

TOWN PLANNING BOARD

Minutes of 595th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 12.1.2018

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Professor K.C. Chau

Mr Ivan C.S. Fu

Ms Christina M. Lee

Mr H.F. Leung

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr Alex T.H. Lai

Mr Stephen L.H. Liu

Chief Traffic Engineer/New Territories East,
Transport Department
Mr Ricky W.K. Ho

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

Principal Environmental Protection Officer (Strategic Assessment),
Environmental Protection Department
Mr Raymond W.M. Wong

Assistant Director/Regional 3,
Lands Department
Mr Edwin W.K. Chan

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

Secretary

Absent with Apologies

Ms Janice W.M. Lai

Dr C.H. Hau

Dr Lawrence K.C. Li

Miss Winnie W.M. Ng

In Attendance

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

Chief Town Planner/Town Planning Board
Ms April K.Y. Kun

Town Planner/Town Planning Board
Miss Karmin Tong

Agenda Item 1

Confirmation of the Draft Minutes of the 594th RNTPC Meeting held on 22.12.2017

[Open Meeting]

1. The draft minutes of the 594th RNTPC meeting held on 22.12.2017 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

(i) Amendments to Advisory Clauses of Applications No. A/HSK/9 and A/YL-TYST/861

2. The Secretary reported that on 10.11.2017 and 24.11.2017, the Committee approved section 16 applications No. A/HSK/9 and A/YL-TYST/861 respectively. Subsequently, the Water Supplies Department advised that their comments regarding the provision of water supply for application No. A/HSK/9 and existing water mains and waterworks reserve for application No. A/YL-TYST/861 were not included in the advisory clauses of the respective planning applications. To rectify, it was proposed to amend the relevant advisory clauses of the two applications. The proposed amendments were tabled at the meeting and highlighted as follows :

Application No. A/HSK/9

“... (p) to note the comments of the Chief Engineer/Construction, Water Supplies Department that for provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to his department’s standards.”

Application No. A/YL-TYST/861

“(h) to note the comments of the Chief Engineer/Construction, Water Supplies Department that existing water mains will be affected. A Waterworks Reserve within 5 metres from the centerline of the water mains shall be provided to his department. No structure shall be erected over this Waterworks Reserve and such area shall not be used for storage or car-parking purpose. The Water Authority and his officer and contractors, his or their workmen shall have free access at all times to the said area with necessary plant and vehicles for the purpose of construction, inspection, operation, maintenance and repair works. All other services across, through or under the Waterworks Reserve are required to seek authorization from the Water Authority. No trees or shrubs with penetrating roots may be planted within the Waterworks Reserve or in the vicinity of the water main. The developer shall bear the cost of any necessary diversion works affected by the proposed development. Government shall not be liable to any damage whatsoever and howsoever caused arising from burst and leakage of public water mains within and in close vicinity of the site. For provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to his department’s standards;...”

3. Members agreed to the proposed amendments to the advisory clauses of the respective applications and noted that a letter enclosing the revised advisory clauses would be sent to the respective applicants accordingly.

(ii) Streamlined Approach in Considering Deferral Cases

4. The Secretary went on to say that a letter from a concern group was received questioning whether it was proper for the Committee to consider 18 deferral cases in one go at its meeting on 8.12.2017. The Committee noted that due to the large number of deferral cases submitted for consideration at each meeting and with a view to facilitating a more organized discussion, the Committee had agreed at an earlier meeting to consider all deferral cases together to streamline the flow of the meeting. A Member pointed out that since Members had received all relevant RNTPC Papers before the meeting and Town Planning Board Guidelines had been promulgated setting out the criteria for consideration of the deferment applications, the streamlined approach in dealing with such deferral cases was appropriate. Members could raise individual cases for discussion as deemed necessary in the meeting.

5. After deliberation, the Committee agreed to continue adopting a streamlined approach in considering deferral cases and that a reply should be given to that concern group accordingly.

[Mr H.F. Leung arrived to join the meeting at this point.]

Sha Tin, Tai Po and North District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/NE-LK/1 Application for Amendment to the Approved Luk Keng and Wo Hang Outline Zoning Plan No. S/NE-LK/11, To Rezone the Application Site from “Agriculture” and “Recreation” to “Comprehensive Development Area”, Various Lots in D.D. 39 and Adjoining Government Land, Ha Wo Hang, Sha Tau Kok

(RNTPC Paper No. Y/NE-LK/1A)

6. The Secretary reported that Landes Limited (Landes) was one of the consultants of the applicant and Mr Ivan C.S. Fu and Ms Janice W.M. Lai had declared interests on the item for having current business dealings with Landes. The Committee noted that Ms Janice W.M. Lai had tendered an apology for being unable to attend 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 as he had no involvement in the application.

7. The Committee noted that the applicant’s representative requested on 27.12.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address the comments of relevant government departments. 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 revised assessments, revised tree survey and preservation proposal, revised landscape proposal, a response to comment table and photomontages to respond to departmental comments.

8. 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 preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/ST/37 Application for Amendment to the Draft Sha Tin Outline Zoning Plan No. S/ST/33, To Rezone the Application Site from "Village Type Development" to "Government, Institution or Community", Lots 12 RP (Part) and 13 in D.D. 185 and Adjoining Government Land, 97 Pai Tau Village, Sha Tin
(RNTPC Paper No. Y/ST/37A)

9. The Secretary reported that the site was located in Sha Tin. Ramboll Environ Hong Kong Limited (Environ) and MVA Hong Kong Limited (MVA) 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 Environ and MVA;
- Ms Janice W.M. Lai - having current business dealings with Environ;
- Professor K.C. Chau - co-owning with spouse a flat in Fo Tan, Sha Tin; and
- Ms Christina M. Lee - her spouse owning a flat in Tai Wai, Sha Tin.

