

TOWN PLANNING BOARD

**Minutes of 589th Meeting of the
Rural and New Town Planning Committee held at 2:30 p.m. on 13.10.2017**

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Professor K.C. Chau

Mr Ivan C.S. Fu

Ms Janice W.M. Lai

Ms Christina M. Lee

Mr H.F. Leung

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Dr C.H. Hau

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Chief Traffic Engineer/New Territories West,
Transport Department
Mr Patrick K.H. Ho

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

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

Assistant Director/Regional 3 (Atg.),
Lands Department
Ms Lily L.L. Chiu

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

Secretary

Absent with Apologies

Mr H.W. Cheung

Vice-chairman

Dr F.C. Chan

Mr Philip S.L. Kan

In Attendance

Assistant Director of Planning/Board
Mr W. S. Lau

Chief Town Planner/Town Planning Board
Ms Sally S.Y. Fong

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

Agenda Item 1

Confirmation of the Draft Minutes of the 588th RNTPC Meeting held on 22.9.2017

[Open Meeting]

1. The Secretary reported that subsequent to the circulation of the draft minutes of the 588th RNTPC meeting to Members, an editorial error was found in paragraph 160(k) which was proposed to be amended as follows:

“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 27.3.**2018**;”

2. The Committee agreed that the draft minutes of the 588th RNTPC meeting held on 22.9.2017 were confirmed subject to the above amendment.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Sai Kung and Islands District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/SK-PK/7

Application for Amendment to the Approved Pak Kong and Sha Kok Mei Outline Zoning Plan No. S/SK-PK/11, To rezone the application site from “Green Belt” to “Residential (Group C) 4”, Lots 242A S.A and 242A RP (Part) in D.D. 213 and Adjoining Government Land, Lung Mei Tsuen Road, Sai Kung
(RNTPC Paper No. Y/SK-PK/7A)

4. The Committee noted that the applicant’s representative requested on 26.9.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments of relevant government departments. It was the second time that the applicant requested deferment of the application. Since last deferment, the applicant had submitted further information including responses to departmental comments with supplementary plans.

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

Agenda Item 4

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/TKO/4 Application for Amendment to the Draft Tseung Kwan O Outline Zoning Plan No. S/TKO/25, To rezone the application site from “Green Belt” to “Residential (Group C) 2” Zone, Lot 453 RP (Part) in D.D. 401 and Adjoining Government Land, Po Lam Road, Tseung Kwan O (RNTPC Paper No. Y/TKO/4)

6. The Secretary reported that Barrie Ho Architecture Interiors Limited (Barrie Ho) and Urbis Limited (Urbis) were two of the consultants of the applicant. The following Members had declared interests on this item:

Mr. Ivan C.S. Fu	}	having current business dealings with Urbis; and
Ms Janice W.M. Lai		

Mr Alex T.H. Lai - his firm having current business dealings with Barrie Ho.

7. The Committee noted that Mr Ivan C.S. Fu had not yet arrived to join the meeting. As Ms Janice W.M. Lai and Messrs Ivan C.S. Fu and Alex T.H. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

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

Ms Kitty T.S. Lam - Senior Town Planner/Sai Kung and Islands (STP/SKIs);

Mr Kenneth P.C. Wong - Town Planner/ Sai Kung and Islands (TP/SKIs)

<u>Fortune Board Ltd.</u> Mr F.M. Ho	}	Applicant's representatives
<u>Toco Planning Consultants Ltd.</u> Mr T.C. Chan Mr Daniel Wei		
<u>Barrie Ho Architecture Interiors Ltd.</u> Mr Vincent Wong Ms Carrie Ng Ms Celia Tam Ms Phoebe Yuen		
<u>Ozzo Technology (HK) Ltd.</u> Mr Calvin Chan		
<u>SMEC Asia Ltd.</u> Mr Antony Wong Mr Fred Ng		
<u>Urbis Ltd.</u> Mr Craig Doubleday		

9. 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 Kitty S.T. Lam, STP/SKIs 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 "Green Belt" ("GB") to "Residential (Group C)2" ("R(C)2") to facilitate a proposed private residential development;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The District Lands Officer/ Sai Kung (DLO/SK) advised that the Lot was demised for agricultural use under the Lease, and the applicant

was required to apply for a land exchange for the proposed development. The Chief Town Planner/Urban Design & Landscape (CTP/UD&L, PlanD) considered that significant visual impact on the surrounding was not anticipated but had reservations on the rezoning application from landscape planning perspective on the consideration that the pruning/ removal of vegetative mass was not acceptable, lack of information to address the potential impact on the structural stability of the surrounding trees and there was no information on the existing trees in close proximity of the road widening and upgrading works. 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 periods, a total of eight public comments were received including three from Kadoorie Farm & Botanic Garden Corporation and five from individuals. Amongst them, seven public comments objected to the application and the other remaining one was not related to the application. Major objection grounds were set out in paragraph 9 of the Paper; and
- (e) PlanD's views - PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. The site formed part of the large "GB" area and the applicant had failed to provide strong justification for rezoning the site from "GB" to "R(C)". The submitted landscape proposal failed to demonstrate that the proposed development would not have adverse impact on the trees surrounding the site. There was no information regarding the existing trees near the proposed road widening works and proposed footpath along Po Lam Road and the overall impacts to the existing trees could not be fully ascertained. The lot was an agricultural lot with no building entitlement and the approval of the application would set an undesirable precedent for similar applications within the "GB" zone, the cumulative effect of approving such applications would result in a general degradation of the green buffer and natural environment of the area.

10. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Mr T.C Chan, the applicant's representative, made the following main points:

- (a) the site had been used as an open storage yard since the 1980s. It was the applicant's intention to develop it for low density residential use in view of the reduced demand for open storage yard and the proposed development could also enhance the environment and landscape of the area;
- (b) the Committee did not object to the previous application per se but considered that the site boundary should be revised to optimize land utilization. While it was PlanD's view that the applicant failed to provide strong justifications to substantiate the proposed residential development, such view differed greatly from the Members' conclusion at the previous meeting;
- (c) the current application served as an enhanced scheme to address Members' concerns including reducing the extent of government land involved, increasing greenery provision at the site to 40%, adopting Galvanized Mild Steel fencing along the boundary to minimize impact on adjacent landscape, improving access arrangement and adopting land exchange ratio of 1:1;
- (d) due to the unique history of the site being an open storage yard before the gazetting of the first statutory plan, the site should not be treated the same as other "GB" sites. The landscape of the site would be improved upon approval of this application and development of the site. Landscape buffer would be provided along the eastern and western boundaries of the site and trees on top of the slopes would not be affected;
- (e) detailed site investigation for the construction of the proposed vehicular and pedestrian access to connect with Po Lam Road would be conducted at the detailed design stage. As noted from the discussion of the previous meeting, Lands Department had no objection to the use of government land (GL) as right-of-way (ROW) if the concerned GL was not required for other uses;
- (f) this application would not become an undesirable precedent owing to the site's unique history and the site was not involved in any 'destroy first, build later' case. On the consideration that there were similar residential developments in "GB" zone in the Sai Kung Area, "setting of undesirable

precedent” was not considered as a reason for the rejection of the previous application; and

- (g) the objecting public comments were made without thorough understanding of the characteristics and history of the site. The current scheme was an enhanced scheme to address Members’ comments, and the enhanced design would enable better land utilization. While the concept of “GB” was originated from London, the circumstances in Hong Kong were different. Country parks were the real “GB” of Hong Kong and should be protected from development. There were a lot of past examples of development of “GB” sites in Hong Kong for major developments to meet the housing and other needs of the community and the Government’s recent initiatives to rezone suitable “GB” sites for residential development was considered appropriate.

[Mr Ivan C.S. Fu arrived to join the meeting during presentation of the applicant’s representative.]

11. Mr F.M. Ho, the applicant’s representative, supplemented with the following main points:

- (a) the proposed development was technically viable and no objection from relevant government departments were received. Through professional design and provision of public amenities, the proposed development would be compatible with the surroundings and beneficial to the public in terms of environmental enhancement and traffic improvement; and
- (b) he was confident that his professional team could assist him in taking forward this proposed development and improving the environment of the area. He hoped that Members would approve this application.

[Ms Christina M. Lee arrived to join the meeting at this point]

12. As the presentation from PlanD’s representatives and the applicant’s representatives had been completed the Chairman then invited questions from Members.

Use of GL

13. Noting that a portion of GL was required for the purpose of providing an access road for the proposed development, a Member asked whether:

- (a) it was possible for the applicant to provide an access road by modifying the configuration and layout of the proposed development so that no government land would be required; and
- (b) the proposed development was still technically feasible should no government land was involved.

14. In response, Mr T.C. Chan said that all along, the site had access to Po Lam Road before one of its two private lots adjoining Po Lam Road was resumed by the government for road widening purpose. Hence, only an informal access comprising GL remained to continue serving as a connection of the lot with Po Lam Road. A ratio of 1:1 was adopted for exchanging private land with GL and the site boundary was revised so as to enable a better configuration of the remaining GL. The proposed access would also serve the remaining portion of GL to connect with Po Lam Road. Transport Department (TD), Highways Department (HyD) and Lands Department (LandsD) had no adverse comments on the proposed access arrangement through land exchange. In enabling the rezoning and development of the site, the applicant would still require to pay premium, surrender private land for land exchange, as well as bear the construction cost of road upgrading and pavement widening works. He considered not possible to develop the proposed development without using GL for provision of an access road of 7.3 metres wide and a 2 metres wide pavement in accordance with the requirements of concerned departments.

Landscape Impact

15. Noting the comments of CTP/UD&L, PlanD, a Member asked for clarifications regarding the need for heavy pruning of the tree crowns of nine trees as well as whether the proposed development would affect the tree roots.

16. With the aid of a PowerPoint slide, Mr Craig Doubleday responded that only

minor pruning would be required for the canopy of the nine trees as they overhung only slightly over the site boundary. Subject to detailed design, land excavation could try to avoid affecting the root ball of the trees along the site boundaries. Nonetheless, pruning of not more than 25% of the crown or the root ball would only be carried out when necessary and would not affect the survival of the trees. Mr Craig Doubleday added that potential impact on the trees had been looked into and it was believed that the impact induced by the development would not be significant.

17. Mr T.C. Chan supplemented that according to the current landscape proposal, a planting strip located to the east of the site was proposed. Special attention would be paid regarding the fence wall design so that the crown and root of the trees along the site boundaries would not be affected adversely. Regarding the western boundary of the site, only minor pruning of trees would be carried out at where road construction works would take place, but those trees near the boundary would be kept as landscape area. As such, the roots of trees outside site would not be affected. Details of the landscape proposal would be formulated at the detailed design stage.

18. In response to a Member's enquiry on the function of the "GB" zone, Ms Kitty S.T. Lam, STP/SKIs, said that the planning intention of "GB" in Hong Kong is primarily for defining the limits of urban and sub-urban development areas by natural features and containing urban sprawl as well as providing passive recreational outlet for public. Depending on the site circumstances, "GB" could also serve as buffer to Country Park and for passive recreational purpose.

19. Regarding the landscape concern of CTP/UD&L, PlanD, Ms Kitty S.T. Lam, STP/SKIs, supplemented that since the tree crown of the concerned trees had already extended across the boundary of the site, given the proximity of the trees to the site boundary, the survival of the concerned trees were in doubt as it was estimated that about 1/3 of the tree crown would need to be pruned upon construction of the fencing along the site boundary. She also clarified that CTP/UD&L, PlanD had concern on the lack of information regarding the existing trees in the area along Po Lam Road where road and footpath widening works were proposed to be carried out.

20. In response to a Member's enquiry, Ms Kitty S.T. Lam, STP/SKIs, clarified that there was a typographical error on page one of the Paper in that the expiry date of the Lease

of the subject site should be 30.6.2047 instead of 30.6.2017.

21. Mr T.C. Chan responded that HyD also had an intention to widen the subject pavement to 2 metres and had no objection for the applicant to undertake the widening works. The design of the pavement would be further developed at a later stage.

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. With reference to the Site Plan, the Chairman recapitulated that the application was a s.12A application to rezone the site from "GB" to "R(C)2". As the site was landlocked, the applicant had proposed to surrender part of this site to the government for land exchange of GL to provide access to the site.

24. Some Members made the following main points:

- (a) the current proposal only differed slightly from the previous scheme. There were no strong justifications to support the application. PlanD's recommendation in the Paper was supported.
- (b) although the site was not a 'destroy first, build later' case, the site itself was an agricultural lot under the lease and the fact that it was cleared for open storage use before gazetting of the OZP did not justify the use of the site for the proposed residential development. There was no exceptional circumstances to justify rezoning of the site;
- (c) as the site was an agricultural lot with no access to Po Lam Road, the site in fact did not have any development potential. There was no similar rezoning application for private housing development in "GB" zone in the vicinity. Approval of the subject application would set an undesirable precedent; and

- (d) while Members at the previous meeting considered that the proposed residential use at the site might bring some improvement to the environment and could better utilize the land resources, Members were looking for an enhanced design with better integration with the surrounding “GB”. The current submission, however, could not address Members’ concern in terms of the design of the access road and the landscape impact of the development on the adjoining “GB” area.

25. Members in general considered that there were no strong justifications for approving this application. The Committee then went through the recommended rejection reasons as set out in paragraph 11.1 of the Paper. Members noted that, while ‘setting of undesirable precedent’ was not considered as one of the rejection reasons for the previous application, Members were of the view that, based on the current submission, there were no strong justifications provided to substantiate the revised scheme, and approval of this application without strong justifications would set an undesirable precedent for similar applications within the “GB” zone.

26. After deliberation, the Committee decided not to agree to the application. The reasons were:

- “(a) the site forms an integral part of the “Green Belt” (“GB”) zone. The “GB” zone serves as a green and visual buffer amidst the existing developed areas. The applicant fails to provide strong justification for rezoning the site from “GB” to “Residential (Group C)”); and
- (b) the approval of the proposed rezoning would set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving similar applications will result in a general degradation of the green buffer and natural environment of the area.”

