Approval of the application would set an undesirable precedent for similar applications within the “AGR” zone and the cumulative effect of which would lead to further extension of village development beyond the existing “V” zone. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

139. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and also to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the current submission for a departure from the planning intention; and
- (b) approval of the application would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such applications would lead to further extension of village development beyond the existing “Village Type Development” zone boundary resulting in irreversibly further reduction of farmland and degradation of the agricultural environment of the “AGR” zone.”

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/738 Temporary Restaurant for a Period of 3 Years in “Agriculture” Zone,
Lots 1637 RP, 1649 S.A (G/F) and 1649 RP (G/F) in D.D. 106, Kam
Sheung Road, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/738)

141. The Secretary reported that the site was located in Kam Tin South. Ms Janice W.M. Lai had declared an interest in the item as her family member owned a house in Kam

Tin South. The Committee noted that Ms Lai had already left the meeting.

Presentation and Question Sessions

142. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary restaurant for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive residential use in the vicinity of the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with the planning intention of the “Agriculture” zone, it was not incompatible with the surrounding land uses which were rural in character. The Director of Agriculture, Fisheries and Conservation had no objection to the application due to the low potential of agricultural rehabilitation of the site. Approving the application on a temporary basis would not frustrate the long-term planning intention. Besides, adverse impacts on traffic, drainage and landscape aspects were not anticipated. Though DEP did not support the application, no local objection has been received and there was no environmental complaint against the site in the past three years. Relevant approval conditions restricting operation hours and vehicle type were recommended to address DEP's concerns.

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 23.6.2020, 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 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing trees and landscape plantings on the site shall be maintained at all times during the planning approval period;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.9.2017;
- (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 23.12.2017;

- (h) in relation to (g) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.3.2018;
- (i) if any of the above planning conditions (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 conditions (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.”

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

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/739 Proposed Temporary Place of Recreation, Sports or Culture (Sports Ground) for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 1211(Part), 1212, 1213, 1214, 1215, 1216, 1447(Part), 1448 (Part), 1476 (Part), 1477 S.A (Part) and 1478 RP (Part) in D.D. 106, Kam Sheung Road, Pat Heung, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/739)

146. The Committee noted that the application was withdrawn by the applicant.

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/740 Renewal of Planning Approval for Temporary Open Storage of Electricity Generators and Compressors with Maintenance Work for a Period of 1 Year in “Other Specified Uses” annotated “Rural Use” Zone, Lots 391 RP (Part) and 392 RP in D.D. 106, Shek Wu Tong, Kam Tin, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/740)

147. The Secretary reported that the site was located in Kam Tin South. Ms Janice W.M. Lai had declared an interest in the item as her family member owned a house in Kam Tin South. The Committee noted that Ms Lai had already left the meeting.

Presentation and Question Sessions

148. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary open storage of electricity generators and compressors with maintenance work for a period of one year;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive residential uses in the vicinity of the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of one year based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intention of the “Other Specified Use” annotated “Rural Use” (“OU(RU)”) zone, however there was no known programme for long-term development at the site and it was not incompatible with the surrounding areas. Approval of the application on temporary basis would not jeopardize the long-term planning intention. The application was generally in line with the Town Planning Board Guidelines No. 13E and 34B in that the site fell within Category 3 areas with background of previous planning approvals for the same open storage use, all approval conditions under the previous application had been complied with, concerned departments had no objection to or no adverse comment on the application, except DEP. While DEP did not support the application, there was no environmental complaint against the site in the past three years. Relevant approval conditions were recommended to address DEP's concerns.

149. Members had no question on the application.

Deliberation Session

150. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 1 year from 4.7.2017 until 3.7.2018, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and statutory holidays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) no paint spraying activity shall be carried out at the open area of the site, as proposed by the applicant, at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the vehicular access/run-in/out between the site and Kam Sheung Road shall be maintained at all times during the planning approval period;
- (f) the stacking height of the materials stored within 5 metres of the periphery of the site shall not exceed the height of the boundary fence at all times during the planning approval period;
- (g) the peripheral fence wall of 2.5 m high shall be maintained at all times during the planning approval period;
- (h) the existing trees and landscape plantings on the site shall be maintained at all times during the planning approval period;
- (i) the existing drainage facilities within the site shall be maintained at all times during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities on site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.10.2017;
- (k) the submission of a fire service installations proposal within 3 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 4.10.2017;
- (l) in relation to (k) above, the provision of fire service installations 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 4.1.2018;

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

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

Agenda Item 41

Section 16 Application

[Open Meeting]

A/YL-KTS/741 Temporary Site Office and Service Depot for Drainage and Sewerage Works for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” Zone, Lot 455 RP (Part) in D.D. 106 and Adjoining Government Land, Kam Sheung Road, Kam Tin, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/741)

152. The Secretary reported that the site was located in Kam Tin South. Ms Janice W.M. Lai had declared an interest in the item as her family member owned a house in Kam Tin South. The Committee noted that Ms Lai had already left the meeting.

153. The Committee noted that the applicant’s representative requested on 8.6.2017 deferment of the consideration of the application for two months so as to allow time for

preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

154. 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 the 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/742 Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in "Agriculture" and "Village Type Development" Zones, Lot 1488 RP in D.D. 106, Pat Heung, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/742)

155. The Secretary reported that the site was located in Kam Tin South. Ms Janice W.M. Lai had declared an interest in the item as her family member owned a house in Kam Tin South. The Committee noted that Ms Lai had already left the meeting.