10. The Committee noted that Ms Janice W.M. Lai had tendered an apology for being unable to attend the meeting and Ms Christina M. Lee had not yet arrived to join the meeting. The Committee also noted that the applicant had requested deferment of consideration of the application and agreed that as Mr Ivan C.S. Fu had no involvement in the application and the property co-owned by Professor K.C. Chau did not have a direct view of the site, they could stay in the meeting.

11. The Committee noted that the applicant's representative requested on 27.12.2017 and 28.12.2017 deferment of the consideration of the application for three months in order to allow time to apply to the Private Columbaria Affairs Office for an exemption status for the subject columbarium. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information, including a Traffic Impact Assessment, to address departmental comments. However, a deferment of two months, instead of three months as requested by the applicant, was recommended to tally with the general practice as set out in the Town Planning Board Guidelines No. 33 on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance.

12. After deliberation, the Committee decided to defer a decision on the application for two months instead of three months 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 preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/NE-KTS/11 Application for Amendment to the Draft Kwu Tung South Outline Zoning Plan No. S/NE-KTS/15, To Rezone the Application Site from “Green Belt” to “Commercial”, Lots 3350 S.B ss.1 S.A, 3351 S.B ss.1 (Part) and 3351 S.B ss.2 (Part) in D.D. 91 and Adjoining Government Land, Fan Kam Road

(RNTPC Paper No. Y/NE-KTS/11A)

13. The Secretary reported that the site was located in Kwu Tung South. Ramboll Environ Hong Kong Limited (Environ), Kenneth Ng & Associates Limited (KNA) and Driltech Ground Engineering Limited (DGE) were three of the consultants of the applicants. The following Members had declared interests on the item :

- Mr Ivan C.S. Fu - having current business dealings with Environ;

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

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

- Dr Lawrence K.C. Li - being a member of the Hong Kong Golf Club which was located to the north of the site.

14. The Committee noted that Ms Janice W.M. Lai and Dr Lawrence K.C. Li had tendered apologies for being unable to attend the meeting and the applicants had requested deferment of consideration of the application. Since Mr Ivan C.S. Fu and Mr Alex T.H. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

15. The Committee noted that the applicants’ representative requested on 27.12.2017

deferment of the consideration of the application for two months in order to allow time to prepare further information to address comments from government departments. It was the second time that the applicants requested deferment of the application. Since the last deferment, the applicants had submitted further information to address departmental comments.

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

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

Agenda Item 6

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/YL-NSW/4	Application for Amendment to the Approved Nam Sang Wai Outline Zoning Plan No. S/YL-NSW/8, To Rezone the Application Site from "Residential (Group D)" to "Residential (Group D)2", Lots 594, 595 (Part), 600 (Part), 1288 S.B RP (Part), 1289 S.B RP (Part) and 1292 S.B RP (Part) in D.D. 115, Nam Sang Wai, Yuen Long (RNTPC Paper No. Y/YL-NSW/4C)
------------	---

17. The Secretary reported that the application was submitted by Topwood Limited and Success King Limited, the former of which was a subsidiary of Sun Hung Kai Properties

Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD), AECOM Asia Company Limited (AECOM), Black & Veatch Hong Kong Limited (B&V), Ramboll Environ Hong Kong Limited (Environ) and Urbis Limited (Urbis) were five of the consultants of the applicants. The following Members had declared interests on the item :

- | | | |
|---------------------|---|---|
| Mr Ivan C.S. Fu | } | having current business dealings with SHK, AECOM, Environ and Urbis; |
| Ms Janice W.M. Lai | | |
| Mr Stephen L.H. Liu | - | having past business dealings with SHK and LD; |
| Ms Christina M. Lee | - | being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which had obtained sponsorship from SHK before; |
| Miss Winnie W.M. Ng | - | being a Director of the Kowloon Motor Bus Company (1933) Limited (KMB) and SHK was one of the shareholders of KMB; |
| Mr Alex T.H. Lai | - | his firm having current business dealings with SHK and B&V; and |
| Dr C.H. Hau | - | having current business dealings with AECOM. |

18. The Committee noted that Ms Janice W.M. Lai, Miss Winnie W.M. Ng and Dr C.H. Hau had tendered apologies for being unable to attend the meeting and agreed that as the interest of Mr Ivan C.S. Fu was direct, he should leave the meeting temporarily for the item. As the interest of Ms Christina M. Lee was indirect and Mr Stephen L.H. Liu and Mr Alex T.H. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

[Mr Ivan C.S. Fu left the meeting temporarily at this point.]

19. The following representatives from the Planning Department (PlanD) and the representatives of the applicants 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)
Ms Emily P.W. Tong	- Senior Town Planner/FSYLE
Mr Dickson Hui	} Applicants' representatives
Ms Winnie Wu	
Ms Cherry Yuen	
Mr Paul Leader	
Mr Steven Ho	
Mr Ken Wong	
Mr Calvin Chiu	
Ms Dhany Kusuma	

Presentation and Question Sessions

20. The Chairman extended a welcome and explained the procedure of the hearing. He then invited PlanD's representative to brief Members on the background of the application. With the aid of a PowerPoint presentation, 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 rezoning of the site from "Residential (Group D)" ("R(D)") to "R(D)2" with a proposed maximum plot ratio (PR) of 0.34 and a maximum building height (BH) of three storeys (11m above ground) over one storey of basement (4.5m) for a proposed residential development comprising 57

houses and a clubhouse;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the statutory publication periods, a total of 1,132 public comments were received with 126 comments from Village Representative (VR) of Sai Pin Wai and individuals supporting the application and 1,006 comments from District Council members, VRs of Shan Pui Tsuen, Nam Pin Wai and Wong Uk Tsuen, Yuen Long Resident Service Association, green groups (viz. Kadoorie Farm & Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Hong Kong Bird Watching Society, Designing Hong Kong Limited, the Conservancy Association and Green Sense) and individuals objecting to the application. The District Officer (Yuen Long) conveyed that nine representations were received from the VRs of Shan Pui Tsuen and Wong Uk Tsuen and a villager. Major views and objection grounds were set out in paragraphs 10.1.12 and 11 of the Paper; and
- (e) PlanD's views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The site formed part of a larger area zoned "R(D)". The proposed rezoning for residential use was generally in line with the current intended use from land use perspective. Low-rise, low-density village settlements were located in the "Village Type Development" ("V") zone to the further west of the site and a similar residential development at the site's immediate southwest (application No. A/YL-NSW/233) was approved by the Committee in 2016. The proposed rezoning was generally compatible with the rural character of the surrounding areas and the adjacent residential neighbourhood comprising low-density village houses. Mitigation measures, including provision of a Landscaped Area with Natural Habitat and Water Feature (LANHWF) with buffer planting at the eastern portion of the site and landscape buffer along the site boundary, were proposed to minimize the potential ecological impacts. The Director of Agriculture, Fisheries and