Tuen Mun and Yuen Long West District

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/YL/12 Application for Amendment to the Approved Yuen Long Outline Zoning Plan No. S/YL/23, To rezone the application site from “Government, Institution or Community (1)” to “Residential (Group B) 2”, Lots 1715 S.C RP (Part), 1715 S.C ss.2, 1716 S.A, 1717 S.D (Part) and 1722 in D.D 120, Tai Tong Road, Yuen Long
(RNTPC Paper No. Y/YL/12A)

27. The Secretary reported that MVA Hong Kong Limited (MVA) and Landes Limited (Landes) were two 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 MVA and Landes;

- Ms Janice W.M. Lai - having current business dealings with Landes; and

- Mr Alex T.H. Lai - his firm having current business dealings with MVA.

28. The Committee noted that the applicant had requested deferment of consideration of the application. The Committee agreed that Mr. Ivan C.S. Fu, Ms Janice W.M. Lai and Mr Alex T.H. Lai could stay in the meeting as they had no involvement in the application.

29. The Committee noted that the applicant requested on 6.10.2017 deferment of the consideration of the application for one month in order to allow time for the applicant 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 various technical assessments and photomontages/ plans to address departmental comments.

30. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that one month was 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 6

[Open Meeting]

Proposed Amendments to the Approved

Tuen Mun Outline Zoning Plan No. S/TM/33

(RNTPC Paper No. 9/17)

31. The Secretary reported that the proposed amendments involved, inter alia, rezoning of five pieces of government land for public housing developments by the Housing Department (HD), which was the executive arm of the Hong Kong Housing Authority (HKHA) and rezoning of a site to take forward the decision of the Committee on a s.12A application (No. Y/TM/16) submitted by Fill Year Limited, a subsidiary of Sun Hung Kai Properties Limited (SHK). The following Members had declared interests on the item:

- Mr Raymond K.W. Lee
as the Director of Planning
- Mr Martin W.C. Kwan
*as the Chief Engineer (Works),
Home Affairs Department*
- Miss Winnie W.M. Ng
- Mr Ivan C.S. Fu
- Ms Janice W.M. Lai
- Dr. C.H. Hau
- Mr Alex T.H. Lai
- Ms Christina M. Lee
- Mr H.F. Leung
- Mr Stephen L. H. Liu
- being a member of the Strategic Planning Committee (SPC) and the Building Committee of the HKHA;
 - being an alternate member for the Director of Home Affairs who was a member of the SPC and Subsidised Housing Committee of HKHA;
 - being a Director of the Kowloon Motor Bus Co. (1933) Ltd. and SHK was one of the shareholders;
 - having current business dealings with SHK and AECOM and past business dealings with HKHA;
 - having current business dealings with HKHA, SHK and AECOM;
 - having current business dealings with HKHA and AECOM;
 - his firm having current business dealings with HKHA, SHK and AECOM;
 - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which had obtained sponsorship from SHK before;
 - being a member of the Tender Committee of HKHA; and
 - having past business dealings with HKHA and SHK.

32. The Secretary reported that according to the procedure and practice adopted by

the Town Planning Board (the Board), as the proposed amendments for public housing developments and the rezoning of a site to take forward the decision of the Committee on an approved s.12A application were the subject of amendments to the OZP by the Planning Department (PlanD), the interests of the Chairman and Members in relation to HKHA and SHK mentioned above on the item only needed to be recorded and they could stay in the meeting. The Committee agreed to this arrangement.

Presentation and Question Session

33. The following representatives from PlanD, the Civil Engineering and Development Department (CEDD) and the consultants were invited to the meeting at this point:

Planning Department

Mr David Y.M. Ng - District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW), PlanD

Ms Jessica Y.C. Ho
Ms Bonnie K.C. Lee } Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), PlanD

Civil Engineering and Development Department

Mr Tony K.L. Cheung - Chief Engineer/New Territories West 3 (New Territories West) (CE/NTW3(NTW)), CEDD

Mr T.F. Lau - Senior Engineer/1 (NTW) (SE/1(NTW)), CEDD

Ms Cheryl S.Y. Cham - Engineer/15 (NTW) (E/15(NTW)), CEDD

The Consultants

Mr Tim Lee
Mr T.L. Wan

} AECOM Asia Company Limited

34. The Chairman extended a welcome and invited the government representatives to brief Members on the Paper. With the aid of a PowerPoint presentation, Ms Jessica Y.C. Ho, STP/TMYLW, and Mr Tony K.L. Cheung, CE/NTW3 (NTW), presented the proposed amendments as detailed in the Paper and covered the following main points:

Background of the Proposed Amendments

- (a) to meet and expedite housing land supply in the short and medium terms, the Government had been carrying out various land use reviews on an on-going basis with a view to identifying more suitable sites for residential use;
- (b) the current proposed amendments to the Tuen Mun OZP were mainly related to the zoning amendments of six sites (all on Government land) for housing purposes, including five in Tuen Mun Central for public housing developments (Amendment Items A1 to A5) and one in Tuen Mun East for private housing development (Amendment Item B). It was estimated that the proposed housing developments in those six sites would provide a total of about 11,670 flats to accommodate about 32,100 people;
- (c) other proposed amendments included rezoning a site in Tuen Mun Area 48 from “GB” to “Government, Institution or Community” (“G/IC”) to cater for post-secondary education use; rezoning a site in Wu Shan Recreation Playground from “GB” to “Open Space” (“O”) to reflect its main use; rezoning three sites respectively in Tuen Mun Area 39, 23 and 48 to rationalise the zoning boundary; amending the OZP to reflect two s.12A applications agreed/partially agreed by the Committee; and revising the proposed road alignment between two private housing sites in Tuen Mun Area 48 and the consequential adjustments to the zoning boundary and development restrictions;

Proposed Amendments to Matters shown on the Plan

(d) Amendment Item A involved amendments to facilitate five public housing development in Tuen Mun Central and rationalisation of a zoning boundary. The amendment items were as follows:

- (i) Amendment Item A1 (about 2.33 ha) – rezoning of the Wu Shan Site from “GB” and “G/IC” to “Residential (Group A)26” (“R(A)26”) with a maximum building height (BH) of 125mPD;
- (ii) Amendment Item A2 (about 2.56 ha) – rezoning of the Kau Hui Site from “O”, “G/IC”, “Other Specified Uses” annotated “Comprehensive Industrial Development with Ancillary Commercial and Community Facilities” (“OU (Comprehensive industrial development with ancillary commercial and community facilities)”) and area shown as road to “R(A)26” with a maximum BH of 140mPD on the eastern portion and 150mPD on the western portion;
- (iii) Amendment Item A3 (about 4.24 ha) – rezoning of the Tseng Tau Sheung Tsuen South (TTST) Site from “Residential (Group B)10” (“R(B)10”) and “GB” to “R(A)26” with a maximum BH of 145mPD;
- (iv) Amendment Item A4 (about 0.67 ha) – rezoning of the Hang Fu Site from “G/IC” to “R(A)26” with a maximum BH of 100mPD;
- (v) Amendment Item A5 (about 0.67 ha) – rezoning of the Pui Oi Site from “R(A)22”, “G/IC” and “GB” to “R(A)26” with a maximum BH of 125mPD;
- (vi) Amendment Item A6 (about 240m²) – rezoning of a site to the north of Handsome Court from “G/IC” to “GB”;

- (e) Amendment Item B (about 2.46 ha) – rezoning of a site to the south of Harrow International School Hong Kong in Tuen Mun Area 48 from “GB” and “R(B)” to “R(B)20” with a maximum BH of 90mPD for private housing development;
- (f) Amendment Item C (about 0.58 ha) – rezoning of a site to the southeast of Chu Hai College of Higher Education in Tuen Mun Area 48 from “GB” to “G/IC” with maximum BH of 8 storeys;
- (g) Amendment Item D1 (about 2.75 ha) – rezoning of a site south of So Kwun Wat Road near Tuen Mun Road in Tuen Mun Area 56 from “Comprehensive Development Area” (“CDA”) to “CDA(3)” with a maximum BH of 79mPD;
- (h) Amendment Item D2 (about 1,093m²) – rezoning of a site to the east of So Kwun Wat Road near Tuen Mun Road in Tuen Mun Area 55 from “O” to “G/IC(1)” with a maximum BH of 35mPD.
- (i) Amendment Item E1 (about 2.76 ha) – rezoning of an area in the western part of Wu Shan Recreation Playground and an existing road to the south of Sun Tuen Mun Centre in Tuen Mun Area 28 from “GB” to “O”;
- (j) Amendment Item E2 (about 574m²) – rezoning of a site to the south of Tuen Hing Road in Tuen Mun Area 23 from “GB” to “OU(Electricity Substation)” with a maximum BH of 2 storeys;
- (k) Amendment Item F involved realignment of a proposed road to the south of Harrow International School Hong Kong across Tuen Mun Road in Tuen Mun Area 48 and the consequential adjustments to the zoning boundaries:
 - (i) Amendment Item F1 – rezoning of a strip of land from an area shown as ‘Road’ to “R(B)15” with a maximum BH of 70mPD;
 - (ii) Amendment Item F2 – rezoning of a strip of land from “R(B)15” to

an area shown as 'Road';

- (iii) Amendment Item F3 – rezoning of a strip of land from an area shown as 'Road' to "R(B)14" with a maximum BH of 70mPD in the south portion and 85mPD in the northern portion;
- (iv) Amendment Item F4 – rezoning of a strip of land from "R(B)14" to an area shown as 'Road'; and
- (v) Amendment Item F5 – rezoning of a site from "GB" to "R(B)" with a maximum BH of 10 storeys.

Technical Assessments

Amendment Item A

- (l) to ascertain the technical feasibility of the proposed housing sites in Tuen Mun Central, CEDD had undertaken the 'Preliminary Development Review for Housing Sites at Tuen Mun Central – Feasibility Study' (the Study) which concluded that with suitable improvement and mitigation measures, there was no insurmountable technical problem for the proposed public housing developments from air ventilation, visual and other technical aspects;
- (m) about 1,072 trees would be potentially affected by the housing developments. All of them were common tree species and no Old and Valuable Trees (OVTs) were identified within the proposed housing sites. Details of the tree compensation and preservation as well as provision of greening areas within the site would be subject to detailed design which would be in accordance with the Development Bureau Technical Circular (Works) (DEVB TC(W)) No. 7/2015;
- (n) a traffic impact assessment (TIA) had been carried out to assess the cumulative impact resulting from the five housing sites, which concluded

that with the proposed improvement works at the junctions of Hoi Wong Road/Hoi Chu Road, Castle Peak Road – Castle Peak Bay/Hin Fat Lane and Castle Peak Road – Castle Peak Bay/Tuen Hing Road, all assessed junctions would operate within capacity. In addition, improvement works to enhance pedestrian accessibility were also proposed. As for the assessed road links, the ‘volume to capacity’ ratio (V/C ratio) would be generally below 1, except those for Wong Chu Road, Tuen Mun Road and Wong Chu Road slip roads which would be between 1.0 and 1.2 indicating that the traffic condition would be manageable;

- (o) Furthermore, with the service improvement of the West Rail Line (WRL), including the increase in train frequency and the increase in number of train compartments from seven to eight, the carrying passenger capacity of WRL would be increased and capable to meet the demand arising from the proposed housing developments;
- (p) with regard to environmental and ecological impacts, a preliminary environmental review was conducted. The five housing sites would be subject to traffic noise from nearby roads. With appropriate mitigation measures, full compliance with the noise standard of the Hong Kong Planning Standards and Guidelines could be achieved;
- (q) as for ecological aspects, short-nosed fruit bat and Pallas’ Squirrel were recorded in the TTST site, while Greater Coucal was recorded in the Wu Shan site. As they were common species of Hong Kong and were highly mobile, no significant ecological impact would be anticipated;

Amendment Item B

- (r) an Air Ventilation Assessment (Expert Evaluation) commissioned by PlanD had been conducted and it was concluded that with the incorporation of mitigation measures such as setbacks, non-building areas and adoption of design principles in accordance with the Sustainable Building Design Guidelines, the rezoning was unlikely to impose significant air ventilation

impact on the surroundings;

- (s) according to the Visual Appraisal (VA) undertaken by PlanD, the proposed development was considered not incompatible with the surrounding environment and significant visual impact was not anticipated;
- (t) according to the tree survey conducted by the Lands Department (LandsD), there were about 400 trees within the site with no OVTs. As the site was located on steep slopes, clearance of existing vegetation would be required. Provision of tree preservation and landscaping requirements would be considered for incorporation in the land lease;
- (u) concerned government departments had no objection to or no adverse comment on the proposal from traffic, environmental, drainage and sewerage perspectives;

Amendment Item C

- (v) based on the VA undertaken by PlanD, the proposed 8-storey development was considered not incompatible with the locality;
- (w) according to the tree survey conducted by LandsD, there were about 120 trees within the site with no OVTs. Since the site was located on steep slopes, clearance of existing vegetation would be required. Tree preservation and compensatory planting proposals would be formulated in future development in accordance with DEVB TC(W) No. 7/2015;

Proposed Amendments to the Notes of the OZP

- (x) revision to the Remarks for “R(A)” zone to incorporate development restrictions for the “R(A)26” sub-area;
- (y) revision to the Remarks for “R(B)” zone to incorporate updated development restrictions for the “R(B)14” and “R(B)15” sub-areas, and

new development restrictions for the “R(B)20” sub-area;

- (z) revision to the Remarks for the “CDA” zone to incorporate development restrictions for the “CDA(3)” sub-area;
- (aa) incorporation of a set of new Notes specifically for the “G/IC(1)” zone in accordance with the approval of s.12A application;
- (bb) incorporation of ‘Art Studio (excluding those involving direct provision of services or goods’ as a Column 1 use in Schedule II of “Other Specified Uses” annotated “Business” and “Industrial” zones;

Departmental Consultation

- (cc) relevant government bureaux and departments consulted had no objection or no adverse comments on the proposed amendments; and

Public Consultation

- (dd) on 5.9.2017, PlanD and CEDD jointly consulted the Tuen Mun District Council (TMDC) on the proposed amendments to the OZP. TMDC raised strong objections to the proposed amendments and passed two amended motions which objected to the public housing developments at Wu Shan Site, Kau Hui Site and Hang Fu Site and all public housing sites respectively. The major concerns raised by TMDC members included insufficient existing transport infrastructures/facilities and community facilities to support additional housing developments, insufficient medical/health facilities to support additional housing developments, and the Government back tracking from implementing the planned government, institution and community (GIC) and open space at Wu Shan, Kau Hui and Hang Fu sites and proposing housing developments without sufficient consultation. The Government’s responses were detailed in paragraphs 7.1 to 7.8, 12.3 and 12.4 of the Paper. Attachment XII of the RNTPC Paper, enclosing the draft minutes of TMDC Meeting on 5.9.2017, was

tabled at the meeting for Members' reference.