Presentation and Question Sessions

156. Ms Ivy C.W. Wong, 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 (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; 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 fell partly within “Agriculture” (“AGR”) and “Village Type Development” (“V”) zones. While the applied use was not entirely in line with the planning intention of “AGR” and “V” zones, the Director of Agriculture, Fisheries and Conservation had no comment on the application and there was no Small House application approved or currently under processing at the site. Also, the applied use was not incompatible with the surrounding land uses. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” and “V” zones. Given its scale and with direct access to Kam Sheung Road, significant adverse impact on traffic, drainage, landscape and environmental aspects were not anticipated and concerned departments had no adverse comment on the application. Relevant approval conditions were recommended to address their technical concerns. The site was the subject of two previous planning applications for the same use approved by the Committee in 2010 and 2013. Approval of the current application was line with the Committee’s previous decisions.

157. Members had no question on the application.

Deliberation Session

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

temporary basis for a period of 3 years until 23.6.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road 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 existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.9.2017;
- (f) the submission of a tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 23.12.2017;
- (g) in relation to (f) above, the implementation of the tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 23.3.2018;
- (h) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.12.2017;

- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.3.2018;
- (j) if any of the above planning conditions (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (e), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon the 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.”

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

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/744 Proposed Temporary Shop and Services (Provision Store) for a Period of 3 Years in “Village Type Development” Zone, Lot 2743 (Part) in D.D. 111, Pat Heung, Yuen Long, New Territories
(RNTPC Paper No. A/YL-PH/744A)

160. The Secretary reported that the site was located in Pat Heung. Ms Janice W.M. Lai had declared an interest in the item as her family member owned a property in Pat Heung. The Committee noted that Ms Lai had already left the meeting.

Presentation and Question Sessions

161. Ms Ivy C.W. Wong, 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 (provision store) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments from individuals objecting to the application were received. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intention of “Village Type Development” (“V”) zone, it could help to meet some of the demand of local villagers and there was no Small House application approved or under processing at the site. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. Given the nature and scale of the development, it was not incompatible with the surrounding areas and significant adverse impacts in traffic, environment, visual and landscape aspects were not anticipated. Concerned departments had no adverse comment on the application and their technical concerns could be addressed by the recommended approval conditions. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

162. Members had no question on the application.

Deliberation Session

163. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.6.2020, 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 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.12.2017;
- (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 23.3.2018;
- (f) the submission of a 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 23.12.2017;
- (g) in relation to (f) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 23.3.2018;

- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.12.2017;
- (i) in relation to (h) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.3.2018;
- (j) if any of the above planning conditions (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;
- (k) if any of the above planning conditions (d), (e), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon the 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.”

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

Agenda Item 44

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/748 Renewal of Planning Approval for Temporary Container Trailer/Tractor Park Use for a Period of 3 Years in “Open Storage” Zone, Lots 854 (Part) and 856 (Part) in D.D. 111 and Adjoining Government Land, Chung Yan Pei, Pat Heung, Yuen Long, New Territories
(RNTPC Paper No. A/YL-PH/748)

165. The Secretary reported that the site was located in Pat Heung. Ms Janice W.M. Lai had declared an interest in the item as her family member owned a property in Pat Heung. The Committee noted that Ms Lai had already left the meeting.

Presentation and Question Sessions

166. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary container trailer/tractor park use for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on

the assessments set out in paragraph 12 of the Paper. The applied use was generally in line with the planning intention of “Open Storage” zone and not incompatible with the open storage yards and workshops nearby. The application was generally in line with the Town Planning Board Guidelines No. 13E and 34B in that the site fell within Category 1 areas, the application was not subject to any adverse departmental comment and local objection, approval conditions under the previous application had been complied with, and there was no major change in planning circumstances since the last approval for the same use on the site. Relevant approval conditions were recommended to address the technical requirements of the concerned departments.

167. Members had no question on the application.

Deliberation Session

168. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 28.6.2017 to 27.6.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (c) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked / stored on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from of public road at any time during the planning approval period;

- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the existing trees and landscape planting on the site shall be maintained at all times during the approval period;
- (g) the submission of fire services 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 28.12.2017;
- (h) in relation to (g) above, the provision of the fire services 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 28.3.2018;
- (i) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning conditions (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.”

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

Agenda Item 45

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/258 Temporary Shop and Services (Real Estate Agency) for a Period of 3
Years in “Open Space” Zone, Lot 2873 in D.D. 104, Mai Po, Yuen
Long, New Territories
(RNTPC Paper No. A/YL-MP/258)

170. The Secretary reported that the site was located in Mai Po. Dr Lawrence K.C. Li had declared an interest in the item as he co-owned a house with his spouse in Mai Po. The Committee noted that Dr Li had tendered apology for being unable to attend the meeting.

Presentation and Question Sessions

171. Ms Emily P.W. Tong, 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 (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment submitted by an individual objecting to the application was received. Major objection grounds 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. While the applied use was not in line with the planning intention of the “Open Space” (“O”) zone, approval of the application on a temporary basis would not frustrate the long term planning intention as there was no development programme for implementing the proposed open space. The site fell within the Wetland Buffer Area (WBA) of the Town Planning Board Guidelines No. 12C which specified that the requirement of Ecological Impact Assessment was exempted for temporary use and the Director of Agriculture, Fisheries and Conservation had no adverse comment on the application. Given the scale and nature of the development, significant adverse environmental, traffic, fire safety, drainage and landscape impacts were not anticipated. Concerned departments had no adverse comment on the application and their technical concerns could be addressed by the recommended approval conditions. Regarding the adverse public comment, comments of concerned departments and the planning assessments above were relevant.