Conservation considered that the development proposal was in line with the Town Planning Board Guidelines No. 12C (TPB PG-No. 12C) and had no in-principle objection to the application. The submitted technical assessments, including the sensitivity tests, demonstrated that the proposed rezoning would not have adverse traffic, drainage, environmental, sewerage, conservation, ecological, visual, landscape, water supply and geotechnical impacts. As 'House' was a Column 2 use under the "R(D)2" zone, the applicant would be required to submit a detailed development scheme with supporting technical assessments for the Committee's consideration at the section 16 planning application stage. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

21. The Chairman then invited the applicants' representatives to elaborate on the application. With the aid of a PowerPoint presentation, Ms Winnie Wu, the applicants' representative, made the following main points:

- (a) to the southwest of the site in the adjacent "Undetermined" ("U") zone was an approved section 16 application (No. A/YL-NSW/233) for residential development with PR of 0.74 and BH ranging from 6 to 10 storeys over one storey of basement;
- (b) the proposed up-zoning to "R(D)2" zone was to optimize the development potential of the site, which was in line with the government's policy on better utilization of valuable land resources;
- (c) the proposed development intensity and BH were compatible with the surrounding areas. The existing sub-standard village road connecting the site and Ho Chau Road would be widened to a standard 2-lane carriageway. The proposed LANHWF (not less than 4,770m²) together with the two strips of buffer planting at the eastern part of the site and the minimum 5m-wide buffer planting along the site boundary would provide a 20m-wide buffer area;

- (d) technical assessments had been conducted and no insurmountable problems were anticipated. Government departments had no objection to or no adverse comment on the application; and
- (e) the Town Planning Board (TPB) would still have planning control on the future development at the site since the applicant would be required to submit a section 16 planning application in future.

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

The Site and its Surrounding Areas

23. On the impression that there might previously be fish ponds at the site, a Member enquired when the site had been formed. Ms Winnie Wu, the applicants' representative, said that the site was previously a pig farm and used for farming-related activities, and there were no fish ponds at the site.

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

- (a) details on land uses and ownership pattern of the adjacent land in the "R(D)" zone;
- (b) whether residential development was permitted in the "V" zone to the west of the site; and
- (c) elaboration on the existing conditions and future land use planning of the "U" zone to the east of the site.

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

- (a) there was a knoll (about 27.1mPD in height) to the immediate north of the site and some scattered residential structures and fish ponds were found in the vicinity of the site. In terms of land ownership, apart from the village

road and knoll to the immediate west and north of the site which were government land, the remaining areas in the “R(D)” zone, including the application site, were under private ownership;

- (b) ‘House (New Territories Exempted House (NTEH))’ was always permitted within the “V” zone. However, any excavation of land or filling of pond would require planning permission from the TPB; and
- (c) the “U” zone to the east of the site comprised mainly fish ponds. As the said “U” zone fell within the Wetland Conservation Area, any development thereat would need to comply with TPB PG-No. 12C. There was currently no plan to develop the said “U” zone and these areas were subject to future land use review taking into account the impacts from the existing major roads like Castle Peak Road, Yuen Long Highway, Tsing Long Highway, West Rail as well as the Yuen Long Bypass Floodway. There was another “U” zone to the south of the site across Yuen Long Highway at Tung Shing Lei occupied mainly by various rural industries/operations. The said “U” zone had been identified in the Policy Address as having potential for long-term residential development subject to technical feasibility assessment. However, there was no timetable for development at present.

The Proposed Development

26. Some Members raised the following questions :

- (a) whether the proposed development, with a BH of three storeys aboveground, would be the tallest development in the vicinity;
- (b) how the proposed development could help increase housing land supply given the applicant’s clarification that the proposed houses were intended to be sold as single houses and the proposed number of units would remain unchanged despite the proposed up-zoning to “R(D)2” with a higher PR and relaxed BH restriction; and

- (c) whether the existing village road leading to Ho Chau Road needed to be widened to the proposed width of 7.3m.

27. Ms Winnie Wu, the applicants' representative, made the following responses:

- (a) there were village houses of 3 storeys in height in the nearby "V" zone and there was another approved planning application (No. A/YL-NSW/233) for residential development to the southwest of the site which was subject to a maximum BH of 10 storeys. The proposed development was not incompatible with the surrounding areas;
- (b) the up-zoning to "R(D)2" was mainly to release the development potential of the site and optimize the utilization of valuable land resources. As the development of the site was subject to a number of constraints and required extensive provision of infrastructure facilities, the higher PR and BH would provide incentive for developing the site; and
- (c) to cater for any future development at the site, the existing 3.5m-wide sub-standard single-track village road would need to be widened to a standard 7.3m-wide single two-lane carriageway with proper footpaths on both sides as required by the Transport Department.

Similar Applications

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

- (a) whether the subject application was the first of its kind and what would be the planning implications of approving the subject application on other developments in a wider context; and
- (b) any similar applications for residential development on the Nam Sang Wai Outline Zoning Plan (OZP) that were under processing.