35. Some Members raised the following questions:

Visual and Design Aspects

- (a) with reference to Drawing 1a of the Paper related to the Wu Shan Site, whether the grey area was hard paved or a podium and what the pink area abutting the road was;
- (b) with reference to Drawing 1d of the Paper related to the Hang Fu Site, whether the building layout could be improved to prevent a wall-like design;
- (c) the zoning and use of the land south of Hang Fu Site;
- (d) elaboration on why the visual impact arising from the five housing sites was considered not incompatible with the existing and planned urban context of Tuen Mun Central;

Traffic Aspects

- (e) what measures would be adopted to mitigate the traffic impact brought about by the proposed housing sites and the increase in population;

GIC Facilities

- (f) noting that TMDC had raised concerns on insufficient medical and health facilities to support additional housing developments, whether details on the provision of such facilities could be provided; and
- (g) the provision of sports facilities within the Tuen Mun OZP.

36. In response, Ms Jessica Y.C. Ho and Mr Tony K.L. Cheung made the following

points:

Visual and Design Aspect

- (a) the layout of the public housing sites was only preliminary at this stage subject to detailed design. The pink area within the Wu Shan Site on Drawing 1a of the Paper was a welfare cum retail block. As for the grey area, it was the ground level as the development would not have podium. Details on the landscape design would be formulated at the detailed design stage in accordance with DEVB TC(W) No. 7/2015 and with the provision of 20% to 30% greening areas within the site;
- (b) due to the narrow configuration of the site (only 30m wide x 150m in length), there were a number of site constraints for the Hang Fu Site. The conceptual layout of the Hang Fu Site was formulated taken into account the two proposed non-building areas within the site and to maximise the building separation between the site and Nerine Cove to the east. The layout of the proposed housing development at the site would be subject to detailed design;
- (c) the site south of the Hang Fu Site was zoned “R(A)22” which was for private residential use. The site had already been disposed of through land sale and detailed design was underway;
- (d) a visual impact assessment (VIA) had been conducted under the Study. While the proposed public housing development would inevitably imposed significant visual changes to the townscape, the VIA concluded that the visual composition of the proposed developments was not incompatible with the existing and planned urban context of Tuen Mun Central, which was predominantly medium- to high-rise residential developments mixed with GIC uses. With the implementation of the proposed mitigation measures, such as creation of building separations, variation of BHs, etc., it was predicted that there would be moderate visual impact;

Traffic Aspect

- (e) at present, West Rail was one of the main connections between the urban area, Tuen Mun and Northwest New Territories (NWNT). With the completion of the Shatin to Central Link to form the 'East-West Corridor' (from Tai Wai via Hung Hom connecting to the WRL) in 2019, there would be capacity for upgrading of the signal system and the hourly frequency of the WRL would be increased from 20 to 28 at each direction. Coupled with the increase in the number of train compartments from seven to eight on the WRL, the carrying capacity of the WRL would be increased by 60%. The assessment had already taken into account the planned developments, including those in Yuen Long South and Wang Chau, etc. However, with the continuous rise of population in NWNT, both WRL and the Light Rail would inevitably be more crowded. According to the 'Public Transport Strategy Study' promulgated by the Transport and Housing Bureau in June 2017, the Government would, in the longer run, study whether it would be necessary to construct a new heavy rail line connecting NWNT to urban areas;
- (f) the current population of the Tuen Mun area was about 454,000 persons. Taking account of the new population of the six housing sites (about 32,100 persons), the planned population of Tuen Mun OZP would be increased from about 543,000 to about 572,000 persons. The TIA conducted was based on the latest population estimates and concluded that, even without the proposed Tuen Mun Western Bypass in 2026, the traffic condition would still be manageable;
- (g) with regard to TMDC's concern on insufficient existing transport provision, the Study had conducted detailed survey on the public transport facilities in the Tuen Mun area, including the ridership during peak hours and explored options for new bus routes. The Transport Department would also conduct annual review on bus routes provision in the Tuen Mun district to monitor the situation. The TIA had proposed a number of bus lay-bys and transport infrastructures to cater for future public transport needs and new

and improved public transport facilities would be provided according to the implementation time frame of housing developments and the nearby transport network at the time to meet the new demand arising from the increase in population;

GIC Provision

- (h) as regards the provision of health and clinic facilities, according to the Hong Kong Planning Standards and Guidelines (HKPSG), the standard for provision of hospital beds was 5.5 beds per 1,000 persons, including all types of hospital beds (general, infirmary, psychiatric and mentally handicapped beds). Based on the planned population of the Tuen Mun OZP, a total of 3,149 hospital beds were required. Although the existing provision of hospital beds was 3,611 beds, amongst them, 1,156 beds and 520 beds were from Castle Peak Hospital and Siu Lam Hospital, which were for psychiatric and mentally handicapped. If those hospital beds were excluded, there would be a shortfall of around 1,214 beds to meet the planned population. The Hospital Authority would provide its service on cluster basis (the New Territories West (NTW) Cluster). With the provision of 300 hospital beds at the newly constructed Tin Shui Wai Hospital and its future expansion, and the reserved hospital site at Hung Shui Kiu New Development Area, it would help meet the growing healthcare demand of the population in NTW; and
- (i) at present, there were five existing sports centres, two swimming pools and three planned sports centres within the Tuen Mun OZP. While there would be a slight shortfall on the provision of sports ground/sports complex and sports centre based on the standards set out in the HKPSG to meet the planned population, LCSD would continue to monitor the situation and to identify suitable sites as appropriate. There were many small-scale sports facilities such as football pitches within the Tuen Mun area.

37. Noting that some of the building blocks for the proposed public housing sites, such as the welfare and retail block at the Wu Shan Site, were abutting roads, a Member suggested that setbacks of building block should be considered at the detailed design stage to improve the living quality.

Proposed Amendment Items south of Harrow International School Hong Kong

38. Noting that Amendment Items B and C involved rezoning from “GB” to “R(B)20” and “G/IC” respectively, a Member enquired whether the two sides of Tuen Mun Road were urbanised. In response, Ms Jessica Y.C. Ho said that while areas south of Tuen Mun Road were largely developed, there were still undeveloped areas north of Tuen Mun Road with some areas zoned “GB” and the Tai Lam Country Park located further north.

Overall Aspects

39. Noting that a large number of trees would be affected by the proposed amendments and significant landscape impact would be induced by the rezoning of “GB” sites, a Member asked whether there was any information on the total greenery area lost due to the proposed amendments and measures to compensate for the loss. In response, Ms Jessica Y.C. Ho said that the proposed tree treatment of each site would be subject to detailed design in accordance with the DEVB TC(W) No. 7/2015 and 20% to 30% greening areas would be provided within the sites. Moreover, as there were ample surplus in district and local open spaces in the Tuen Mun area, the overall greenery in the Tuen Mun area would not be compromised.

40. The same Member was of view that the Government was promoting urban forestry and more consideration should be given to compensate for the loss of greenery area e.g. through more tree planting in district open space. This Member suggested that an account of the green area affected by the proposed amendment items should be included in future OZP amendments for Members’ reference.

41. Member then had a discussion on the suitability of the OZP for exhibition under section 5 of the Town Planning Ordinance. Members noted the densely built up environment in Tuen Mun and that TMDC had raised objection to the proposed amendments

due to concerns on insufficient transport infrastructures/facilities, community facilities, medical and health facilities to support additional housing developments as well as insufficient consultation. TMDC's views were also reflected in the minutes of the TMDC meeting held on 5.9.2017, which was tabled at the meeting. On the consideration that TMDC would be consulted again upon gazetting of the draft OZP and the Board could take into account TMDC's further views, if any, along with the representations and comments on representations received during the statutory exhibition period, before making a decision on the OZP prior to its submission to the Chief Executive in Council for approval, Members in general considered it appropriate to publish the OZP for public inspection so as to collect views from the public on the proposed amendments.

42. In response to a Member's enquiry on the consultation of the draft OZP, Ms Jessica Y.C. Ho said that in addition to consulting TMDC after exhibition of the draft OZP, PlanD's representatives would also attend local consultation forum /meeting upon request by the local community/ residents.

43. After deliberation, the Committee decided to:

- “(a) agree that the proposed amendments to the approved Tuen Mun Outline Zoning Plan (OZP) No. S/TM/33 as shown on the draft Tuen Mun OZP No. S/TM/33A at Attachment II of the Paper (to be renumbered as S/TM/34 upon exhibition) and the draft Notes at Attachment III of the Paper are suitable for exhibition for public inspection under section 5 of the Town Planning Ordinance; and
- (b) adopt the revised Explanatory Statement (ES) at Attachment IV of the Paper for the draft Tuen Mun OZP No. S/TM/33A (to be renumbered as S/TM/34) as an expression of the planning intention and objectives of the Board for various land use zones on the Plan and agree that the revised ES is suitable for exhibition together with the draft OZP.”

[The Chairman thanked Mr David Y.M. Ng, DPO/TMYLW, Ms Jessica Y.C. Ho and Ms Bonnie K.C. Lee, STPs/TMYLW, Mr Tony K.L. Cheung, CE/NTW3(NTW), CEDD, Mr T.F. Lau, SE/1(NTW), CEDD, Ms Cheryl S.Y. Cham, E/15(NTW), CEDD and Messrs Tim Lee

and T.L. Wan for their attendance to answer Members' enquiries. They left the meeting at this point.]

[The meeting was adjourned for a short break of 5 minutes.]

[Ms Janice W.M. Lai, Ms Christina M Lee, Messrs David Y.T. Lui and Alex T.H. Lai, Dr C.H. Hau, Dr Lawrence K.C. Li, Miss Winnie W.M. Ng and Mr Martin W.C. Kwan left the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 7

[Open Meeting]

Proposed Amendments to the

Approved Kam Tin South Outline Zoning Plan No. S/YL-KTS/13

(RNTPC Paper No. 8/17)

44. The Secretary reported that the proposed amendments were in the Kam Tin South (KTS) area and involved rezoning of three sites for public housing development by the Housing Department (HD), which was the executive arm of the Hong Kong Housing Authority (HKHA) and AECOM Asia Company Ltd. (AECOM) was the technical consultant for the proposed amendments. The following Members had declared interests on the item:

Mr Raymond K.W. Lee - being a member of the Strategic Planning
as the Director of Planning Committee (SPC) and the Building Committee of
the HKHA;

Mr Martin W.C. Kwan - being an alternate member for the Director of Home
as the Chief Engineer (Works), Affairs who was a member of the SPC and
Home Affairs Department Subsidised Housing Committee of HKHA;

- Ms Janice W.M. Lai - having current business dealings with HKHA and AECOM; and her family member owning a property at Cheung Po Tsuen, KTS;
- Mr H.F. Leung - being a member of the Tender Committee of HKHA;
- Dr. C.H. Hau - having current business dealings with HKHA and AECOM;
- Mr Alex T.H. Lai - his firm having current business dealings with HKHA and AECOM;
- Mr Ivan C.S. Fu - having current business dealings AECOM and past business dealings with HKHA; and
- Mr Stephen L.H. Liu - having past business dealings with HKHA.

45. The Secretary reported that according to the procedure and practice adopted by the Town Planning Board (the Board), as the proposed amendments for public housing developments were the subject of amendments to the outline zoning plan (OZP) by the Planning Department (PlanD), the interests of the Chairman and Members in relation to HKHA mentioned above only needed to be recorded and they could stay in the meeting. The Committee agreed to this arrangement. The Committee also noted that Ms Janice W.M. Lai and Mr Martin W.C. Kwan had already left the meeting.