172. In response to a Member’s question on whether the current application could be regarded as a renewal application, Ms Emily P.W. Tong, STP/FSYLE, said that the previous planning permission under application No. A/YL-MP/233 expired on 7.3.2017. The current application was regarded as a fresh application, though the previous approval was one of the considerations in assessing the application. The Secretary supplemented that according to the Town Planning Board Guidelines No. 34B, an application for renewal of planning approval for temporary use or development should be submitted to the Board no less than 2 months before the expiry of the temporary approval. Otherwise, a fresh s.16 planning application would be required.

173. In response to a Member’s enquiry on the Northern Link, the Chairman said that according to the Railway Development Strategy 2014, the Northern Link was still in investigation stage.

Deliberation Session

174. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.6.2020, on the terms of the application as

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

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the existing paving and fencing on the site shall be maintained at all times during the planning approval period;
- (c) the existing trees and vegetation on the site shall be maintained at all times 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 23.12.2017;
- (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 23.3.2018;
- (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 23.12.2017;
- (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 23.3.2018;
- (i) if any of the above planning conditions (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;

- (j) if any of the above planning conditions (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; and
- (k) upon the 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.”

175. 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-NSW/256 Renewal of Planning Approval for Temporary Eating Place (Restaurant) for a Period of 3 Years in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Lots 3719 S.G ss. 9 RP (Part) and 3719 S.G ss.10 (Part) in D.D. 104, Nam Sang Wai, Yuen Long, New Territories
(RNTPC Paper No. A/YL-NSW/256)

Presentation and Question Sessions

176. Ms Emily P.W. Tong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary eating place (restaurant) for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment submitted by an individual objecting to the application was received. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the temporary use was not entirely in line with the planning intention of “Other Specified Use” annotated “Comprehensive Development to include Wetland Restoration Area” zone, it could provide catering services to the local residents, workers as well as visitors and was not incompatible with the surrounding areas predominated by residential developments and commercial/residential developments. In view of the nature and small-scale of the development, it would unlikely cause adverse impact on the area. The application was in line with Town Planning Board Guidelines No. 12C (TPB PG-No. 12C) in that the requirement of Ecological Impact Assessment submission could be exempted for temporary use and the Director of Agriculture, Fisheries and Conservation had no strong view on the application. It was also in line with TPB PG-No. 34B in that the 3-year approval period sought was not unreasonable, there was no adverse planning implication arising from the renewal of the planning approval and the applicant had complied with all the approval conditions under the previous application. Regarding the adverse public comment, comments of concerned departments and the planning assessments above were relevant.

177. Members had no question on the application.

Deliberation Session

178. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 23.7.2017 until 22.7.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the maintenance of the existing landscape planting on the site at all times during the planning approval period;
- (b) the maintenance of the existing drainage facilities on the site at all times during the planning approval period;
- (c) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.10.2017;
- (d) 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 23.1.2018;
- (e) in relation to (d) above, the provision of 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 23.4.2018;
- (f) if any of the above planning conditions (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (g) if any of the above planning conditions (c), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

- (h) 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.”

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

[Dr. C.H. Hau and Mr Stephen L.H. Liu left the meeting at this point.]

Agenda Item 47

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/343 Temporary Container Tractor/Trailer Park For a Period of 3 Years in
“Open Storage” Zone, Lots 2688 RP (Part), 2729 (Part) and 2730 RP
(Part) in D.D. 102 and Adjoining Government Land, Ngau Tam Mei,
Yuen Long, New Territories
(RNTPC Paper No. A/YL-NTM/343)

Presentation and Question Sessions

180. Ms Emily P.W. Tong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary container tractor/trailer park for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period; 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. The applied use was generally in line with the planning intention of the “Open Storage” zone and compatible with the surrounding land uses. The application was in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas, there was no adverse comment and objection received from concerned departments, except DEP. Although DEP did not support the application, there was no substantiated environmental complaint against the site in the past three years. Relevant approval conditions were recommended to address DEP's concerns as well as technical concerns of other concerned departments.

181. Members had no question on the application.

Deliberation Session

182. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.6.2020, 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 or public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no cutting, dismantling, melting, cleansing, repairing or other workshop activity is allowed on the site at any time during the planning approval period;

- (d) the existing trees and landscape planting on the site shall be preserved and maintained 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 23.12.2017;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.3.2018;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.12.2017;
- (i) in relation to (h) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.3.2018;
- (j) if any of the above planning conditions (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 conditions (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.”

183. 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]

A/YL-ST/502 Proposed Temporary Public Vehicle Park (excluding Container Vehicle) for a Period of 3 Years in “Green Belt” and “Village Type Development” Zones, Lots 268 RP and 269 (Part) in D.D. 96 and Lots 457, 458, 459, 460 RP and 461 in D.D. 99, San Tin, Yuen Long, New Territories

(RNTPC Paper No. A/YL-ST/502)

184. The Committee noted that the applicant’s representative requested on 15.6.2017 deferment of the consideration of the application for two months so as to allow time to address departmental and public comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, no further information was submitted by the applicant.

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 the further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 49

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/504 Proposed Utility Installation for Private Project (Electricity Transformer Room) and Excavation of Land in “Village Type Development” Zone, Lots 682 S.E and 682 S.F in D.D. 99, Lots 3081 S.M, 3081 S.O and 3082 S.D in D.D. 102, Wing Ping Tsuen, San Tin, Yuen Long, New Territories
(RNTPC Paper No. A/YL-ST/504)

186. The Secretary reported that CLP Power Hong Kong Ltd. (CLP) was one of the consultants of the applicant. The following Members had declared interests in the item:

- Mr Stephen L.H. Liu - having past business dealings with CLP;
- Mr Alex T.H. Lai - his firm having past business dealings with CLP; and
- Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which obtained sponsorship from CLP before.