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

- (a) in general, application for development within the Deep Bay Area would be assessed based on individual merits, the prevailing planning circumstances, its implications on the surrounding areas, and the relevant assessment criteria as set out in TPB PG-No. 12C. Relevant technical assessments would be required to demonstrate the feasibility of the proposal and the cumulative impacts arising from the proposed development would also need to be duly assessed taking into account the planned and committed developments in the vicinity. For the subject application, the applicant had conducted various technical assessments, including sensitivity tests, to demonstrate that the proposed rezoning of the whole “R(D)” zone to “R(D)2” with PR of 0.34 would still be technically feasible and would not have adverse impact on the surrounding areas; and
- (b) there were no other similar rezoning requests or planning applications for long-term residential development on the Nam Sang Wai OZP at present.

Environmental, Landscape and Visual Impacts

30. Some Members raised the following questions:

- (a) whether the construction of the proposed basement floor would adversely affect the surrounding areas, in particular the water quality of the adjoining fish ponds within the Wetland Conservation Area;
- (b) clarification on the viewpoints (VPs) identified in the Visual Impact Assessment (VIA); and
- (c) further details on the landscape/edge treatment for the proposed development.

31. Ms Winnie Wu, the applicants’ representative, made the following responses:

- (a) the potential impacts arising from the proposed development during the construction stage had been duly assessed in the Environmental Assessment and Ecological Impact Assessment. The findings of the assessments revealed that there would be no adverse impact on the surroundings from the construction of the proposed basement car park;
- (b) a total of 6 VPs had been identified and the significance of visual impacts at the identified VPs had been assessed in the submitted VIA. Although the relevant figures in relation to two of the VPs had subsequently been revised to rectify typographical errors, the findings of the VIA remained unchanged; and
- (c) the submitted landscape design and tree preservation proposals had set out the major landscape design aim and principles for the proposed development. The Chief Town Planner/Urban Design and Landscape, PlanD had no adverse comment on the application from the landscape perspective. The applicant would submit a detailed development scheme, including detailed information on edge/façade treatments and landscaping proposal, at the section 16 planning application stage for TPB's consideration.

32. As the applicants' representatives had no further points to raise and there were no further questions from Members, the Chairman informed the applicants' 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 applicants' representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

33. The Chairman recapitulated that the application was a s.12A application to rezone the site from "R(D)" to "R(D)2" to relax the maximum PR to 0.34 and BH to three storeys over one storey of basement. The planning intention of the "R(D)" zone was primarily for improvement and upgrading of existing temporary structures within the rural

areas through redevelopment into permanent buildings. It was also intended for low-rise, low-density residential developments subject to planning permission from the Town Planning Board. According to the Notes of the OZP, planning permission from the TPB would be required for 'House' use. Should the Committee decide to agree to the application, the amendments to the OZP would be submitted to the TPB for consideration before gazettal under the Town Planning Ordinance.

Planning Intention

34. As background information, the Committee noted that the stipulation of a two-storey BH restriction for the "R(D)" zone was mainly based on the finding of previous studies carried out on the rural New Territories. In view of the haphazard temporary structures and informal industrial undertakings within the rural areas, zonings such as "R(D)" and "Industrial (Group D)" were introduced mainly with the intentions to improving and upgrading the existing environment and encouraging redevelopment of temporary structures into properly designed permanent buildings/structures. In order to provide more incentive for redevelopment within "R(D)" zones, subsequent reviews were carried out and relaxed PR and BH restrictions of 0.4 and 3 storeys respectively were imposed for certain "R(D)" zones. The Secretary supplemented that the BH restriction of two-storeys for "R(D)" zones had also taken into consideration that in-situ redevelopment of existing temporary structures or an existing building other than NTEH in rural areas were usually restricted to two-storeys and 400ft² in floor area.

35. Noting the planning intention of the "R(D)" zone, some Members considered that the proposed rezoning for residential use was generally in line with the current intended use from land use perspective.

Building Height and Development Intensity

36. Taking into consideration the surrounding rural setting, a Member considered that the proposed BH restriction of three storeys over one-storey basement under the proposed "R(D)2" zone did not warrant favourable consideration. A more cautious approach should be adopted as approval of the subject application might set an undesirable precedent for other developments in the vicinity of the site.

37. On the contrary, some Members and the Vice-Chairman considered that the relaxation of BH to three storeys was not entirely incompatible with the adjacent neighbourhood given there was already an area zoned “V” to the west of the site for development of 3-storey village houses. The submitted technical assessments had demonstrated no adverse impacts on the surrounding areas.

38. A Member raised whether there was scope for further intensification of the development at the site. The Chairman referred to Drawing Z-13 of the Paper and highlighted that the site was located in a sensitive wetland area amidst the flight lines of breeding wild birds from the Tung Shing Lei Egretty to the south. Any further increase in BH and intensification of development would need to be supported by technical assessments.

Cumulative Impacts

39. A Member was of the view that in considering cases of this nature, the implications of approving the application on the overall planning and development of the area should be considered in a wider context. The cumulative impacts should be duly taken into account as it might set a precedent for other similar cases in the rural New Territories involving intensification of development. The Chairman remarked that there was no programme for developing the “U” zones to the east and south of the site at present, notwithstanding the “U” zone at Tung Shing Lei had been identified in the Policy Address as having potential for long-term residential development. The cumulative impacts would be assessed in a holistic manner upon the review of the future land uses of the “U” zones. Besides, to take forward the proposed development under the subject application, the applicant would be required to submit a section 16 planning application at a later stage with supporting technical assessments to demonstrate the compatibility and feasibility of the proposal. The technical assessments would need to take into account any known existing and planned developments in the area.

Transport Arrangement

40. A Member was concerned about the transport arrangement, in particular the widening of the existing village track and Ho Chau Road. The Chairman remarked that Ho

Chau Road was proposed to be widened to a standard 7.3m-wide carriageway under the neighbouring residential development approved under application No. A/YL-NSW/233. Under the current application, the applicant had proposed to widen the existing sub-standard village road leading to the site to a standard carriageway so as to connect to the future widened Ho Chau Road. The applicant had also undertaken to take up the road widening works of Ho Chau Road in case the concerned road works were not carried out by the neighbouring proposed developments. The Committee noted that road widening works were required to support the proposed development at the site.