46. The following representatives from PlanD and the Civil Engineering and Development Department (CEDD) 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), PlanD

- Ms Ivy C.W. Wong - Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE), PlanD
- Mr Tony K.L. Cheung - Chief Engineer/New Territories West 3 (New Territories West) (CE/NTW3(NTW)), CEDD
- Ms W.C. Cheung - Senior Engineer/4 (New Territories West) (SE/4(NTW)), CEDD

47. The Chairman extended a welcome and invited the Government's representatives to brief Members on the Paper. With the aid of a PowerPoint presentation, Ms Maggie M.Y. Chin, DPO/FSYLE, presented the proposed amendments as detailed in the Paper and covered the following main points:

Background of the Proposed Amendments

- (a) in March 2014, PlanD completed the Land Use Review for Kam Tin South and Pat Heung (LUR) covering the planning scheme area of the KTS OZP. A total of 14 potential housing sites had been identified for public and private housing developments under the LUR. Broad technical assessments had also been undertaken confirming that there would be no insurmountable problem subject to the provision of adequate infrastructure. The LUR had been submitted and considered by the Board in April 2014. Under the LUR, three sites (Sites 1, 4a and 6), located immediately south of the West Rail Kam Sheung Road Station (KSRS), were identified for public housing development, providing a total of 9,000 flats;

Proposed Amendments to Matters shown on the Plan

- (b) Amendment Items A1 and A2 – rezoning of Sites 1 (about 6.21 ha) and 6 (about 2.76 ha) from “Agriculture” (“AGR”) to “Residential (Group A)” (“R(A)”) with a maximum total plot ratio (PR) of 3 and a maximum building height (BH) of 69 mPD;

- (c) Amendment Item A3 – rezoning of Site 4a (about 7.06 ha) from “Other Specified Uses” annotated “Rural Use” (“OU(RU)”) to “R(A)” with a maximum total PR of 3 and a maximum BH of 69 mPD;
- (d) Amendment Items B1 and B2 – rezoning of two pieces of land to the east and west of West Rail railway track respectively at Sites 1 and 6 (about 1.73 ha and 0.73 ha) from “AGR” to “Government, Institution or Community” (“G/IC”);
- (e) Amendment Item C – rezoning of a section of the existing Kam Ho Road and its roundabout to the south of West Rail KSRS from “AGR” to an area shown as ‘Road’ (about 0.7 ha) to reflect the existing road;

Technical Assessments

- (f) various technical assessments on traffic, environmental, visual, air ventilation, ecological, tree and landscape, sewerage, drainage, water supply and geotechnical engineering had been conducted for the proposed public housing and GIC developments, which confirmed that the proposed developments would not cause insurmountable problems on traffic and other infrastructural capacity as well as environmental aspects ;

Proposed Amendments to the Notes of the OZP

- (g) incorporation of a new set of Notes for the “R(A)” zone, including incorporation of ‘Public Vehicle Park (excluding container vehicles)’ use as a Column 1 use and incorporation of exemption clause for public vehicle park, GIC or social welfare facilities, as required by the Government, from PR calculation taking into account the strong local demand for such facilities while not affecting the public housing flat supply;
- (h) revision to the exemption clause for PR / Gross Floor Area / site coverage calculation in relation to caretaker’s quarters in the Remarks of the Notes for the “Comprehensive Development Area”, “Residential (Group C)”,

“Residential (Group D)”, “OU(Railway Station and Public Transport Interchange with Commercial/Residential Development)”, “OU(Railway Depot with Commercial/Residential Development)” and “OU(RU)” zones;

Departmental Consultation

- (i) relevant government bureaux and departments consulted had no objection to or no adverse comments on the proposed amendments;

Consultation with Rural Committees (RCs) and District Council

- (j) the Kam Tin and Pat Heung RCs and the Yuen Long District Council (YLDC) were consulted on 26.7.2017, 2.8.2017 and 5.9.2017 respectively regarding the proposed amendments to the OZP. The two RCs and YLDC noted the importance of providing public housing flats to meet the acute public housing demand, but raised concerns/comments on potential adverse traffic impact and strongly requested a definite implementation programme for widening/upgrading of Kam Sheung Road, Kam Tin Road, a section of Lam Kam Road and/or provision of new slip road to address traffic problem in the area before implementation of housing development. The two RCs and YLDC also requested the provision of adequate car parking spaces, GIC facilities and raised concerns on land resumption/compensation arrangements; and
- (k) the Pat Heung RC passed a motion and YLDC passed two motions urging the Government to implement the road improvement works of Kam Sheung Road, Kam Tin Road and a section of Lam Kam Road before developing the Kam Tin/Pat Heung south area. The Governments’ responses were detailed in paragraph 13.3 of the Paper.

[Mr H.F. Leung and Mr Stanley C.F. Lau left the meeting at this point.]

48. The Chairman and some Members raised the following questions:

- (a) noting the proposed amendments involved rezoning of areas zoned “AGR” for residential use, the arrangements for farmers affected by the proposed rezoning;
- (b) noting that the total PR of 3 was proposed for the public housing development, whether there was scope to increase the PR;
- (c) noting that the proposed public housing developments would provide 9,000 flats accommodating an estimated population of 25,200 persons, whether there would be adverse traffic impact to the area;
- (d) whether there were any objections to the proposed amendments from the local community; and
- (e) the ratio of private and public housing identified in the LUR and whether the infrastructures, facilities and GIC provision in the area were sufficient to support the future population.

49. In response, Ms Maggie M.Y. Chin, DPO/ FSYLE, made the following main points:

- (a) for the proposed amendments, about 12 ha of land would be rezoned from “AGR” to “R(A)” and “G/IC”, of which about 4.8 ha were active agricultural land. With regard to the arrangement of agricultural land affected by the rezoning, farmers could find suitable land in the areas, such as area to the south of Pat Heung Road/ Kam Sheung Road with about 112 ha of land currently zoned “AGR” within the KTS OZP, to continue their farming activity. Under the established practice, the Agriculture, Fisheries and Conservation Department and Lands Department could offer assistance to the farmers to continue farming elsewhere as appropriate. In addition, an Agricultural Park (Agri-Park) in Kwu Tung South was proposed under the New Agricultural Policy. Construction works for Phase 1 of the Agri-Park (about 11 ha) was scheduled for commencement tentatively in 2019 and the Agri-Park could accommodate eligible farmers

displaced by Government development projects that happened to take place within the same time-frame;

- (b) the KTS area was subject to the Shek Kong Airfield Height Restriction. The proposed BH restriction of 69mPD for the “R(A)” zone, including rooftop structures was the highest that could be achieved under such restriction. HD had explored whether there was scope to increase the PR but had advised that a total PR of 3 was the maximum achievable PR under the circumstances. Taking into account the strong local demand for public vehicle park, GIC or social welfare facilities, an exemption clause for these uses, as required by the Government, from PR calculation was incorporated into the Notes of the “R(A)” zone to allow flexibility while not affecting the provision of flat supply to meet the acute demand for public housing;
- (c) During consultation with Pat Heung and Kam Tin RCs and YLDC, road traffic was of the utmost concern and they urged for improvements to the road traffic in the Kam Tin/Pat Heung south area. In this regard, the traffic impact assessment (TIA) conducted for the proposed public housing and GIC developments had recommended road improvement works, including road junction improvements, road widening works and new bus lay-bys. CEDD would also carry out a study to review the traffic condition in the area, particularly on Kam Sheung Road, and formulate improvement options, where appropriate. Under the subject study, opportunity would be taken to consider any improvements to the existing cycle tracks to better connect the KSRS to other parts of the area;
- (d) the consulted local community also expressed concern on the provision of GIC facilities in the area and land resumption/compensation arrangements. For provision of GIC facilities, land had been reserved for two primary schools, a GIC complex (including a clinic) and a sports centre in the proposed “G/IC” zones. The types of GIC facilities could be further refined taking into account the local’s views at the detailed design stage. With regard to concerns on compensation and rehousing arrangement for those affected by the proposed developments, the Government would offer

compensation, Ex-gratia Allowances and/or rehousing arrangements to the eligible affected parties in accordance with prevailing policies;

- (e) the LUR had identified 14 potential housing sites for public and private housing developments. Under the LUR, the ratio of private and public housing flats was 50:50. Two sites at West Rail KSRS and Pat Heung Maintenance Centre (PHMC) were identified for private housing development and the rezoning of these two sites was completed in 2016. Some of the remaining sites were also proposed for private housing developments; and
- (f) to serve the community in the area, a public transport interchange, retail facilities and a kindergarten would be provided in the future private residential development at West Rail KSRS and other GIC facilities would be provided in the public housing and GIC developments in Sites 1, 4a and 6, thus forming the core area of KTS. In order to maximise the opportunity for all residents of the area to enjoy those facilities, enhancement to the cycle tracks would be explored to facilitate easy access to the core area. In addition, possible heritage trails to various cultural heritage sites were considered to connect with the core area near KSRS.

50. After deliberation, the Committee decided to :

- “(a) agree to the proposed amendments to the approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/13 and that the draft Kam Tin South OZP No. S/YL-KTS/13A (to be renumbered as S/YL-KTS/14) at Attachment II of the Paper and its Notes at Attachment III of Paper are suitable for exhibition for public inspection under section 5 of the Town Planning Ordinance; and
- (b) adopt the revised Explanatory Statement (ES) at Attachment IV of the Paper for the draft Kam Tin South OZP No. S/YL-KTS/13A (to be renumbered as S/YL-KTS/14) as an expression of the planning intention and objectives of the Board for various land use zonings of the OZP and the revised ES will be published together with the draft OZP.”

[The Chairman thanked Ms Maggie M.Y. Chin, DPO/FSYLE, Ms Ivy C.W. Wong, STP/FSYLE, Mr Tony K.L. Cheung, CE/NTW3(NTW), CEDD and Ms W.C. Cheung SE/4(NTW), CEDD for their attendance to answer Members' enquiries. They left the meeting at this point.]

51. The Chairman suggested to advance Agenda Item 28 for consideration.

Fanling, Sheung Shui and Yuen Long East District

[Ms Maggie M.Y. Chin, District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FSYLE), and Ms Emily P.W. Tong, Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE), were invited to the meeting at this point.]

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/241 Proposed Comprehensive Development of an Outlet Mall with Commercial Uses (Including 'Shop and Services' and 'Eating Place'), 'Agricultural Use' (Commercial Fish Ponds), 'Excavation of Land' and 'Filling of Land' in "Other Specified Uses" annotated "Comprehensive Development to include Wetland Restoration Area" Zone, Lots 8 RP (Part), 14 S.B RP (Part), 45 and 1740 S.A RP in D.D. 107 and Adjoining Government Land, to the South of Pok Wai and Wing Kei Tsuen, Yuen Long
(RNTPC Paper No. A/YL-NSW/241E)

52. The Secretary reported that the application was submitted by King Garden Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD), AECOM Asia Company Limited (AECOM), AGC Design Limited (AGC), Black & Veatch Hong Kong Limited (B&V), Ramboll Environ Hong Kong Limited (Environ) and Urban Limited (Urbis) were six of the consultants of the

applicant. The following Members had declared interests on this item:

- Miss Winnie W.M. Ng - being a director of the Kowloon Motor Bus Company Limited and SHK was one of the shareholders;

- Mr Ivan C.S. Fu }
Ms Janice W.M. Lai } having current business dealings with SHK, AECOM, AGC, Environ and Urbis;

- Ms Christina M. Lee - being the Secretary General of the Hong Kong Metropolitan Sports Events Association which had obtained sponsorship from SHK before;

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

- Mr Alex T.H. Lai - his firm having current business dealings with SHK, B&V and Urbis, and

- Mr Stephen L.H. Liu - having past business dealings with SHK and LD.

53. The Committee noted that Miss Winnie W.M. Ng, Ms Christina M. Lee, Ms Janice W.M. Lai, Dr C.H. Hau and Mr Alex T.H. Lai had already left the meeting. The Committee agreed that as the interest of Mr. Ivan C.S. Fu was direct, he should be invited to leave the meeting temporarily for the item. The Committee also agreed that as the interest of Mr Stephen L.H. Liu was indirect, he could stay in the meeting.

[Mr Ivan C.S. Fu and Mr Patrick K.H. Ho left the meeting temporarily at this point.]

Presentation and Question Sessions

54. With the aid of a PowerPoint presentation, Ms Maggie M.Y. Chin, DPO/FSYLE, PlanD, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;

- (b) the proposed comprehensive development of an outlet mall (with commercial uses (including 'Shop and Services' and 'Eating Place'), 'Agricultural Use' (Commercial Fish Ponds), 'Excavation of Land' and 'Filling of Land');
- (c) the further information submitted by the applicant on the water source and operation of the proposed commercial fishponds as requested by the Committee at its previous meeting on 14.7.2017;
- (d) departmental comments – departmental comments were set out in paragraph 3 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) had no objection to the proposed fish ponds for commercial fish farming provided that it would not be turned into recreational fishpond. DAFC also had no objection to the fishpond re-creation plan, the source of water for the ponds, the drain-down period for harvesting, as well as pond maintenance;
- (e) during the first three weeks of the statutory publication period for the Further Information (FI) submitted on 8.9.2017, a total of 266 objecting comments were received from four green groups (including World Wide Fund for Nature Hong Kong, the Hong Kong Bird Watching Society, Kadoorie Farm & Botanic Garden Corporation and the Conservancy Association) and individuals which were set out in paragraph 11.3 of Appendix F-I of the Paper. Amongst the 266 objecting comments, 262 expressed similar objecting comments received during the previous public inspection periods, while the remaining 4 also expressed that the applicant should use eco-friendly operation/ management practices and make them mandatory requirements for the future fish pond operators to observe; and
- (f) the Planning Department (PlanD)'s views – PlanD maintained its view of having no objection to the application based on the assessments set out in paragraph 5 of the Paper as well as paragraph 12 of the RNTPC paper No. A/YL-NSW/241D at Appendix F-I of the Paper. The Committee raised

no objection to the proposed outlet mall at the previous meeting but had concerns on the water source and the operation of the commercial fishponds of the site. The applicant had submitted FI to address Members' concern with information on the water source and operation of the proposed fishponds as well as the management and re-creation plan of the fishponds. DAFC had no objection to the proposed commercial fish ponds and to the FI submitted by the applicant. Approval conditions were recommended to address the technical concerns of relevant departments. Regarding the adverse public comments, the comments of concerned departments and the assessments above were relevant.

55. Some Members raised the following questions:

- (a) whether drain-down of the pond would be conducted and whether detail of such operation was provided;
- (b) whether there was any restriction specifying the prohibition of the use of bird preventive nets; and
- (c) noting that the applicant was required to make submission in fulfilment of the approval conditions to the satisfaction of relevant departments and to the Town Planning Board (TPB), whether it implied that the submission need to be further considered by TPB.

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

- (a) drain-down of the pond would be conducted regularly as in conventional fish ponds. The applicant indicated that details of the operation including the drain-down schedule and the type of fish fry to be grown in the fish ponds would be further discussed with the future tenants of the fish ponds;
- (b) the applicant had not proposed the use of bird preventive nets in the development, and condition (f) as set out in paragraph 6.2 of the Paper required the applicant to submit and implement the Wetland Restoration

and Creation Scheme as recommended in the revised Ecological Impact Assessment (EcoIA) to the satisfaction of the DAFC or of the Town Planning Board; and

- (c) it was the usual and established practice for the applicant to make submission to concerned departments for fulfilment of the approval conditions. If there were disagreement between the concerned department and the applicant on the fulfilment of planning conditions, the matter would be submitted to the Board for consideration.

57. Members had no further question on the application.

Deliberation Session

58. A Member enquired whether there was any planting on the bunds of the fish ponds. In this regard, Members noted from the Landscape Master Plan, submitted by the applicant, that a minimum of 5m buffer planting was proposed between the fish ponds and the Wetland Conservation Area to minimize the possible impacts and disturbance to nearby areas and an additional planting strip of almost 10m in width was proposed between the fish ponds and the outlet mall to serve as a further buffer.

59. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 13.10.2021, 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 a revised Master Layout Plan to incorporate approval conditions (b), (c), (d), (f), (h), (i) and (j) below, to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a revised Landscape Master Plan and tree preservation proposal to the satisfaction of the Director of Planning or of the TPB;

- (c) the design and implementation of the road improvement measures as proposed in the revised Traffic Impact Assessment to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the design and provision of vehicular access and car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the submission of a revised Ecological Impact Assessment (EcoIA) and the implementation of the mitigation measures identified in the revised EcoIA to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;
- (f) the submission and implementation of the Wetland Restoration and Creation Scheme as recommended in the revised EcoIA to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;
- (g) the provision of water supplies for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (h) the submission of a detailed Drainage Impact Assessment (DIA) and the implementation of the drainage proposal and other necessary flood mitigation measures identified in the DIA to the satisfaction of the Director of Drainage Services or of the TPB;
- (i) the submission of a revised Sewerage Impact Assessment (SIA) and the implementation of sewerage treatment and disposal measures identified in the SIA to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (j) the submission of a revised Environmental Assessment (EA) and the implementation of the mitigation measures identified in the EA to the satisfaction of the Director of Environmental Protection or of the TPB.”

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

[Mr Stephen L.H. Liu and Ms Lily L.L. Chiu left the meeting at this point]

[Mr Ivan C.S. Fu and Mr Partrick K.H. Ho returned to join the meeting at this point.]

Sai Kung and Islands District

Agenda Item 8

Section 16 Application

[Open Meeting]

A/SK-HC/271 Proposed Comprehensive Residential Development in “Residential (Group E)” Zone, Various Lots in D.D. 210 and Adjoining Government Land, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/271)

61. The Secretary reported that T.K. Tsui Associates Limited (TKT), Black & Veatch Hong Kong Limited (B&V), Ramboll Environ Hong Kong Limited (Environ) and Landes Limited (Landes) were three 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 Landes; and
Ms Janice W.M. Lai		
Mr Alex T.H. Lai	-	his firm having current business dealings with TKT and B&V.

62. The Committee noted that the applicant had requested deferment of consideration of the application and Ms Janice W.M. Lai and Mr Alex T.H. Lai had already left the meeting. As Mr Ivan C.S. Fu had no involvement in the application, the Committee agreed that he

could stay in the meeting.

63. The Committee noted that the applicant's representative requested deferment of consideration of the application for two months so as to allow time to address the comments from Environmental Protection Department. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 9

Section 16 Application

[Open Meeting]

A/SK-PK/239 Proposed House (New Territories Exempted House - Small House) in
"Green Belt" Zone, Lot 470 S.B ss.2 in D.D. 222, Pak Kong, Sai Kung
(RNTPC Paper No. A/SK-PK/239B)

65. The Committee noted that the applicant's representative requested on 27.9.2017 deferment of the consideration of the application for two months so as to allow time for the applicant to resolve comments from concerned government departments and consult the Indigenous Inhabitant Representative (IIR) and Sai Kung Rural Committee (SKRC). It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had not submitted any further information but was in discussion with Lands Department, the IIR of Pak Kong and SKRC regarding land status of the surrounding areas of the site and availability of land for Small House development to substantiate the

application.

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

Agenda Item 10

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
(RNTPC Paper No. A/SK-PK/242A)

67. The Committee noted that the applicant’s representative requested on 26.9.2017 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 with a supplementary plan.

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 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.

[Mr William W.T. Wong, Senior Town Planner/Sai Kung and Islands (STP/SKIs), was invited to the meeting at this point.]

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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
(RNTPC Paper No. A/SK-TLS/50B)

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

Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association, which has obtained sponsorship from CLP before;

Mr Stephen L.H. Liu - having past business dealings with CLP; and

Mr Alex T.H. Lai - his firm having past business dealings with CLP.

70. The Committee noted that Ms Christina M. Lee and Messrs L.H. Liu and Alex

T.H. Lai had already left the meeting.

Presentation and Question Sessions

71. Mr William W.T. Wong, STP/SKIs, 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 10 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual providing views on the application. The major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications based on the assessments set out in paragraph 12 of the Paper. While there was a general presumption against development within the “Green Belt” zone, the proposed package substation and underground cable were essential installation for providing stable and reliable electricity supply to meet the demand in Tseng Lan Shue. According to the information provided by the applicant, the site was selected due to technical feasibility and to avoid trees and surface channel in the vicinity, and no alternative site was available. The proposed utility installation was small in scale and considered not incompatible with the surrounding environment. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comment on site selection, the planning assessments above were relevant. As for the

commenter's concern on the use of the "GB" zone for residential development, 'House' was a Column 2 use within "GB" zone and would require planning permission from the Board.

72. Members had no question on the application.

Deliberation Session

73. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 13.10.2021, 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 provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

[The Chairman thanked Mr William W.T. Wong, STP/SKIs, for his attendance to answer Members' enquiries. Mr Wong left the meeting at this point.]

Sha Tin, Tai Po and North District

[Ms Kathy C.L. Chan and Mr Wallace W.K. Tang, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/535 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 344 S.A ss.2 in D.D. 9, Kau Lung Hang, Tai Po
(RNTPC Paper No. A/NE-KLH/535)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments – 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 application from agricultural point of view as the site possessed potential for agricultural rehabilitation. Other concerned Government 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 assessment set out in paragraph 11 of the Paper. More than 50% of the footprint of the proposed Small House fell within the ‘Village Environ’ (VE) of Yuen Leng, Kau Lung Hang San Wai and Kau Lung Hang Lo Wai, and the proposed development would be able to be

connected to public sewerage system. Although DAFC did not support the application, the site was located in close proximity to the existing village cluster and there were similar applications approved in its vicinity at the western fringe of Kau Lung Hang San Wai. The Site was also the subject of a previously approved planning application (No. A/NE-KLH/407) for the same use submitted by the same applicant. Compared with the previous application, the development parameters and disposition of the proposed Small House remained the same. There was no major change in the planning circumstances in the area since the previous approval. Special consideration could therefore be given to the application.

76. Members had no question on the application.

Deliberation Session

77. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 13.10.2021, 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 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.”

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

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/618 Proposed House (New Territories Exempted House - Small House) in
 “Agriculture” and “Village Type Development” Zones, Lot 1534 S.F in
 D.D. 19, Ha Tin Liu Ha, Lam Tsuen, Tai Po
 (RNTPC Paper No. A/NE-LT/618)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House;
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from agricultural development point of view as there were active agricultural activities in the vicinity and the site had high potential for rehabilitation of agricultural activities. 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, four public comments were received from The Hong Kong Bird Watching Society, Designing Hong Kong Limited and individuals objecting to the application.

Major objection grounds were set out in paragraph 11 of the Paper; and

- (e) The Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intention of “AGR” zone and DAFC did not support the application. The proposed development did not comply with the Interim Criteria for Consideration of Application for NTEH/ Small House in New Territories (Interim Criteria) in that there was no general shortage of land in meeting the demand for Small House development in the concerned “V” zone. The site was the subject of a previously rejected application from the same applicant for the same proposed use. There had been no change of circumstances since the rejection of the previous application. Regarding the public comments received, comments of concerned departments and the planning assessment above were relevant.

80. In response to a Member's enquiry regarding the considerations in approving an application (No. A/NE-LT/489) nearby the site, Ms Kathy C.L. Chan, STP/STN, responded that the application was approved in 2013 prior to the adoption of the cautious approach by the Board whereby more weighting was put to the number of outstanding Small House application in considering whether there was a general shortage of land in meeting Small House demand. The application was thus approved on the consideration that it complied with the Interim Criteria as there was general shortage of land in meeting the demand for Small House development in the “V” zone at that time and it could be connected to the planned sewerage system.

Deliberation Session

81. 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

intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the 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 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 Ha Tin Liu Ha, Sheung Tin Liu Ha and Ko Tin Hom; and
- (c) land is still available within the “V” zone of Ha Tin Liu Ha, Sheung Tin Liu Ha and Ko Tin Hom which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-SSH/109 Temporary Private Car Park for a Period of 3 Years in “Coastal Protection Area” and “Comprehensive Development Area” and “Green Belt” and “Village Type Development” Zones, Lots 1406 S.B ss.4, 1406 S.B ss.5 (Part), 1406 S.B RP (Part), 1406 S.C (Part), 1406 S.D RP (Part), 1407 S.A ss.2 (Part), 1407 S.C (Part), 1407 S.D (Part), 1407 S.E (Part), 1408 S.A.H (Part), 1408 S.F (Part), 1408 S.G (Part), 1473 (Part) and 1478 in D.D. 165, and Adjoining Government Land, Tseng Tau Village, Sai Sha Road, Shap Sz Heung, Sai Kung
(RNTPC Paper No. A/NE-SSH/109)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary private car park (private car and light goods vehicle) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Chief Town Planner/ Urban Design & Landscape of the Planning Department (CTP/UD&L, PlanD) objected to the application as the temporary car park was not in line with the planning intention of the “Coastal Protection Area” (“CPA”) zone and “Green Belt” (“GB”) zones. Vegetation clearance was observed in 2015. Approval of the application would set an undesirable precedent to encourage vegetation clearance prior to application and similar uses to encroach onto “CPA” and “GB” zones degrading the landscape character of the area. District Lands Officer, Tai Po (DLO/TP), did not support car park use on government land and advised that the applicant should exclude the concerned unallocated Government land from the application as no direct grant of short term tenancy for vehicle parking space would be considered. Commissioner for Transport had reservation on the application but considered that the application could be tolerated due to its temporary nature. Other concerned government departments had no objection to or no adverse comments on the applications;
- (d) During the first three weeks of the statutory publication period, five public comments were received including one supportive comment from the Sai Kung North Rural Committee and four objecting comments from Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, the Hong Kong Bird Watching Society and an individual. Major supportive views and objection grounds were set out in paragraph 11

of the Paper; and

- (e) the PlanD's views – PlanD did not support the application based on the assessment set out in paragraph 12 of the Paper. The temporary private car park was not in line with the planning intention of the “CPA” and “GB” zones. Also, it did not comply with the Town Planning Board Guidelines No. 10 in that the applied use had involved extensive vegetation clearance. Despite the temporary nature of the applied use, approval of the application would set an undesirable precedent for other similar applications within the “CPA” and “GB” zones resulting in significant landscape impact on high quality landscape resources and landscape characters of the area. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

83. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of the “Coastal Protection Area” (“CPA”) zone which is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It is also not in line with the planning intention of the “Green Belt” (“GB”) zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within the “CPA” and “GB” zones. There is no strong planning justification in the submission for a departure from the planning intention even on a temporary basis;

- (b) the 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 development would generate adverse landscape impacts to the area; and
- (c) the approval of the application, even on a temporary basis, would set an undesirable precedent for other similar applications within the “CPA” and “GB” zones. The cumulative effect of approving such applications would result in significant adverse impact on the environment as well as high quality landscape resources and landscape characters of the area.”

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary toilet for a period of three years with ancillary excavation works;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Director of Environmental Protection (DEP) advised that the proposed work might constitute a designated project (DP),

which would require an environmental permit (EP) prior to start of its construction and operation. The Director of Food and Environmental Hygiene (DFEH) advised that no complaint on the lack of toilet facilities at Tai Mei Tuk had been received so far. 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, four public comments were received from World Wide Fund for Nature Hong Kong, the Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual objecting to the application. Major objection grounds were set out in paragraph 9 of the Paper; and
- (e) The Planning Department (PlanD)'s views – PlanD did not support the planning application based on the assessments set out in paragraph 10 of the Paper. The proposed development was not in line with the planning intention of the “Conservation Area” (“CA”) zone which was intended to protect and retain the existing natural character or ecological features of the area for conservation, educational and research purposes and to separate sensitive natural environment from the adverse effects of development. There was insufficient information to justify the need for such a scale of the proposed temporary toilet with a building footprint of 78.4m². There was also no information to demonstrate that there were no other alternatives, such as portable toilet, to cope with the ad hoc and seasonal peak demand, and that the temporary toilet was needed to support the conservation of the existing natural landscape or scenic quality of the area or was an essential infrastructure project with overriding public interest. The approval of the application would set an undesirable precedent for similar applications within the “CA” zone, resulting in disturbance to the existing natural character of the area and the surrounding areas. Regarding the public comments received, the comments of government departments and the assessments above were relevant.

86. Members had no question on the application.

Deliberation Session

87. 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 “Conservation Area” (“CA”) zone which is intended to protect and retain the existing natural character or ecological features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Site of Special Scientific Interest or Country Park from the adverse effects of development. There is a general presumption against development in this zone. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) there is no information in the submission to justify the proposed development and to demonstrate that the proposed temporary toilet is needed to support the conservation of the existing natural landscape or scenic quality of the area or it is an essential infrastructure project with overriding public interest; and
- (c) the approval of the application would set an undesirable precedent for similar applications within “CA” zone resulting in disturbance to the existing natural character of the area and the surrounding areas.”

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/622 Proposed House (New Territories Exempted House - Small House) and Filling of Land in “Green Belt” Zone, Lots 593 S.A ss.1, 593 S.B and 596 RP in D.D. 28, Tai Mei Tuk, Tai Po
(RNTPC Paper No. A/NE-TK/622)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed House (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 11 and Appendix V of the Paper. The Chief Town Planner/ Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application from the landscape planning perspective and considered that the proposal would likely involve site formation and/or slope works that necessitated clearance of natural vegetation and tree felling. The cumulative effect of approving such developments would result in further degradation of landscape quality and inevitably alter the landscape character of the surrounding areas. The Commissioner for Transport (C for T) had reservation on the application as such type of development should be confined within the “Village Type Development” (“V”) zone but considered that it could be tolerated. 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, five public comments were received from World Wide Fund (WWF) for Nature Hong Kong, Designing Hong Kong Limited, Green Sense and two individuals objecting to the application. Major objection grounds were set out in paragraph 12 of the Paper; and
- (e) the PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 13 of the Paper. The proposed

development was not in line with the planning intention of the “Green Belt” zone which was to define 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. The proposed development did not comply with the Town Planning Board Guidelines No. 10 and the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse landscape impact on the surrounding areas and be subject to adverse geotechnical impact; and land was still available within the “V” zone of Lung Mei, Tai Mei Tuk and Wong Chuk Tsuen. It was considered more appropriate to concentrate the proposed Small House development within “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and service. Regarding the public comments received, the comments of government departments and the assessments above were relevant.