187. The Committee noted that Ms Christina M. Lee had tendered apology for being unable to attend the meeting and Messrs Alex T.H. Lai and Stephen L.H. Liu had already left the meeting.

Presentation and Question Sessions

188. Ms Emily P.W. Tong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed utility installation for private project (electricity transformer room) and excavation of land;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Village Type Development” zone and not incompatible with the adjacent uses as it was to provide essential electricity supply to the proposed Small Houses in the vicinity. Although the site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No. 12C, the Director of Agriculture, Fisheries and Conservation had no comment on the application as the site was an existing degraded land. Given the nature and scale of the proposed development and excavation of land, significant adverse impact on the surrounding areas was not expected. Relevant approval conditions were also recommended to address technical concerns of concerned departments.

189. Members had no question on the application.

Deliberation Session

190. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 23.6.2021, 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 landscape proposal to the satisfaction of the Director of Planning or of the TPB;

- (b) the submission of a drainage proposal and implementation of drainage facilities to the satisfaction of the Director of Drainage Services or of the TPB; and
- (c) the provision of water supplies for firefighting and fire services installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

[The Chairman thanked Ms S.H. Lam, Ms Ivy C.W. Wong and Ms Emily P.W. Tong, STPs/FSYLE, for their attendance to answer Members’ enquiries. Ms Lam, Ms Wong and Ms Tong left the meeting at this point.]

[The meeting was adjourned for a 5-minute break.]

Tuen Mun and Yuen Long West District

[Ms Jessica Y.C. Ho, Ms Stella Y. Ng, Mr Vincent T.K. Lai and Mr Alan Y.L. Au, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), were invited to the meeting at this point.]

Agenda Items 50 and 51

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/499 Proposed Minor Relaxation of Domestic Plot Ratio Restriction from 5 to 6 and Building Height Restriction from 120mPD to 140mPD for Permitted Public Rental Housing Development in “Residential (Group A)” Zone, Sites 3 and 4 (East), Tuen Mun Area 54, New Territories (RNTPC Paper No. A/TM/499)

A/TM/500 Proposed Minor Relaxation of Domestic Plot Ratio Restriction from 5 to 6 and Building Height Restriction from 120mPD to 140 mPD for Permitted Public Rental Housing Development in “Residential (Group A)” Zone, Sites 1 and 1A, Tuen Mun Area 54, New Territories
(RNTPC Paper No. A/TM/500)

192. The Committee noted that the two applications were similar in nature and the sites were located in proximity to each other. The Committee agreed that the two applications could be considered together.

193. The Secretary reported that the two applications were submitted by the Hong Kong Housing Authority (HKHA), with the Housing Department (HD) as its executive arm. AECOM Asia Co. Limited (AECOM) and Ove Arup & Partners Hong Kong Limited (Arup) were two of the consultants of the applicant under both applications and Black & Veatch Hong Kong Limited (B&V) was one of the consultants of the applicant under application No. A/TM/500. The following Members had declared interests in the items:

- | | |
|--|---|
| Mr Raymond K.W. Lee
(the Chairman)
<i>as the Director of Planning</i> | - being a member of the Strategic Planning Committee (SPC) and the Building Committee of HKHA; |
| Mr Martin W.C. Kwan
<i>as the Chief Engineer (Works),
Home Affairs Department</i> | - being an alternate representative of the Director of Home Affairs who was a member of the SPC and the Subsidized Housing of HKHA; |
| Mr H.F. Leung | - being a member of the Tender Committee of HKHA; |
| Ms Janice W.M. Lai | - having current business dealings with HKHA, AECOM and Arup; |
| Dr C.H. Hau | - having current business dealings with HKHA and AECOM; |

- Mr Ivan C.S. Fu - having current business dealings with AECOM and Arup and having past business dealings with HKHA;
- Mr Stephen L.H. Liu - having past business dealings with HKHA; and
- Mr Alex T.H. Lai - his firm having current business dealings with HKHA and Arup and having past business dealings B&V.

194. The Committee noted that Messrs Ivan C.S. Fu and H.F. Leung had tendered apologies for being unable to attend the meeting and Ms Janice W.M. Lai, Dr C.H. Hau, Messrs Stephen L.H. Liu and Alex T.H. Lai had already left the meeting. The Committee agreed that the Chairman and Mr Martin W.C. Kwan should leave the meeting temporarily for the items as their interests were direct. Mr H.W. Cheung, the Vice-chairman, took over the chairmanship at this point.

[The Chairman and Mr Martin W.C. Kwan left the meeting temporarily at this point.]