41. After deliberation, the Committee decided to agree to the subject application for rezoning the Site to “R(D)2” for the proposed residential development. Members noted that the Planning Department would work out the zoning boundaries, as well as the development parameters and restrictions to be set out in the Notes for the Committee’s agreement prior to gazetting under section 5 of the Town Planning Ordinance upon reference back of the Outline Zoning Plan for amendment by the Chief Executive in Council.

[Mr Ivan C.S. Fu returned to join the meeting at this point.]

Sai Kung and Islands District

Agenda Item 7

Section 16 Application

A/SK-CWBN/43 Proposed Temporary Vehicle Park (Private Cars) for a Period of 3
Years in “Green Belt” Zone, Lot 123 (Part) in D.D. 238, Pan Long
Wan, Sai Kung
(RNTPC Paper No. A/SK-CWBN/43)

[Withdrawn]

Agenda Item 8

Section 16 Application

[Open Meeting]

A/SK-CWBS/26 Proposed Public Utility Installation (Sewage Treatment Plant and Underground Sewers) and Excavation of Land in “Conservation Area” Zone, Government Land in D.D. 241, Po Toi O, Sai Kung
(RNTPC Paper No. A/SK-CWBS/26)

42. The Secretary reported that the site was located in the Clearwater Bay area. The application was submitted by the Drainage Services Department (DSD) and Black & Veatch Hong Kong Limited (B&V) and Urbis Limited (Urbis) were two of the consultants of the applicant. The following Members had declared interests on the item :

- Ms Janice W.M. Lai - having current business dealings with DSD and Urbis;
- Dr C.H. Hau - conducting contract research projects with DSD;
- Mr Ivan C.S. Fu - having current business dealings with Urbis;
- Mr Alex T.H. Lai - his firm having current business dealings with DSD and B&V; and
- Mr David Y.T. Lui - co-owning with his spouse two houses in Clearwater Bay Area.

43. The Committee noted that Ms Janice W.M. Lai and Dr C.H. Hau had tendered apologies for being unable to attend the meeting and the applicant had requested deferment of consideration of the application. Since the properties co-owned by Mr David Y.T. Lui did not have direct views of the site and Mr Ivan C.S. Fu and Mr Alex T.H. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting

44. The Committee noted that the applicant requested on 20.12.2017 deferment of the consideration of the application for two months in order to allow time to resolve comments from relevant government departments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 9

Section 16 Application

[Open Meeting]

A/SK-HC/281 Proposed Public Utility Installation (Underground Cables) and Excavation of Land in "Conservation Area" and "Village Type Development" Zones, Government Land in D.D. 247, Tin Liu, Sai Kung
(RNTPC Paper No. A/SK-HC/281)

46. The Secretary reported that application was submitted by CLP Power Hong Kong Limited (CLP) and Kum Shing (K.F.) Construction Company Limited (KSCCL) was the consultant of the applicant. The following Members had declared interests on the item :

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

47. The Committee noted that the applicant had requested deferral of consideration of the application. Since the interest of Ms Christina M. Lee was indirect and Mr Stephen L.H. Liu and Mr Alex T.H. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

48. The Committee noted that the applicant's representative requested on 4.1.2018 deferment of the consideration of the application for one month in order to allow time to prepare supplementary information in response to departmental comments. It was the first time that the applicant requested deferment of the application.

49. 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, and 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 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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/239C)

Presentation and Question Sessions

50. 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 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 Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application from landscape planning point of view as approval of the proposed Small House would encourage the spreading of village houses into the “Green Belt” (“GB”) zone, leading to cumulative deterioration of landscape character of the “GB” zone. 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, 17 public comments were received. Among them, 12 comments from individuals supported the application, while five comments from Designing Hong Kong Limited and individuals objected to the application. Major views and 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 proposed development was not in line with the planning intention of the “GB” zone. There was no strong justification in the submission for a departure from the planning intention. There was land still available within the “Village Type Development” (“V”) zone of Pak Kong to meet the outstanding Small House demand. It was considered more appropriate to concentrate the proposed Small House close to the existing village cluster within the “V” zone for orderly development pattern, efficient use of land and provision of infrastructures and services. The application did not comply with relevant criteria as set out in the Town Planning Board Guidelines No. 10 in that the applicant failed to demonstrate exceptional circumstances or strong grounds to justify the application. CTP/UD&L had reservation on the application and considered that approval of the proposed development would encourage spreading of village houses into the “GB” zone leading to cumulative deterioration of the landscape character. The site was the subject of two previously rejected applications for Small House developments and there was no change in planning circumstances since the rejection of the previous application. Regarding the adverse public comments, the planning assessments above were relevant.

51. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no

strong justification in the submission for a departure from the planning intention;

- (b) the proposed development is not in line with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” Zone’ in that there are no exceptional circumstances or strong planning grounds to justify the application;
- (c) land is still available within the “Village Type Development” zone of Pak Kong where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructures and services; and
- (d) approval of the application will set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving such applications will result in a general degradation of the landscape character of the area.”

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-PK/243 Proposed Public Utility Installation (Micro Cell Base Station and Antenna) and Excavation of Land in “Coastal Protection Area” Zone, Government Land in D.D. 258, Tai Mong Tsai Road, Sai Kung
(RNTPC Paper No. A/SK-PK/243A)

53. The Secretary reported that application was submitted by Hong Kong Telecommunication Limited which was a subsidiary of PCCW Limited (PCCW). The following Members had declared interests on the item :

- Mr Ivan C.S. Fu - having current business dealings with PCCW; and
- Mr Alex T.H. Lai - his firm having current business dealings with PCCW.

54. As the interest of Mr Ivan C.S. Fu was direct, the Committee agreed that he should leave the meeting temporarily for the item. Since Mr Alex T.H. Lai had no involvement in the application, the Committee agreed that he could stay in the meeting.

[Mr Ivan C.S. Fu left the meeting temporarily at this point.]