89. Members had no question on the application.

Deliberation Session

90. 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 for the area which is to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from this 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 involve clearance of existing natural vegetation affecting the existing natural landscape, and the applicant fails to demonstrate that the proposed development would have no adverse landscape impact on the surrounding areas and that the stability of the adjacent slope would not be adversely affected;

- (c) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse landscape impact on the surrounding areas and be subject to adverse geotechnical impact; and
- (d) land is still available within the “Village Type Development” (“V”) zone of Lung Mei, Tai Mei Tuk and Wong Chuk Tsuen which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-FTA/180 Temporary Warehouse and Storage of Clothing with Ancillary Facilities for a Period of 3 Years in “Other Specified Uses” annotated “Port Back-up Uses” Zone, Lots 121 and 122 in D.D. 52, Fu Tei Au, Sheung Shui
(RNTPC Paper No. A/NE-FTA/180)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary Warehouse and Storage of Clothing with Ancillary Facilities for a Period of 3 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 from the traffic engineering perspective and advised that the applicant should carry out a traffic impact assessment covering Man Kam To Road, Po Shek Wu Road, Jockey Club Road and road network of the Fanling/Sheung Shui area in view of the recent traffic condition on roads in the North District. 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, three public comments were received including two from a North District Council (NDC) member and the Chairman of SSDRC who had no comment on the application and one supportive comment from an incumbent NDC member of the subject constituency. Major subjective views were set out in paragraph 10 of the Paper; and

[The meeting was adjourned for 5 minutes at this point]

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessment set out in paragraph 11 of the Paper. The temporary warehouse under application was generally in line with the planning intention of “Other Specified Uses” annotated “Port Back-up Uses” (“OU(PBU)”) zone which was primarily for accommodating the anticipated increasing cross-boundary freight traffic and in general not incompatible with the surrounding land uses comprising mainly warehouses, goods distribution centres, open storage yards, vehicle parking and some temporary domestic structures. While relevant government departments had no adverse comment on the application, C for T did not

support the application as the applicant had not submitted a TIA and failed to demonstrate that there was no adverse traffic impact arising from the development. Despite the approval of a previous application submitted by the same applicant for the same use, the approval was revoked due to non-compliance with approval conditions regarding tree preservation and fire services installation and no relevant proposals on those aspects were included in the current submission to support the application. Regarding the public comments received, the comments of government departments and the assessments above were relevant.

92. In response to the Chairman's enquiry, Mr Wallace W.K. Tang, STP/STN, responded that C for T did not object to the previous application.

93. A Member enquired whether such requirement for TIA would apply to all forthcoming similar applications. Mr Patrick K.H. Ho, Chief Traffic Engineer/New Territories, Transport Department (CTE/NTW,TD) responded that in view of the recent change in traffic condition in Man Kam To Road, sufficient information should be provided to demonstrate that the proposed use would not undermine the traffic capacity of the area.

Deliberation Session

94. In response to a Member's enquiry, Mr Patrick K.H. Ho, (CTE/NTW,TD), clarified that the TIA required was not a complicated and extensive one, and the applicant was only required to provide sufficient information, e.g. traffic flow generated by the proposed development, to support the development in terms of trip rate, timing and the junction conditions nearby, to support the application. Another Member considered that many applicants might not have full knowledge of the requirement, and suggested PlanD to convey the requirements to the applicants in the future.

95. After deliberation, the Committee decided to reject the application and the reasons was:

“the applicant fails to demonstrate in the submission that the development would have no adverse traffic impact on the surrounding area.”

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MTL/1 Excavation of Land for Permitted Agricultural Use (Fish Pond Culture)
in " Conservation Area (1)" Zone, Lots 2320 and 3143 to 3146 in
D.D. 93, Ta Sha Lok, Ma Tso Lung
(RNTPC Paper No. A/NE-MTL/1)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the excavation of land for permitted agricultural use (fish pond culture);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) had reservation on the application from nature conservation point of view as there was insufficient information to demonstrate that the “no-net-loss in wetland” principle was complied with. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) also had reservations on the application from the landscape planning perspective and had grave concern on the potential adverse impact due to reduction of reed beds. Nothing that unauthorized excavation and vegetation removal had taken place prior to planning permission, it was considered that approval of the application would set a undesirable precedent to encourage similar vegetation removal activities. Director of Environmental Protection (DEP) advised that there were substantial complaints against illegal construction works and flytipping of construction and demolition wastes at the site in the last few months. Other concerned government departments had no objection or no

adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, seven public comments were received, including two from NDC member and the Chairman of Sheung Shui District Rural Committee (SSDRC) indicated no comment on the application, and the remaining five public comments from World Wide Fund For Nature Hong Kong, the Conservancy Association, the Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited and an individual raising objection to or expressing concern on the application. Major objection grounds/ opposing views were set out in paragraph 11 of the Paper; and
- (e) the PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The development was not in line with the Town Planning Board Guidelines No. 12C in that there was insufficient information to demonstrate that the excavation of land involved would have no adverse ecological impact on the existing reed bed and that the “no-net-loss in wetland principle” was complied with. Vegetation clearance and unauthorized excavation of land/ filling of land had already taken place prior to planning permission. Approval of the application would set an undesirable precedent for similar applications within the “Conservation Area(1)” (“CA(1)”) zone, and the cumulative effect of approving such similar applications would result in a general degradation of the environment of the area. Regarding the public comments received, the comments of government departments and the assessments above were relevant.

97. Noting that ‘fish pond culture’ was always permitted within “CA(1)” zone, a Member asked for clarification on whether the “high landscape value” of the reed bed would override the use of the land as fish pond. In response, Mr Wallace W.K. Tang, STP/STN, explained that while fish pond use at the area zoned “CA(1)” was always permitted, any excavation work would require permission from the Board. As advised by CTP/UD&L, the whole application site was reed bed previously, yet one-fifth of the site was transformed to fish pond before planning approval was obtained. There was insufficient information

submitted on the potential adverse impacts of the development proposal.

Deliberation Session

98. A Member remarked that the reed bed might have come into existence after the drying up of abandoned fish ponds, and it might seem unreasonable not to allow the land to be reverted back to fish pond use due to the ecological and visual value of the reed bed. In response, the Chairman pointed out that while fish pond was a permitted use, excavation of land required planning permission in view of the ecological value. Unauthorized excavation works had been carried out and there were substantiated environmental complaints against illegal construction works and flytipping of construction and demolition wastes at the site. The applicants had not provided sufficient information to demonstrate that such excavation and construction works would not undermine the ecological value of the area. In view of the high ecological value, a prudent approach should be taken for developments within “CA” zone. Another Member echoed with the Chairman’s views and did not support the application.

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

- “(a) the development is not in line with the Town Planning Board (TPB) Guidelines for ‘Application for Development within Deep Bay Area’ (TPB PG-No. 12C) in that the applicants fail to demonstrate in the submission that the excavation works would not affect the existing ecological functions of the reed beds and fish ponds in Hoo Hok Wai, and hence the ecological integrity of the Deep Bay Area wetland ecosystem as a whole;
- (b) the applicants fail to demonstrate that the development under application would not have adverse ecological and landscape impacts on the surrounding area; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the “Conservation Area (1)” zone. The cumulative effect of approving such similar applications would result in a

general degradation of the environment of the area.”

Agenda Item 19

Section 16 Application

[Open Meeting]

A/NE-TKL/568 Temporary Vehicle Repair Workshop for Lorry, Coach and Container Vehicle with Ancillary Office & Electricity Transformer Station for a Period of 3 Years in “Open Storage” and “Agriculture” Zones, Lots 783 and 784 in D.D. 77 and Adjoining Government Land, Ping Che (RNTPC Paper No. A/NE-TKL/568A)

100. The Secretary reported that the application site was located at Ping Che and Mr Alex T.H. Lai had declared an interest on the item as his father co-owned two lots of land in Ping Che. The Committee noted that Mr Alex T.H. Lai had already left the meeting.

101. The Committee noted that the applicant’s representative requested on 22.9.2017 deferment of consideration of the application for a period of two months to allow time for preparation of further information to address the comments of Transport Department (TD). It was the second time the applicant had requested deferment of the application. Since the last deferment, a traffic consultant had been commissioned to carry out the traffic impact assessment (TIA) to address TD’s comments.

102. 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 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/574 Temporary Shop and Services (Car Beauty Services) and Vehicle Repair Workshop for a Period of 3 Years in “Agriculture” Zone, Lots 211 RP (Part) and 212 RP in D.D. 84, Lei Uk San Tsuen, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/574)

103. The Secretary reported that the application site was located at Ping Che and Mr Alex T.H. Lai had declared an interest on this item as his father co-owned two lots of land in Ping Che. The Committee noted that Mr Alex T.H. Lai had already left the meeting.

Presentation and Question Sessions

104. Mr Wallace W.K. Tang, STP/STN, drew Members’ attention that one replacement page (page 11 of the Main Paper) incorporating revisions to paragraph 12.1(b) of the Paper amending the reason for rejection was tabled at the meeting for Members’ information. He then presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary Shop and Services (Car Beauty Services) and Vehicle Repair Workshop for a Period of 3 Years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from the agricultural development point of view as the agricultural activities in its vicinity were active and the

site could be used for agricultural uses such as green house or plant nursery. The Chief Town Planner/ Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application from the landscape planning perspective as there was no information submitted regarding the uncovered area and no landscape proposal was submitted to ascertain the feasibility of the landscape works. The Commissioner for Transport (C for T) did not support the application and advised that the applicant should carry out a traffic impact assessment (TIA) and advise/ justify the adequacy of parking spaces and number of vehicles visiting the site as well as to demonstrate the satisfactory manoeuvring of vehicles entering/ exiting the site. 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 public comments were received including one from the Chairman of the Sheung Shui District Rural Committee indicating no comment and the remaining four public comments from World Wide Fund for Nature Hong Kong, Kadoorie Farm and Botanic Garden, Designing Hong Kong Limited and an individual objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) the 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 and DAFC did not support the application from agricultural development point of view. There was no strong justification to justify a departure from the planning intention, even on a temporary basis. While the development was not entirely incompatible with the surrounding environment, CTP/ UD&L, PlanD had reservation from landscape planning perspective. Approval of the application would set an undesirable precedent to encourage similar application to encroach onto the “AGR” zone and leading to a ripple effect, causing gradual modification and degradation of landscape character in the area. C for T did not support the application and the applicant failed to demonstrate that the applied temporary use

would not generate adverse traffic impacts on the surrounding area. Regarding the adverse public comments, the comments of concerned government departments and the assessments above were relevant.

105. Members had no question on the application.

Deliberation Session

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

- “(a) the development under application is not in line with the planning intention of the “Agriculture” (“AGR”) zone in 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 planning justification in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the applicants fail to demonstrate in the submission that the development would not cause adverse traffic impact on the surrounding areas; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

[The Chairman thanked Ms Kathy C.L. Chan and Mr Wallace W.K. Tang, STPs/STN, for their attendance to answer Members’ enquiries. Ms Chan and Mr Tang left the meeting at this point.]

[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 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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 and Adjoining Government Land, Yin Kong, Sheung Shui
(RNTPC Paper No. A/KTN/34A)

Presentation and Question Sessions

107. Ms S.H. Lam, STP/FSYLE, drew Members’ attention that the Secretariat received further information (FI) from the applicant providing responses to comments raised by the Commissioner for Transport (C for T) and the FI was tabled at the meeting for Members’ information. She then presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary warehouse of industrial and construction materials with ancillary workshop for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. C for T did not support the application as the applicant’s assessment had not considered the existing traffic conditions in the North District and considered that the applicant should conduct a comprehensive traffic impact assessment (TIA) to demonstrate the

acceptability of the traffic impacts of the application on the existing roads in North District. The Project Manager/ New Territories East, Civil Engineering and Development Department (PM/NTE, CEDD) had reservation on the application for temporary use of three years as the site partly fell within the boundary of the First Stage Works of Kwu Tung North New Development Area (NDA), but had no comment on such use for a period of one year. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity and environmental nuisance to nearby residents was anticipated. The Commissioner of Police had concern over the traffic flow and the potential problem of vehicle obstruction brought by the application;

- (d) during the first three weeks of the statutory publication period, four public comments were received, including one with no comment on the application, and the remaining three from one North District Council member and two individuals objecting to the application. 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. While the applied development was not incompatible with the existing surrounding land uses comprising mainly warehouses, vehicle parks and open storage yards intermixed with fallow agricultural land and some domestic structures and that approval of the application on a temporary basis would not jeopardize the long term development of the zoned uses on the OZP, the applicant had failed to demonstrate that the applied temporary uses would not cause adverse traffic impact on the surrounding areas and the North District. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

108. Members had no question on the application.

109. Noting C for T's comments on the application, a Member enquired on the amount of information required to substantiate the applied use. In response, Mr Patrick K.H. Ho, Chief Traffic Engineer/New Territories West, Transport Department (TD) said that according to the applicant, the number of trucks went in and out of the site was less than once a day. Further details were required from the applicant to justify the said number of vehicular trip and demonstrate that the proposed development would not bring about adverse traffic impact.

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

“the applicant fails to demonstrate that the applied development would not cause adverse traffic impact on its surrounding areas and the North District.”

Agenda Item 22

Section 16 Application

[Open Meeting]

A/YL-KTN/564 Temporary Shop and Services and Eating Place (outside seating accommodation of a restaurant) with ancillary parking spaces for a period of 3 years in “Village Type Development” Zone, Lots 216 S.S ss.2 RP, 216 S.S RP, 237 S.B RP, 237 S.B ss.3 RP, 237 S.B ss.3 S.A, 237 S.B ss.4 S.A, 237 S.B ss.4 S.B, 237 S.B ss.4 RP, 237 S.B ss.5 RP (Part), 237 S.B ss.12 RP, 237 S.B ss.13 RP and 237 S.B ss.14 RP in D.D. 103 and Adjoining Government Land, Ko Po Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/564A)

111. The Committee noted that the applicant requested on 14.9.2017 deferment of consideration of the application for a period of two months to allow time for preparation of further information in response to departmental comments. It was the second time the applicant requested deferment of the application. The applicant still needed more time to prepare the further information to address departmental comments.