Presentation and Question Sessions

195. Ms Jessica Y.C. Ho, STP/TMYLW, presented the applications and covered the following aspects as detailed in the Papers :

- (a) background to the applications;
- (b) the proposed minor relaxation of domestic plot ratio (PR) restriction from 5 to 6 and building height restriction (BHR) from 120mPD to 140mPD for permitted public rental housing (PRH) development on each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Papers. Concerned departments had no objection to or no adverse comment on the applications;

- (d) during the first three weeks of statutory publication period, a total of 27 and 14 public comments were received in respect of applications No. A/TM/499 and A/TM/500 respectively, including objections raised by Incorporated Owners of Blossom Garden and Siu Hin Court, a Tuen Mun District Council member and Designing Hong Kong Limited (for application No. A/TM/499 only). Major objection grounds and views were set out in paragraph 9 of the Papers; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications based on the assessments set out in paragraph 10 of the Papers. The applications were generally in line with the planning intention of the “Residential (Group A)” (“R(A)”) zone and the proposed PRH developments with relaxed PR and BH were not incompatible with the surrounding developments. The proposals were in line with the Government policy in boosting housing supply and could help optimise utilisation of scarce land resources. The applicant had conducted various technical assessments to ascertain that no adverse impacts on visual, air ventilation, landscape, environment, drainage, sewerage, traffic aspects as well as provision of government, institution or community facilities would be generated by the proposed minor relaxation of domestic PR and BHR. Concerned departments had no objection to or no adverse comment on the applications. Regarding the adverse public comments, comments of concerned department and the planning assessments above were relevant.

196. Some Members raised the following questions:

- (a) the development parameters of nearby residential developments and whether the proposed PRH developments would be taller than other residential developments in the surrounding area; and

- (b) the development parameters of residential developments in the Tuen Mun area and the number of storeys of the proposed PRH developments.

197. Ms Jessica Y.C. Ho, STP/TMYLW, made the following responses:

- (a) with reference to Plan A-2a of the Papers, a residential development under construction at Site 2 in Tuen Mun Area 54 was subject to a maximum BHR of 120mPD under the “R(A)” zone. Siu Hong Court zoned “R(A)20” on the OZP, located to the east of the site under application No. A/TM/499, was also subject to the maximum BHR of 120mPD. Photomontages submitted by the applicant demonstrated that there would be no adverse visual impact arising from the proposed PRH development. Nevertheless, should the current applications be approved, the proposed PRH developments with maximum BHR of 140mPD would be the tallest buildings as compared to the nearby residential developments in the surrounding area; and
- (b) with reference to paragraph 1.4 of the Papers, the proposed PRH developments under applications No. A/TM/499 and A/TM/500 would be ranging from 39 to 41 storeys (i.e. 124.69mPD to 132.24mPD) and 38 to 40 storeys (134.94mPD to 139.69mPD) respectively. Compared to the private composite developments located in Tuen Mun Town Centre (i.e. to the south of the sites), some private developments could reach about 150mPD.

198. A Member further raised the following questions:

- (a) the PR of those private composite developments in Tuen Mun Town Centre and the reasons for adopting a higher PR and BH for those developments; and
- (b) whether the proposed PRH developments could have a higher PR in order to increase the supply of PRH units.

199. Ms Jessica Y.C. Ho made the following responses:

- (a) The total PRs of those private composite developments were higher than 6. The higher development density was appropriate given the Town Centre location; and

- (b) according to the justifications put forth by the applicant, the proposed minor relaxation of PR and BHR were in line with the current Government initiatives on increasing housing supply. The proposed PR of 6 was the same as other housing sites recently rezoned for public housing development in Tuen Mun area.

Deliberation Session

200. The Vice-chairman considered that the applications were in line with the Government's policies in increasing development intensity by 20% and enhancing housing supply. A Member supported the applications and considered that the possibility to further increase the development intensity of the proposed PRH developments could be explored.

201. 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 23.6.2021, 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 fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

[The Chairman and Mr Martin W.C. Kwan returned to join the meeting at this point.]

Agenda Item 52

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/337 Proposed Flat Development and Minor Relaxation of Building Height Restriction in “Residential (Group E)” Zone, Lots 464 S.A ss.1, 464 S.B, 465, 472 S.A RP and 472 S.B RP in D.D. 130, San Hing Road, Lam Tei, Tuen Mun, New Territories
(RNTPC Paper No. A/TM-LTY Y/337)

203. The Secretary reported that CK Lau Surveyors Limited (CKLS) and Landes Limited (Landes) were two of the consultants of the applicant. The following Members had declared interests in the item:

Mr Ivan C.S. Fu	}	having current business dealings with Landes; and
Ms Janice W.M. Lai		
Mr Stephen L.H. Liu		having past business dealings with CKLS.

204. The Committee noted that Mr Ivan C.S. Fu had tendered apology for being unable to attend the meeting and Ms Janice W.M. Lai and Mr Stephen L.H. Liu had already left the meeting.

Presentation and Question Sessions

205. Ms Stella Y. Ng, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed flat development and minor relaxation of building height restriction (BHR);

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, four public comments were received. While MTRCL raised concerns on the application, the remaining three comments submitted by local villagers objected to the application. Major objection grounds and concerns 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 current application for residential development with minor relaxation of BHR was for amendments to a previously approved scheme under application No. A/TM-LTY/282. The proposed minor relaxation of BHR from 15m to 16.5m was to allow headroom for longer span structures, artificial ventilation system and fire services installations. Concerned departments had no objection to or no adverse comment on the application. Other proposed amendments to the approved scheme, including changes in site area, gross floor area, number of flats, communal open space provision, design and disposition, would not have adverse planning implication or impacts on the surrounding areas. Relevant approval conditions were recommended to address technical concerns or requirements of concerned departments. Regarding the public comments, comments of concerned departments and the planning assessments above were relevant.

206. In response to a Member's question on the increase in site area compared to the previously approved planning application, Ms Stella Y. Ng, STP/TMYLW, said that the increase in site area was based on the detailed lot boundary survey carried out by a registered surveyor.