Presentation and Question Sessions

55. 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 (micro-cell base station and antenna) and excavation of land;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservations on the application from the landscape planning point of view as the existing trees adjacent to the site might be affected by the construction works of the proposed micro-based station and antenna, and tree survey and tree preservation measures were not provided in the submission. 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, one public comment was received from an individual objecting to the application. Major objection ground was set out in paragraph 9 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. While the proposed utility installation was not entirely in line with the planning intention of the “Coastal Protection Area” zone, it was an essential infrastructure for enhancing the mobile phone coverage of the Tai Mong Tsai area. The proposed development was small in scale and not incompatible with the surrounding area which was rural in character occupied by vegetated slopes and coastal beaches. Relevant government departments had no objection to or no adverse comment on the application. The concerns of CTP/UD&L, PlanD could be addressed by the requirement on tree preservation and reinstatement during the subsequent stages of excavation permit application and land grant. Regarding the adverse public comment, the planning assessments above were relevant.

56. Members had no question on the application.

Deliberation Session

57. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 12.1.2022, 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.

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

[Mr Ivan C.S. Fu returned to join the meeting at this point.]

Agenda Item 12

Section 16 Application

[Open Meeting]

A/SK-SKT/18 Proposed 19 Houses and Minor Relaxation of Plot Ratio Restriction (from 0.75 to 0.756) in “Green Belt” and “Residential (Group E)2” Zones, Lots 8 S.B, 9 S.A and 9 S.B in D.D. 212 and Adjoining Government Land, Hong Kin Road, Sai Kung
(RNTPC Paper No. A/SK-SKT/18)

59. The Secretary reported that the site was located in Sai Kung Town. Ms Janice W.M. Lai had declared an interest on the item as her spouse owned a shop in Sai Kung Town. The Committee noted that Ms Janice W.M. Lai had tendered an apology for being unable to attend the meeting.

60. The Committee noted that the applicant’s representative requested on 20.12.2017 deferment of the consideration of the application for two months in order to allow time to prepare supplementary materials in response to departmental comments. It was the first time that the applicant requested deferment of the application.

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

[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

Agenda Item 13

Section 16 Application

[Open Meeting]

A/NE-FTA/166 Proposed Temporary Open Storage of Recycling Materials for a Period of 3 Years in “Other Specified Uses” annotated “Port Back-up Uses” Zone, an area shown as ‘Road’ and “Government, Institution or Community”, Lot 147 in D.D. 52, Fu Tei Au, Sheung Shui
(RNTPC Paper No. A/NE-FTA/166C)

62. The Committee noted that the applicant’s representative requested on 21.12.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address further comments of the Transport Department (TD). It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted a response-to-comment table and updated traffic data and junction assessment to respond to TD’s comment on the application.

63. In response to a Member’s enquiry on the applicant’s justifications for requesting further deferment, the Secretary said the applicant had submitted further information since the last deferment, but more time was required by the applicant to address TD’s comments.

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

Agenda Item 14

Section 16 Application

[Open Meeting]

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

65. The Committee noted that the applicant’s representative requested on 21.12.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address further comments of the Transport Department (TD). It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted a response-to-comment table and revised traffic data to respond to TD’s comments on the application.

66. In response to a Member’s enquiry on the applicant’s justifications for requesting further deferment, the Secretary said the applicant had submitted further information since the last deferment, but more time was required by the applicant to address TD’s comments.

67. 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 fourth deferment and a total of eight months had been allowed for the preparation of submission of further information, this was the last deferment and no further deferment would be granted.

Agenda Item 15

Section 16 Application

[Open Meeting]

A/NE-FTA/181 Temporary Cargo Handling and Forwarding Facility (Logistics Centre) for a Period of 3 Years in “Agriculture” Zone, Lots 40 RP (Part), 404 S.A (Part), 408 S.A RP (Part), 408 S.B RP (Part), 409, 410 (Part), 413 (Part), 414 (Part), 416 (Part), 417 RP (Part), 435, 436, 437 RP in D.D. 89 and Adjoining Government Land, Fu Tei Au, Sheung Shui
(RNTPC Paper No. A/NE-FTA/181)

68. The Committee noted that the applicant requested on 22.12.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address the comments of the Transport Department. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 16

Section 16 Application

[Open Meeting]

A/NE-PK/121 Temporary Place of Recreation, Sports or Culture (Hobby Farm and Ancillary Barbecue Site) for a Period of 3 Years in “Agriculture” and “Green Belt” Zones, Lots 2120, 2122 S.A and 2122 S.B in D.D. 91 and Adjoining Government Land, Tai Lung Hang Village, Ping Kong, Sheung Shui
(RNTPC Paper No. A/NE-PK/121B)

70. The Committee noted that the applicant requested on 3.1.2018 deferment of the consideration of the application for two months in order to allow time to prepare further information to address the further comments from the Transport Department. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a response to comment table and a Traffic Impact Assessment report to address the comments from various departments.

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

Agenda Item 17

Section 16 Application

[Open Meeting]

A/NE-TKL/580 Proposed Temporary Dangerous Goods Godown and Industrial Use for a Period of 5 Years in “Open Storage” Zone, Lot 436 RP (Part) in D.D. 77, Ping Che
(RNTPC Paper No. A/NE-TKL/580)

72. The Secretary reported that the site was located in Ping Che, Ta Kwu Ling. Mr Alex T.H. Lai had declared an interest in the item as his father co-owned two land lots in the Ping Che area. The Committee noted that the applicant had requested deferment of consideration of the application and agreed that as the two land lots co-owned by Mr Lai’s father had no direct view of the site, he could stay in the meeting.

73. The Committee noted that the applicant’s representative requested on 22.12.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address the departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 18

Section 16 Application

[Open Meeting]

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

75. The Committee noted that the applicant’s representative requested on 21.12.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address the further comments from the Transport Department (TD). It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a response to comment table with additional/replacement pages of the Traffic Impact Assessment report to address TD’s comments.