112. 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 time the applicant had requested deferment of the application 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 23

Section 16 Application

[Open Meeting]

A/YL-KTN/575 Temporary Site Office with Ancillary Open Storage of Building Materials, Storage of Repairing Tools and Staff Car Park for a Period of 3 Years in "Comprehensive Development Area (1)" Zone, Lots 1555 S.A (Part), 1555 S.B RP (Part), 1557 RP (Part), 1558 (Part) and 1559 (Part) in D.D. 107, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/575)

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

Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Co. (1933) Ltd. and SHK was one of the shareholders;

- | | | |
|---------------------|---|--|
| Mr Ivan C.S. Fu | } | having current business dealings with SHK; |
| Ms Janice W.M. Lai | | |
| Mr Alex T.H. Lai | - | his firm having current business dealings with SHK; |
| Ms Christina M. Lee | - | being the Secretary-General of the Hong Kong Metropolitan Sports Events Association, which had obtained sponsorship from SHK before; and |
| Mr Stephen L.H. Liu | - | having past business dealings with SHK. |

114. The Committee noted that Miss Winnie W.M. Ng, and Ms Janice W.M. Lai, Ms Christina M. Lee, Messrs Stephen L.H. Liu and Alex T.H. Lai had already left the meeting. The Committee also noted that the applicant had requested deferment of consideration of the application and agreed that Mr Ivan C. S. Fu could stay in the meeting.

115. The Committee noted that the applicant's representative requested on 29.9.2017 deferment of consideration of the application for a period of two months to allow time to prepare further information in response to departmental comments. It was the first time the applicant requested deferment of the application.

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

Agenda Item 24

Section 16 Application

[Open Meeting]

A/YL-KTS/752 Temporary Training Centre for Construction Industry for a Period of 3 Years in “Village Type Development” Zone, Government Land in D.D. 106, Yuen Kong Tsuen, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/752)

117. The Secretary reported that the application site was located at Pat Heung, Yuen Long and the application was submitted by Construction Industry Council (CIC). The following Members had declared interests on this item:

- Mr H. W. Cheung - being the Chairman of Zero Carbon Building of CIC and past Executive Director of CIC;

- Mr Ivan C.S. Fu - being a Member of the Construction Workers Registration Board of CIC and Executive member of CIC;

- Mr H. F. Leung - being a Member of a committee of CIC; and

- Ms Janice W.M. Lai - her family member owning property at Leung Uk Tsuen, Pat Heung.

118. The Committee noted that Messrs Mr H.W. Cheung had tendered apology for being unable to attend the meeting, and Mr H.F. Leung and Ms Janice W.M. Lai had already left the meeting. The Committee also noted that the applicant had requested deferment of consideration of the application and agreed that Mr Ivan C. S. Fu could stay in the meeting.

119. The Committee noted that the applicant requested on 9.10.2017 deferment of consideration of the application for a period of two months to allow time to prepare further information to address departmental comments. It was the first time 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, no further deferment would be granted unless under very special circumstances.

Agenda Item 25

Section 16 Application

[Open Meeting]

A/YL-KTS/754 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, Kam Sheung Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/754)

121. The Secretary reported that the application site was located at Pat Heung and Ms Janice W.M. Lai had declared an interest on this item as her family member owned property at Leung Uk Tsuen, Pat Heung. The Committee noted that Ms Janice W.M. Lai had already left the meeting.

122. The Committee noted that the applicant requested on 28.9.2017 deferment of consideration of the application for a period of two months to allow time to prepare further information to address departmental comments. This was the first time the applicant requested deferment of the application.

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/753 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in "Residential (Group D)" Zone, Lots 3037 S.A, 3037 RP (Part), 3039 and 3040 (Part) in D.D. 111 and Adjoining Government Land, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/753A)

124. The Secretary reported that the application site was located at Pat Heung and Ms Janice W.M. Lai had declared an interest on this item as her family member owned property at Leung Uk Tsuen, Pat Heung. The Committee noted that Ms Janice W.M. Lai had already left the meeting.

Presentation and Question Sessions

125. 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 place of recreation, sports or culture (hobby farm) for a period of 3 years;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the proposed use could be tolerated for a period of three years based on the assessments in paragraph 11 of the Paper. Although the proposed use was not in line with the planning intention of the “R(D)” zone, there was no known proposal for permanent development at the site. The proposed development could provide a place of recreation facilities in the area and the approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “R(D)” zone. The nature of the proposed use was considered not incompatible with the character of the surrounding area. Approval condition restricting the operation hours was recommended to minimize potential environmental nuisance generated by the proposed development. Except for one previous application which was rejected due to repeated non-compliance of approval condition relating to fire services installation (FSIs), all the other five previous applications at the site were approved. The applicant had submitted drainage and FSI proposals and stated that the operation of the proposed development would strictly follow the fire safety requirements. Concerned government departments including FSD had no objection to or no adverse comments on the application. Regarding the adverse public comment, the planning assessments above were relevant.

126. Members had no question on the application.

Deliberation Session

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

temporary basis for a period of 3 years until 13.10.2020, 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) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (d) the submission of 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 13.1.2018;
- (e) 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 13.4.2018;
- (f) in relation to (e) 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 13.7.2018;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.4.2018;
- (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 13.7.2018;
- (i) 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;

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

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

Agenda Item 27

Section 16 Application

[Open Meeting]

A/YL-SK/228 Proposed Temporary Shop and Services (Motor Vehicles Showroom) for a Period of 3 Years in “Village Type Development” Zone, Lot 616 S.B RP (Part) in D.D. 114, Kam Tin Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-SK/228)

129. The Committee noted that the applicant requested on 28.9.2017 deferment of consideration of the application for a period of two months 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.

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

Agenda Item 29

Section 16 Application

[Open Meeting]

A/YL-NTM/345 Proposed Utility Installation for Private Project (CLP Transformer Room) and Excavation of Land (by 2.5m) in "Village Type Development" Zone, Lots 2307 S.R and 2310 S.C in D.D. 104, Sheung Chuk Yuen, Ngau Tam Mei, Yuen Long

(RNTPC Paper No. A/YL-NTM/345A)

131. The Committee noted that the applicant requested on 28.9.2017 deferment of consideration of the application for a period of one month 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 discussed with CLP regarding the capacity of the existing transformer room and conducted background survey.

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 one month was 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 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/346 Proposed Temporary Wholesale Trade (Eggs), Storage and Ancillary Office for a Period of 3 Years in “Open Storage” Zone, Lots 2693 RP, 2696, 2699 (Part), 2700 and 2701 in D.D. 102 and Adjoining Government Land, Kwu Tung Road, San Tin
(RNTPC Paper No. A/YL-NTM/346A)

Presentation and Question Sessions

133. 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 temporary wholesale trade (eggs), storage and ancillary office for a period for 3 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 receivers of residential use in the vicinity and environmental nuisance was expected. Other concerned government 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 proposed use was considered not in conflict with the planning intention of “Open Storage” (“OS”) zone which was intended for provision of land for appropriate open storage use. The proposed development was also not incompatible with the uses in the surroundings predominated by container vehicle park, warehouse and open storage of containers. Other than DEP, no adverse comments on the application were received from concerned government departments. Regarding DEP’s concern on the potential nuisance to nearby residents, relevant approval conditions with restrictions on operation hours and type of vehicles were recommended.

134. Members had no question on the application.

Deliberation Session

135. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.10.2020, 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 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, 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;
- (d) 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 13.4.2018;

- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.4.2018;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.7.2018;
- (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 13.4.2018;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.7.2018;
- (j) if any of the above planning conditions (a), (b), (c) 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 (d), (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

136. 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. They all left the meeting

at this point.]

Tuen Mun and Yuen Long West District

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

Agenda Items 31 to 35

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

- | | |
|----------|---|
| A/TM/506 | Proposed House (New Territories Exempted House - Small House) in “Village Type Development” Zone and an area shown as ‘Road’, Lot 538 S.H ss.1 in D.D. 130, To Yuen Wai, Tuen Mun |
| A/TM/507 | Proposed House (New Territories Exempted House - Small House) in “Village Type Development” Zone and an area shown as ‘Road’, Lot 538 S.I ss.1 in D.D. 130, To Yuen Wai, Tuen Mun |
| A/TM/508 | Proposed House (New Territories Exempted House - Small House) in “Village Type Development” Zone and an area shown as ‘Road’, Lot 538 S.E ss.1 in D.D. 130, To Yuen Wai, Tuen Mun |
| A/TM/509 | Proposed House (New Territories Exempted House - Small House) in “Village Type Development” Zone and an area shown as ‘Road’, Lot 538 S.K in D.D. 130, To Yuen Wai, Tuen Mun |
| A/TM/510 | Proposed House (New Territories Exempted House - Small House) in “Village Type Development” Zone and an area shown as ‘Road’, Lot 538 S.J ss.1 in D.D. 130, To Yuen Wai, Tuen Mun |
-
- (RNTPC Paper No. A/TM/506 to 510)

137. The Committee agreed that the five s.16 applications would be considered together as they were similar in nature and the application sites were located closely together within the same “V” zone and an area shown as ‘Road’ on the respective OZPs.

Presentation and Question Sessions

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

- (a) background to the five applications;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House) on each of the application site;
- (c) departmental comments – departmental comments were set out in paragraph 10 and appendix V of the Paper. Concerned government departments had no objection to or adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments on application No. A/TM/508 were received while two public comments on the remaining four applications (No. A/TM/506, 507, 509 and 510) were received. Amongst them, a member of Tuen Mun District Council (TMDC) supported all applications without stating any reason, an individual provided comments on all applications and an individual objected to application No. A/TM/508. Major objection grounds and views of the comments were set out in paragraph 11 of the Paper on all applications; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applications based on the assessments set out in paragraph 12 of the Paper. The application sites fell partly within an area shown as ‘Road’ to allow for the construction of Lam Tei Interchange. The said road works had been completed and the proposed houses would not affect the existing roads nearby. The sites were not incompatible with the surrounding rural setting

in close proximity to the existing village proper of To Yuen Wai to the east. Regarding the Interim Criteria for Consideration of Application for NTEH/ Small House in New Territories, while the site fell outside the “VE” of Lam Tei, Lam Tei San Tsuen and To Yuen Wai, 50% or more of the footprints of each proposed Small Houses fell within the “V” zone. Besides, the Lam Tei Local Centre Layout Plan had been revised to enlarge its “V” zone in 2014 and the sites fell entirely within the “V” zone on the current draft Layout Plan. Should these five applications be granted planning approval, it would not lead to an indefinite expansion of the “V” zone in this area which was bounded on the west and northwest by the planned “Amenity Area” and the existing road and cycle track of the Lam Tei Interchange. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

139. A Member enquired whether the applicants were indigenous villagers. In response, Ms Jessica Y.C. Ho, STP/TMYLW, said that according to the information submitted, the applicants claimed to be indigenous villagers, and according to the comments from the Lands Department, the applicants’ eligibilities of Small House (SH) grant would be verified.

140. Another Member seek clarifications on whether the application sites fell within “V” zone. With reference to Plan A-2 of the Paper, Ms Jessica Y.C. Ho, STP/TMYLW, said that the application sites fall partly within areas shown as ‘Road’ on the approved Tuen Mun OZP No. S/TM/33 and partly within areas zoned “V” on the draft Lam Tei and Yick Yuen OZP No. S/TM-LTY9.

Deliberation Session

141. 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 13.10.2021, 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 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.”

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

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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
(RNTPC Paper No. A/YL-PS/541A)

Presentation and Question Sessions

143. 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 cargo handling and forwarding facility and ancillary warehouses and car parking facilities for a period of 3 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 because there were sensitive users

nearby along the access road 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, four objecting public comments were received from Designing Hong Kong Limited and individuals. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intention of the “Residential (Group C)” (“R(C)”) and “Village Type Development” (“V”) zone on the then OZP as well as the “Government, Institution or Community” (“G/IC”) and “V” zones of the current OZP. There were no strong planning justifications for a departure from such planning intention, even on a temporary basis. The applied use which was industrial in nature was considered not compatible with the surrounding environment. DEP did not support the application and the applicant failed to demonstrate that the development would not generate adverse environmental impact on the nearby residential dwellings. The application did not comply with the Town Planning Board Guidelines No. 13E in that no previous approval had been granted for the site. Approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the same “G/IC” and “V” zones. The cumulative effect of approving such application would result in a general degradation of the environment of the area. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

144. Members had no question on the application.

Deliberation Session

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

- “(a) the planning intention of the “Residential (Group C)” zone on the then approved Ping Shan Outline Zoning Plan (OZP) is primarily for low-rise, low-density residential developments. The “Government, Institution or Community” (“G/IC”) zone on the draft Hung Shui Kiu and Ha Tsuen OZP currently in force is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. The planning intention of the “Village Type Development” (“V”) zone is to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. The applied use is not in line with the planning intention of the zones. No strong planning justification has been given in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the applied use is not compatible with the surrounding land uses which are predominantly residential in nature intermixed with cultivated agricultural land and vacant land;
- (c) the application does not comply with the Town Planning Board Guidelines No. 13E in that no previous approval has been granted for the Site, and there are adverse departmental comment and public objections against the application. The applicant fails to demonstrate that the applied development would not generate adverse environmental impact; and
- (d) approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the same “G/IC” and “V” zones. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.”