207. In response to the Chairman's enquiry on the existing and planned uses in the surrounding areas, Ms Stella Y. Ng said that the site was currently used as open storage for construction materials and surrounded by vehicle repair workshops, warehouses/storage yards

and other temporary structures. A public housing development was under study in the subject “Residential (Group E)” zone. As the relevant studies were being undertaken, the exact boundary and land requirement of the proposed public housing development would be subject to refinement as mentioned in paragraph 9.1.13 of the Paper.

Deliberation Session

208. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 23.6.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the design and reprovision of the existing public car park (at the junction of San Hing Road and Ng Lau Road) at the applicant’s own cost, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the design and implementation of vehicular access connecting from San Hing Road to the site at the applicant’s own cost, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the provision of vehicular access, parking, loading and unloading facilities, and the details of the location of gate houses and drop bars, if any, to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the submission of a revised noise impact assessment and implementation of noise mitigation measures identified therein to the satisfaction of Director of Environmental Protection or of the TPB;
- (e) the submission of a revised drainage impact assessment and implementation of the mitigation measures identified therein to the satisfaction of the Director of Drainage Services or of the TPB; and

- (f) the submission and implementation of tree preservation and landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 53

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/519 Proposed Temporary Driving School for a Period of 3 Years and Associated Road and Drainage Works and Filling and Excavation of Land in “Green Belt” and “Comprehensive Development Area” Zones and an area shown as ‘Road’, Lots 708 RP, 709 (Part), 710 (Part), 711 (Part), 712 (Part), 713, 714, 715, 716 RP, 717 RP, 718 RP, 728, 729 RP, 730 RP, 814 RP, 815 RP, 816, 817, 819, 820 (Part), 821 (Part), 822 S.B (Part), 894 RP (Part) and 934 RP (Part) in D.D. 122 and Adjoining Government Land, Wing Ning Tsuen, Ping Shan, Yuen Long, New Territories

(RNTPC Paper No. A/YL-PS/519C)

210. The Secretary reported that Mott MacDonald Hong Kong Ltd. (Mott) and Ramboll Environ Hong Kong Ltd. (Environ) were two of the consultants of the applicant. The following Members had declared interests in the item:

Mr Ivan C.S. Fu	}	having current business dealings with Environ; and
Ms Janice W.M. Lai		
Mr Alex T.H. Lai	-	his firm having current business dealings with Mott.

211. The Committee noted that Mr Ivan C.S. Fu had tendered apology for being unable to attend the meeting and Ms Janice W.M. Lai and Mr Alex T.H. Lai had already left the

meeting.

Presentation and Question Sessions

212. Ms Stella Y. Ng, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary driving school for a period of three years and associated road and drainage works and filling and excavation of land;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application in that the proposed development would encroach onto land possessing potential for agricultural rehabilitation. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had strong reservation on the application as the site had been cleared of trees and vegetation and approval of the application might likely set an undesirable precedent attracting other incompatible development to the area. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the three statutory publication periods, a total of 350 comments objecting to the application were received from the Yuen Long District Council, Village Representative of Wing Ning Tsuen, Ping Shan Heung Wing Ning Tsuen Committee, villagers of Wing Ning Tsuen, Indigenous villagers of Hang Mei Tsuen, Designing Hong Kong Limited and individuals. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The applied use which fell mainly within the "Green Belt" ("GB") zone was not in line with the

planning intention. There was no strong justification given in the submission for a departure from the planning intention, even on a temporary basis. The application did not comply with the Town Planning Board Guidelines No. 10 in that the proposed development was not compatible with the surrounding areas and it would affect the existing natural landscape and the integrity of the “GB” zone. DAFC and CTP/UD&L, PlanD did not support and had strong reservation on the application respectively. Despite the applicant’s claim that the application was to facilitate the relocation of the existing Yuen Long Driving School, the site was considered not a suitable relocation site and there were no exceptional circumstances nor strong planning grounds to justify the application. Given that vegetation clearance had taken place at the site, approval of the application, even on a temporary basis, would encourage similar applications involving extensive filling and excavation of land, and would set an undesirable precedent resulting in a general degradation of the rural environment and landscape quality of the area. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

213. Members had no question on the application.

Deliberation Session

214. A Member asked whether rejecting the application would have any implication on the review of suitable “Green Belt” (“GB”) sites for housing developments. The Committee noted that in assessing the suitability of the “GB” sites for rezoning for housing development, individual site characteristics and relevant planning considerations such as availability of infrastructure and vegetation coverage of the site would be taken into account.

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl

as well as to provide passive recreational outlets and there is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;

- (b) the proposed development does not comply with the Town Planning Board Guidelines No. 10 in that the proposed development is not compatible with the green belt character in surrounding areas and would affect the existing natural landscape; and
- (c) approval of the application, even on a temporary basis, would set an undesirable precedent for other similar applications in the area, the cumulative effect of which will result in a general degradation of the environment and landscape quality of the area.”