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

Agenda Item 19

Section 16 Application

[Open Meeting]

A/NE-LT/627 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lots 258 S.A ss.2 and 258 S.C in D.D. 8, Tai
Mong Che Village, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/627)

77. The Committee noted that the applicant’s representative requested on 2.1.2018 deferment of the consideration of the application for two months in order to allow time to prepare a Geotechnical Planning Review Report in support of the application. It was the first time that the applicant requested deferment of the application.

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

[Ms Kathy C.L. Chan, Senior Town Planner/Shia Tin, Tai Po and North (STP/STN), was invited to the meeting at this point.]

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/628 Temporary Private Car Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 408 S.B ss.2, 408 S.B ss.3, 408 S.B ss.4, 408 S.B ss.5 and 408 S.B RP (Part) in D.D. 10, Chai Kek Village, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/628)

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 temporary private car park (private cars and light goods vehicles) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) had reservation on the application as there were active agricultural activities in the vicinity and the site possessed potential for agricultural rehabilitation. 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, two public comments were received from World Wide Fund for Nature Hong Kong and 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 applied use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with the planning intentions of the “Agriculture” (“AGR”) and “Village Type Development” (“V”) zones and DAFC had reservation on the application, the applied use was small in scale and approval of the application on a temporary basis would not frustrate the long-term planning intentions of the “AGR” and “V” zones. The applied use was also not incompatible with the surrounding land uses which were predominantly rural in character. Other concerned departments had no objection to or no adverse comment on the application. Relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances and potential water pollution to the upper indirect water gathering grounds. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

80. A Member enquired about whether further enforcement actions would be taken against the site if the application was approved. In response, the Chairman said that enforcement action had been taken by the Planning Authority against the unauthorized parking of vehicles at the site under the provisions of the Town Planning Ordinance (the Ordinance). Whether further action, including prosecution action, would be taken was to be considered by the Planning Authority separately. For the current application, Members should focus on whether the application for temporary private car park was acceptable from land use planning point of view. In response to the same Member's further enquiry, the Chairman said that prosecution action had not yet been instigated against the unauthorized use at the site.

81. In response to another Member's enquiry, Ms Kathy C.L. Chan, STP/STN, with reference to Plan A-2 of the Paper said that an area to the southeast of the site within the “V” zone was observed to be used for parking of vehicles in a recent site inspection. The same Member asked whether there were insufficient parking spaces to serve the adjoining developments. Ms Chan said that the justification put forth by the applicant for the applied use was to relieve the parking problem. She added that the site had already been paved and

relevant government departments had no adverse comment on the application. She said that there were other similar approved applications for temporary vehicle park use involving sites straddling “AGR” and “V” zones on other Outline Zoning Plans.

82. In response to another Member’s question on the condition of the site before it was formed, Ms Chan replied that she had no information in hand.

Deliberation Session

83. A few Members had reservation on the application and shared the view that applications involving deliberate action to destroy the rural environment in the hope that the Board would give sympathetic consideration to subsequent development on the site should not be tolerated. Given the site was the subject of enforcement action, the subject application was a typical ‘destroy first, apply later’ case and such actions should not be encouraged. It was prudent to adopt a more stringent approach in considering cases of similar nature in future.

84. Some Members had different views and considered that sympathetic consideration might be given to the application. They were of the view that in addition to considering whether it was a “destroy first, apply later” case, another main consideration was whether approval of the application, even on a temporary basis, would frustrate the long-term planning intentions of the concerned zonings. A Member considered that other factors, such as whether there was an imminent need for the applied use at the site, should also be duly taken into account, while another Member held the view that it would be difficult to ascertain parking demand within “V” zones.

85. A Member remarked that it was important to consider the consistency in the Committee’s decision in other similar applications. Another Member pointed out that the Committee had previously considered and approved similar applications and it was reasonable to expect that cases of similar nature and circumstances should be considered in a consistent manner.

86. The Secretary said that in considering other cases involving “destroy first, apply later” actions, the Town Planning Board would take into account the background and other site-specific circumstances, particularly the original state of the site before it was destroyed. As

no information on the condition of the site before it was paved had been provided for the subject application, a Member suggested requiring further information on the site condition before it was paved for further consideration before a decision could be made on the application. After further discussion, majority of the Members supported deferment of the application pending additional information on the history and physical condition of the site.

87. After further deliberation, the Committee decided to defer making a decision on the application pending the provision of further information on the history and physical condition of the site by the Planning Department.

[Ms Christina M. Lee left the meeting at this point.]

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/644 Proposed Utility Installation for Private Project (Drainage System) in “Green Belt” Zone, Lots 17 (Part), 20 (Part) and 73 (Part) in D.D. 33 and Adjoining Government Land, Tsung Tsai Yuen, Tai Po
(RNTPC Paper No. A/TP/644)

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 utility installation for private project (drainage system);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on

the application from landscape planning perspective in view of the possible impacts on existing trees. Other concerned departments had no objection to or no adverse comment on the application;

[Mr David Y.T. Lui and Mr Alex T.H. Lai left the meeting at this point.]

- (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 had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The installation of the proposed drainage system was to support a permitted private residential development within the adjoining “Residential (Group C)” zone and to improve the rainwater discharge condition of the nearby area. Since the site was surrounded by the “Green Belt” (“GB”) zone, encroachment of the proposed drainage system onto the “GB” zone was inevitable. In view of the nature, scale and design of the proposed drainage system, it would unlikely cause adverse drainage, environmental, traffic, slope safety and visual impacts to the surrounding areas. Hence, the proposed development was generally in line with relevant criteria as set out in the Town Planning Board Guidelines No. 10. Concerned government departments, except CTP/UD&L, PlanD, had no objection to or no adverse comment on the application. The landscape-related concerns could be addressed by imposing relevant approval conditions.

89. Some Members and the Vice-Chairman raised the following questions :

- (a) whether the approval conditions would have to be fulfilled before the commencement of the constructions works;
- (b) whether the Drainage Services Department (DSD) had been consulted on the application; and

(c) how the existing surface runoff at the site was discharged.