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/545 Renewal of Planning Approval for Temporary Open Storage of Construction Materials and Construction Equipment for a Period of 3 Years in “Recreation” Zone, Lots 206 (Part), 207 (Part), 214 (Part), 217 (Part), 218 (Part), 219, 220 (Part), 221 (Part), 224 (Part), 226 (Part), 227 (Part), 228, 229, 230, 231 (Part), 236 (Part), 237 (Part), 238 (Part), 239 (Part) and 240 (Part) in D.D. 126 and Adjoining Government Land, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/545)

Presentation and Question Sessions

146. 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 renewal of planning approval for temporary open storage of construction materials and construction equipment for a period of 3 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 because there were sensitive users nearby and along the access road 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 was received from a member of the Yuen Long District Council objecting to the application. Major objection grounds were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the applied use could be tolerated for a further period of 3 years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Recreation” (“REC”) zone, there was currently no known proposal to implement the zoned use of the site and thus the approval on a temporary basis for a period of 3 years would not frustrate the long-term planning intention of the “REC” zone. Also, the development was not incompatible with the surrounding land uses. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site was the subject of previous planning approval, the applicant had complied with all the approval conditions of the previous permission and no adverse comments on the application from relevant departments except DEP. While DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past 3 years. Appropriate approval conditions were recommended to address DEP's concern on possible environmental nuisances and the technical requirements of other concerned departments. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

147. Members had no question on the application.

Deliberation Session

148. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 18.10.2017 until 17.10.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:30 p.m. and 9:30 a.m. from Mondays to Saturdays, as proposed by the applicant, is allowed on the Site during the planning approval period;

- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no cutting, dismantling or other workshop activity is allowed on the Site at all times during the planning approval period;
- (d) only medium goods vehicles not exceeding 24 tonnes, as defined under the Road Traffic Ordinance, are allowed to enter/be parked on the Site, as proposed by the applicant, at all times during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at all times during the planning approval period;
- (f) the maintenance of existing trees within the site boundary at all times during the planning approval period;
- (g) the existing boundary fencing on Site shall be maintained at all times during the planning approval period;
- (h) the maintenance of existing drainage facilities on the Site at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities 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 18.1.2018;
- (j) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.11.2017;
- (k) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the

satisfaction of the Director of Fire Services or of the TPB by 18.4.2018;

- (l) in relation to (k) 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 18.7.2018;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the 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 (i), (j), (k) or (l) is not complied with by the above 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 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.”

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

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/4 Temporary Open Storage of Containers and Construction Materials with Site Offices for a Period of 3 Years in “Other Specified Uses” annotated “Logistics Facility”, “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses”, “Open Space”, “Government, Institution or Community”, “Other Specified Uses” annotated “Sewage Pumping Station” Zones and an area shown as ‘Road’, Lots 240, 241, 242, 243, 244 (Part), 245, 248, 284, 285 (Part), 313 (Part), 314 (Part), 315 (Part), 317, 318, 319 (Part), 320 (Part), 323, 324, 325, 326, 328, 329, 330, 331, 332, 333 (Part), 334 (Part), 335, 336 (Part), 337, 338, 339, 340, 341, 345 (Part), 346 (Part), 348 RP (Part), 349 in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/4A)

150. The Secretary reported that the application site was located at Ha Tsuen and AIM Group Limited (AIM) was one of the consultants of the applicant. The following Members had declared interests on this item:

Mr Alex T.H. Lai - his firm having current business dealings with AIM; and

Ms Janice W.M. Lai - her spouse was a shareholder of a company which owned two pieces of land in Ha Tsuen.

151. The Committee noted that both Mr Alex T.H. Lai and Ms Janice W.M. Lai had already left the meeting.

Presentation and Question Sessions

152. 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 temporary open storage of containers and construction materials with site offices for a period of 3 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 because there were sensitive users nearby and along the access road 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 applied use could be tolerated for a period of 3 years based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not in line with the planning intentions of the “Open Space” (“O”), “Government, Institution or Community” (“G/IC”) and “Other Specified Uses” annotated “Sewage Pumping Station” zones, as the implementation programme for this part of the New Development Area (NDA) was still being formulated, the approval of the application on a temporary basis of 3 years would not jeopardize the long-term development of the site. The applied use was not incompatible with the surrounding uses, which was predominated by open storage yards and vacant land. The application was also in line with the Town Planning Board Guidelines No. 13E. Concerned government departments except DEP had no adverse comments on the application. While DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years. Appropriate approval conditions were recommended to address DEP's concern regarding the potential environmental nuisances and the technical requirements of other concerned departments. The site

was the subject of a previously approved application submitted by the same applicant for the same use, of which the permission had been revoked due to non-compliance with approval conditions on implementation of the pedestrian and landscape proposal. Shorter compliance periods for close monitoring of the progress on compliance with the approval conditions were recommended.

153. Members had no question on the application.

Deliberation Session

154. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.10.2020, 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 8:00 a.m., as proposed by the applicant, is allowed on the Site during the approval period;
- (b) in relation to (a) above, no operation on Saturdays between 2:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (d) the stacking height of containers stored on the Site shall not exceed 7 units at any times during the planning approval period;
- (e) no cutting, dismantling, cleaning, repairing, compacting, vehicle repair workshop activity, other than container repairing activities, is allowed on Site at any time during the planning approval period;
- (f) no left turn of container vehicles into Ha Tsuen Road eastbound, as proposed by the applicant, upon leaving the Site is allowed at any time

during the planning approval period;

- (g) the erection of a 'Turn Right' traffic sign at the junction of the access road with Ha Tsuen Road at all times during the planning approval period to the satisfaction of the Commissioner for Transport or of the TPB;
- (h) no vehicle is allowed to queue back to or reverse onto/from the public road at any times during the planning approval period;
- (i) the submission of a condition record of existing drainage facilities within 3 months from the date of planning approval to the satisfaction of Director of Drainage Services or of the TPB by 13.1.2018.
- (j) the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (k) the implementation of the 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 13.4.2018;
- (l) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks to the satisfaction of the Director of Fire Services or of the TPB by 24.11.2017;
- (m) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.1.2018;
- (n) in relation to (m) above, the provision of fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.4.2018;
- (o) the provision of fencing of the Site within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the

TPB by 13.1.2018;

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

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

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/17 Proposed Temporary Warehouse (Furniture Storage) for a Period of 3 Years in “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses” Zone and an area shown as ‘Road’, Lot 186 in D.D. 125, Fung Kong Tsuen, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/17)

156. The Secretary reported that the application site was located at Ha Tsuen and Ms Janice W.M. Lai had declared an interest on the item as her spouse was a shareholder of a company which owned two pieces of land in Ha Tsuen. The Committee noted that Ms Janice W.M. Lai had already left the meeting.

Presentation and Question Sessions

157. Mr Vincent T.K. Lai, STP/TMYLW, drew Members' attention that two replacement pages (page 4 of the Main Paper and Appendix III (Page 1) of the Paper) incorporating updated departmental comments in paragraph 9.1.1 (a) and (b) of the Paper, as well as paragraph (c) at Appendix III, were tabled at the meeting. He then presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary warehouse (furniture storage) for a period of 3 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 because there were sensitive users along the access road 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 applied use could be tolerated for a period of 3 years based on the assessments set out in paragraph 11 of the Paper. The applied use was not incompatible with the surrounding land uses. Although a minor portion of the site fell within an area shown as 'Road', as the implementation programme for this part of the New Development Area was still being formulated, the approval of the application on a temporary basis of 3 years would not jeopardize the long-term development of the site. Concerned government departments, except DEP, had no adverse comments on the application. While DEP did not support the application, there was no substantial environmental complaint pertaining to the site in the past three years. Appropriate approval conditions were recommended to address

DEP's concern regarding the potential environmental nuisances and the technical requirements of other concerned departments.

158. Members had no question on the application.

Deliberation Session

159. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.10.2020, 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) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.4.2018;
- (d) in relation to (c) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.7.2018;
- (e) in relation to (d) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (f) the submission of a 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 13.4.2018;
- (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 13.7.2018;

- (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 13.4.2018;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.7.2018;
- (j) the provision of fencing of the Site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.4.2018;
- (k) if any of the above planning conditions (a), (b) or (e) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning conditions (c), (d), (f), (g), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
and
- (m) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/18 Proposed Temporary Warehouse for Storage of Provisions for a Period of 3 Years in “Residential (Group A) 2” and an area shown as ‘Road’, Lots 629 and 631 in D.D. 124, Lot 2002 in D.D. 125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/18)

161. The Secretary reported that the application site was located at Ha Tsuen and Ms Janice W.M. Lai had declared an interest on this item as her spouse was a shareholder of a company which owned two pieces of land in Ha Tsuen. The Committee noted that Ms Janice W.M. Lai had already left the meeting.

162. The Committee noted that two replacement pages (page 4 of the Main Paper and Appendix III (Page 1) of the Paper) incorporating updated departmental comments in paragraph 9.1.1 (b) of the Paper, as well as paragraph (e) at Appendix III, were dispatched to Members before the meeting.

Presentation and Question Sessions

163. 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 temporary warehouse for storage of provisions for a period of 3 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 because there were sensitive users along the access road and near the entrance 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 was received from an individual objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed use could be tolerated for a period of 3 years based on the assessments set out in paragraph 11 of the Paper. While the development was not in line with the planning intention of the “Residential (Group A)” zone, since the implementation programme for this part of the New Development Area (NDA) was still being formulated, the approval of the application on a temporary basis of 3 years would not jeopardize the long-term development of the site. The applied use was not incompatible with the surrounding land uses predominated by open storage yards, metal and vehicle repair workshops, parking yards of vehicles and logistics centres. Concerned government departments, except DEP, had no adverse comments on the application. While DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years. Appropriate approval conditions were recommended to address DEP's concern regarding the potential environmental nuisances and the technical requirements of other concerned departments. Regarding the public comment, the planning assessments above were relevant.

164. Members had no question on the application.

Deliberation Session

165. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.10.2020, 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) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.4.2018;
- (d) in relation to (c) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.7.2018;
- (e) in relation to (d) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (f) the submission of a 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 13.4.2018;
- (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 13.7.2018;
- (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 13.4.2018;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.7.2018;
- (j) the provision of fencing of the Site within 6 months from the date of

planning approval to the satisfaction of the Director of Planning or of the TPB by 13.4.2018;

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

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

Agenda Item 41

Section 16 Application

[Open Meeting]

A/YL/231 Proposed Flat, Shop and Services, Eating Place and Minor Relaxation of Plot Ratio Restriction in “Residential (Group E)1” Zone, 21 Wang Yip Street West, Yuen Long (Yuen Long Town Lot No. 461)
(RNTPC Paper No. A/YL/231A)

167. The Secretary reported that Landes Limited (Landes), MVA Hong Kong Limited (MVA), Ove Arup & Partners Hong Kong Limited (Arup) and Ramboll Environ Hong Kong Limited (Environ) were four of the consultants of the applicant. The following Members had declared interests on this item:

Mr Ivan C.S. Fu - having current business dealings with Landes,

MVA, Arup and Environ;

Ms Janice W.M. Lai - having current business dealings with Landes, Arup and Environ; and

Mr Alex T.H. Lai - his firm having current business dealings with MVA and Arup.

168. The Committee noted that Ms Janice W.M. Lai and Mr Alex T.H. Lai had already left the meeting. The Committee also noted that the applicant had requested deferment of consideration of the application and agreed that Mr Ivan C. S. Fu could stay in the meeting.

169. The Committee noted that the applicant's representative requested on 29.9.2017 deferment of consideration of the application for a period of one month to allow time to prepare further information in response to departmental comments. It was the second time the applicant requested deferment of the application. The applicant had indicated that he needed more time to liaise with concerned departments for completion of the preparation of further information.

170. 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 one month was allowed for preparation of the submission of the further information. Since it was the second deferment and a total of two months had been allowed for preparation of submission of further information, 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-TYST/856 Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years in “Undetermined” Zone, Lots 777 (Part) and 778 (Part) in D.D. 119 and Adjoining Government Land, Pak Sha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/856)

Presentation and Question Sessions

171. Ms Floria Y.T. Tsang, TP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary warehouse for storage of construction materials for a period of 3 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 because there were sensitive users nearby 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 from 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 considered not in conflict with the planning intention of the

“Undetermined” zone. While the site fell partly within the development area of Yuen Long South, approval of the application on a temporary basis of 3 years would not jeopardize the long-term development of the area. The development was not incompatible with the surrounding uses predominated by warehouses, open storage yards with/without workshop. Concerned government departments, except DEP, had no adverse comments on the application. While DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years. Appropriate approval conditions were recommended to address DEP’s concern regarding the potential environmental nuisances and the technical requirements of other concerned departments. Regarding the public comment, the planning assessments above were relevant.

172. Members had no question on the application.

Deliberation Session

173. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.10.2020, 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 repairing, dismantling, spraying or other workshop activities, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (d) no open storage 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 existing trees and landscape plantings 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 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 13.1.2018;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.4.2018;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.7.2018;
- (l) 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;
- (m) if any of the above planning conditions (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect

and shall on the same date be revoked without further notice; and

- (n) upon 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.”

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

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/857 Proposed Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years in “Undetermined” Zone, Lots 490 RP (Part), 709, 710, 711, 723, 724, 725, 729, 730, 731 and 732 in D.D. 119, Pak Sha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/857)

Presentation and Question Sessions

175. Ms Floria Y.T. Tsang, TP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary warehouse for storage of construction materials 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 because there were sensitive receivers of residential use nearby 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. The applied use was not in conflict with the planning intention of the “Undetermined” zone. While the site fell within the development area of Yuen Long South, approval of the application on a temporary basis of 3 years would not jeopardize the long-term development of the site. While DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years. Appropriate approval conditions were recommended to address DEP's concern regarding the potential environmental nuisances and the technical requirements of other concerned departments.

176. Members had no question on the application.

Deliberation Session

177. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.10.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 9:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no repairing, dismantling, spraying or other workshop activities, as

proposed by the applicant, is allowed on the Site at any time during the planning approval period;

- (d) no open storage activities, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period ;
- (f) the existing trees and landscape plantings on the Site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of 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 13.1.2018;
- (i) 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 13.4.2018;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.4.2018;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.7.2018;
- (l) 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;

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

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

[The Chairman thanked Ms Jessica Y.C. Ho, Ms Stella Y. Ng, Mr Vincent T.K. Lai, STPs/TMYLW, and Ms Floria Y.T. Tsang, TP/TMYLW, for their attendance to answer Members' enquiries. They all left the meeting at this point.]

Agenda Item 44

Any Other Business

179. There being no other business, the meeting closed at 7:50 p.m..