Agenda Item 54

Section 16 Application

[Open Meeting]

A/YL-PS/539 Proposed Filling of Land for Permitted Proposed 4 Houses (New Territories Exempted Houses - Small Houses) in “Village Type Development” Zone, Lots 182 S.A RP, 182 S.B, 182 S.C and 182 S.D RP in D.D. 123, Ping Shan, Yuen Long, New Territories
(RNTPC Paper No. A/YL-PS/539)

216. The Committee noted that the applicant requested on 7.6.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

217. 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 the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 55

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/540 Temporary Public Vehicle Park (Private Car and Light Goods Vehicle) for a Period of 3 Years in "Village Type Development" and "Government, Institution or Community" Zones, Lots 21 RP (Part), 22 RP (Part), 24 RP (Part), 25 (Part), 28 RP (Part) and 29 RP (Part) in D.D. 121, Tong Fong Tsuen, Ping Shan, Yuen Long, New Territories
(RNTPC Paper No. A/YL-PS/540)

Presentation and Question Sessions

218. Ms Stella Y. Ng, 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 car and light goods vehicle) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment submitted by an individual objecting to the application was received. Major objection grounds 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. Though the applied use was not entirely in line with the planning intention of the “Village Type Development” zone, it could provide vehicle parking spaces to meet any such demand in the area and was not incompatible with the surrounding uses. There was no Small House application received or approved within the site. Approval of the application on a temporary basis would not frustrate the long-term planning intention. Relevant approval conditions were also recommended to address the concerns on the possible environmental nuisance generated by the applied use. Regarding the adverse public comment, comments of concerned departments and the planning assessments above were relevant.

219. Members had no question on the application.

Deliberation Session

220. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.6.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;

- (c) a notice should be posted at a prominent location of the site at all times to indicate that no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no vehicle without valid licences issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (e) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activities is allowed on the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.12.2017;
- (h) in relation to (g) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.3.2018;
- (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 23.12.2017;

- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.3.2018;
- (l) the submission of a landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 23.12.2017;
- (m) in relation to (l) above, the implementation of the landscape and tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 23.3.2018;
- (n) the provision of boundary fence on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 23.12.2017;
- (o) if any of the above planning conditions (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;
- (p) if any of the above planning conditions (g), (h), (j), (k), (l), (m) or (n) 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
- (q) upon the 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.”

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

Agenda Item 56

Section 16 Application

[Open Meeting]

A/YL-PS/541 Temporary Cargo Handling and Forwarding Facility and Ancillary Warehouses and Car Parking Facilities for a Period of 3 Years in “Residential (Group C)” and “Village Type Development” Zones, Lots 1094 (Part), 1095 (Part), 1096 (Part) and 1097 (Part) in D.D. 124 and Adjoining Government Land, Hung Shui Kiu, Yuen Long, New Territories
(RNTPC Paper No. A/YL-PS/541)

222. The Committee noted that the applicant requested on 2.6.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

223. 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 the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 57

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/542 Temporary Shop and Services (Convenient Store) for a Period of 5
Years in “Village Type Development” Zone, Lot 289 S.B in D.D. 123,
Yuen Long, New Territories
(RNTPC Paper No. A/YL-PS/542)

Presentation and Question Sessions

224. Ms Stella Y. Ng, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary shop and services (convenient store) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of five years based on the assessments set out in paragraph 12 of the Paper. Although the temporary use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could provide retail facilities in the area to meet any such demand and was not incompatible with the surrounding uses. There was no Small House application received or approved within the site. Approval of the application on a temporary basis would not frustrate the long-term planning intention. Notwithstanding that the site was located

within the Wetland Buffer Area of the Town Planning Board Guidelines No. 12C, temporary uses were exempted from the requirements of the Ecological Impact Assessment and adverse ecological impact was not envisaged. The site was the subject of two previously approved planning applications No. A/YL-PS/475 and A/YL-PS/517 for the same use, which were subsequently revoked due to non-compliance with approval conditions on the submission of run-in/out proposal and fire services installations (FSIs) proposal and on the implementation of FSIs proposal. Shorter compliance period were recommended in order to closely monitor the progress on compliance with approval conditions should the Committee decide to approve the application.

225. A Member enquired whether other temporary use could be approved for a period of five years in the Yuen Long area. In response, the Secretary said that according to the Notes for “V” zone, ‘Shop and Services’ use was a Column 2 use and planning permission was required unless such use was located on the ground floor of a New Territories Exempted House. Under the current application, the applicant sought a temporary planning permission for a period of five years, instead of a permanent permission. In addition, according to the Covering Notes for rural Outline Zoning Plan (OZP), temporary use or development not exceeding a period of three years would require planning permission, notwithstanding the use or development was not provided under Column 2 of the OZP.

Deliberation Session

226. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 23.6.2022, 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 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;

- (c) the implementation of the accepted fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.12.2017;
- (d) if any of the above planning conditions (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (e) if the above planning condition (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; and
- (f) upon the 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.

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

[Professor K.C. Chau left the meeting at this point.]

Agenda Item 58

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/298 Proposed Public Utility Installation (Package Substation) and
Excavation of Land (1.8m) in “Village Type Development” Zone,
Government Land in D.D. 129, Sha Kong Wai South, Lau Fau Shan
Road, Yuen Long, New Territories
(RNTPC Paper No. A/YL-LFS/298)

228. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP). The following Members had declared interests in the item:

- Mr Stephen L.H. Liu - having past business dealings with CLP;
- Mr Alex T.H. Lai - his firm having past business dealings with CLP; and
- Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which obtained sponsorship from CLP before.

229. The Committee noted that Ms Christina M. Lee had tendered apology for being unable to attend the meeting and Messrs Stephen L.H. Liu and Alex T.H. Lai had already left the meeting.

Presentation and Question Sessions

230. Mr Vincent T.K. Lai, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed public utility installation (package substation) and excavation of land;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The proposed package substation with excavation of land was to relocate the existing one which encroached onto the private lots. It was not in conflict with the planning intention of the “Village Type Development” zone and not incompatible with the surrounding areas. Given the nature and small scale

of the proposed development and excavation of land of 1.8m in depth, no adverse impacts on the surrounding areas was anticipated.

231. Members had no question on the application.

Deliberation Session

232. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 23.6.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

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

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

Agenda Item 59

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/840 Temporary Open Storage of Construction Machinery and Construction Material with Ancillary Repair Workshop and Office for a Period of 3 Years in “Undetermined” Zone, Lots 2418 (Part), 2420, 2421, 2740 RP, 2741, 2742, 2744, 2745 S.A, 2745 S.B, 2746, 2747 and 2748 (Part) in D.D. 120 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-TYST/840)

Presentation and Question Sessions

234. Mr Alan Y.L. Au, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary open storage of construction machinery and construction material with ancillary repair workshop and office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive residential use in the vicinity of the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; 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. The applied use was not in conflict with the planning intention of the “Undetermined” zone and not incompatible with the surrounding areas. Approval of the application on a temporary basis would not frustrate the long-term development of the area. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas and concerned departments had no adverse comment on the application, except DEP. Although DEP did not support the application, there had been no substantiated environmental complaint against the site in the past three years. Relevant approval conditions were recommended to address DEP's concerns.

235. Members had no question on the application.

Deliberation Session

236. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.6.2020, 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) no storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no heavy goods vehicles 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, as proposed by the applicant, at any time during the planning approval period;
- (e) the existing boundary fence on the site shall be maintained at all times during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;

- (h) the submission of condition records of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.9.2017;
- (i) the submission of a landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 23.12.2017;
- (j) in relation to (i) above, the implementation of the landscape and tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 23.3.2018;
- (k) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.8.2017;
- (l) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.12.2017;
- (m) in relation to (l) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.3.2018;
- (n) if any of the above planning conditions (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;
- (o) if any of the above planning conditions (h), (i), (j), (k), (l) or (m) 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

- (p) upon the 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.”

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

Agenda Item 60

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/841 Proposed Temporary Warehouse for Storage of Construction Machinery and Construction Material for a Period of 3 Years in “Undetermined” Zone, Lot 2377 (Part) in D.D. 120, Tong Yan San Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-TYST/841)

Presentation and Question Sessions

238. Mr Alan Y.L. Au, 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 for storage of construction machinery and construction material for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive residential use in the vicinity of the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment submitted by an individual objecting to the application was received. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was not in conflict with the planning intention of “Undetermined” zone and not incompatible with the surrounding uses. Approval of the application on a temporary basis would not frustrate the long-term development of the area. Concerned departments had no adverse comment on the application, except DEP. Although DEP did not support the application, there had been no substantiated environmental complaint against the site in the past three years. Relevant approval conditions were recommended to address DEP's concerns. Regarding the adverse public comment, comments of concerned departments and the planning assessments above were relevant.

239. Members had no question on the application.

Deliberation Session

240. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.6.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 4:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) no open storage, as proposed by the applicant, is allowed on the site 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) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the provision of boundary fence on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 23.12.2017;
- (h) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.12.2017;
- (i) in relation to (h) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.3.2018;
- (j) in relation to (i) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (k) the submission of a landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 23.12.2017;
- (l) in relation to (k) above, the implementation of the landscape proposal within 9 months from the date of planning approval to the satisfaction of the

Director of Planning or of the TPB by 23.3.2018;

- (m) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.12.2017;
- (n) in relation to (m) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.3.2018;
- (o) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (p) if any of the above planning conditions (g), (h), (i), (k), (l), (m) or (n) 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
- (q) upon the 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.”

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

Agenda Item 61

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/842 Temporary Open Storage of Construction Materials, Equipments and Machinery and Container Site Offices with Ancillary Repair Activities for a Period of 3 Years in “Undetermined” Zone, Lots 348 RP (Part), 353 S.A RP (Part), 353 S.B (Part), 354 RP (Part), 355 (Part), 356, 357 (Part), 358 (Part) and 359 in D.D. 119, Tong Yan San Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-TYST/842)

Presentation and Question Sessions

242. Mr Alan Y.L. Au, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary open storage of construction materials, equipments and machinery and container site offices with ancillary repair activities for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; 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. The applied use was not in conflict with the planning intention of “Undetermined” zone and not

incompatible with the surrounding uses predominated by open storage yards, warehouse and workshop. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas, there was no adverse departmental comment on the application and technical concerns of concerned departments could be addressed by the recommended approval conditions.

243. Members had no question on the application.

Deliberation Session

244. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.6.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no heavy goods vehicles 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, as proposed by the applicant, at any time during the planning approval period;
- (d) no dismantling or other workshop activities, except ancillary repairing or maintenance activities, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (e) the stacking height of containers stored on the site shall not exceed 3 units, 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 fence on the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of condition records of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.9.2017;
- (j) the submission of a landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 23.12.2017;
- (k) in relation to (j) above, the implementation of the landscape and tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 23.3.2018;
- (l) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.8.2017;
- (m) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.12.2017;
- (n) in relation to (m) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.3.2018;

- (o) if any of the above planning conditions (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;
- (p) if any of the above planning conditions (i), (j), (k), (l), (m) or (n) 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
- (q) upon the 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.”

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

[The Chairman thanked Ms Jessica Y.C. Ho, Ms Stella Y. Ng, Mr Vincent T.K. Lai and Mr Alan Y.L. Au, STPs/TMYLW, for their attendance to answer Members’ enquiries. Ms Ho, Ms Ng, Mr Lai and Mr Au left the meeting at this point.]

Agenda Item 62

Any Other Business

246. There being no other business, the meeting closed at 6:38 p.m..