90. Ms Kathy C.L. Chan, STP/STN, made the following responses :

- (a) the applicant would be required to submit building plans before commencing the construction works. The compliance with planning approval conditions would be monitored at the building plan submission stage;
- (b) the Chief Engineer/Mainland North, DSD had been consulted and had no in-principle objection to the application. The applicant was advised to note DSD's advisory comments, including ensuring that the proposed drainage system could cater for the collected runoff and would not adversely affect the existing natural streams, village drains and adjacent areas; and
- (c) as there was no existing drainage system serving the site, the existing surface runoff was discharged into the nearby streams. The proposed drainage system was for collection of stormwater and surface runoff from the site.

Deliberation Session

91. 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 12.1.2022, 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 drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (b) the submission and implementation of tree preservation proposal to the satisfaction of the Director of Planning or of the TPB.”

92. 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 Kathy C.L. Chan, STP/STN, for her attendance to answer Members' enquiries. Ms Chan left the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 22

Section 16 Application

[Open Meeting]

A/KTN/41 Proposed Temporary Warehouse for a period of 3 years in "Open Space" and "Other Specified Uses" annotated "Business and Technology Park" Zones, Lots 736 RP (Part), 738 RP (Part) and 739 RP in D.D. 95 and Adjoining Government Land, Kwu Tung North (RNTPC Paper No. A/KTN/41)

93. The Secretary reported that the site was located in Kwu Tung North. Dr C.H. Hau had declared an interest on the item as he owned a property in Ho Sheung Heung, Kwu Tung North. The Committee noted that Dr C.H. Hau had tendered an apology for being unable to attend the meeting.

94. The Committee noted that the applicant requested on 3.1.2018 deferment of the consideration of the application for two months in order to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

95. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the

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

[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 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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/575A)

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

Mr Ivan C.S. Fu	}	having current business dealings with SHK,
Ms Janice W.M. Lai		
Mr Stephen L.H. Liu	-	having past business dealings with SHK;

- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus (1933) Company Limited (KMB) and SHK was one of the shareholders of KMB;
- 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 Alex T.H. Lai - his firm having current business dealings with SHK.

97. The Committee noted that Ms Janice W.M. Lai and Miss Winnie W.M. Ng had tendered apologies for being unable to attend the meeting, and Ms Christina M. Lee and Mr Alex T.H. Lai had already left the meeting. As the interest of Mr Ivan C.S. Fu was direct, the Committee agreed that he should leave the meeting temporarily for the item. The Committee also agreed that Mr Stephen L.H. Liu could stay in the meeting as he had no involvement in the application.

[Mr Ivan C.S. Fu left the meeting temporarily at this point.]

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary site office with ancillary open storage of building materials, storage of repairing tools and staff car park for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not in line with the planning intention of the “Comprehensive Development Area (1)” (“CDA(1)”) zone, there was no known development for that part of the “CDA(1)”) zone. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “CDA(1)”) zone. The applied use was also not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. Relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances and the technical requirements of relevant departments.

99. Members had no question on the application.

Deliberation Session

100. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.1.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no medium to heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to enter/exit the Site at any time

during the planning approval period;

- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the Site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse into/from public road at any time during the planning approval period;
- (f) the submission of landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.7.2018;
- (g) in relation to (f) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.10.2018;
- (h) the submission of 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 12.7.2018;
- (i) in relation to (h) above, the implementation of 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 12.10.2018;
- (j) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.2.2018;
- (k) the submission of 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 12.7.2018;
- (l) in relation to (k) 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 12.10.2018;

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

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

[Mr Ivan C.S. Fu returned to join the meeting at this point.]

Agenda Item 24

Section 16 Application

[Open Meeting]

A/YL-KTN/581 Temporary Shop and Services (Financial Institution) with Ancillary Staff Canteen for a Period of 3 Years in “Conservation Area” and “Other Specified Uses” annotated “Railway Reserve” Zones, Lots 4122, 4123, 4124 and 4125 in D.D. 104 and Adjoining Government Land, San Tam Road, Yuen Long
(RNTPC Paper No. A/YL-KTN/581)

102. The Committee noted that the applicant requested on 20.12.2017 deferment of the consideration of the application for two months in order to allow time for the applicant to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/764 Proposed Utility Installation for Private Project (Transformer Room) and Excavation of Land in “Village Type Development” Zone, Lot 243 S.AK (Part) in D.D. 106, Shek Wu Tong, Kam Sheung Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/764)

104. The Secretary reported that the site was located in Kam Tin South. Ms Janice W.M. Lai had declared an interest on the item as her family member owned a house at Cheung Po Tsuen, Kam Tin South. The Committee noted that Ms Janice W.M. Lai had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

105. Ms Ivy C.W. Wong, STP/FSYLE, drew Members’ attention that five replacement pages (i.e. pages 9 to 13 of the Paper) and three additional pages (i.e. Appendix V of the Paper) reflecting a public comment received during the 3-week statutory public inspection period had been tabled 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 proposed utility installation for private project (transformer room) and excavation of land;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from the Village Representatives of Yuen Kong San

Tsuen and Shek Wu Tong Tsuen and two villagers of Yuen Kong San Tsuen objecting to the application. The same comment was also received by the District Officer (Yuen Long). Major objection grounds were set out in paragraphs 9.1.12 and 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed transformer room, which was to provide electricity supply to village houses development adjoining the site, was not in conflict with the planning intention of the “Village Type Development” (“V”) zone. The proposed development was small in scale and not incompatible with the surrounding rural character. Relevant government departments had no objection to or no adverse comment on the application. There were four similar approved applications within the same “V” zone and approval of the current application was in line with the Committee’s previous decisions. Regarding the adverse public comment, the planning assessments above were relevant.

106. Members had no question on the application.

Deliberation Session

107. 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 12.1.2022, 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 drainage proposal for the development to the satisfaction of the Director of Drainage Services or of the TPB; and
- (b) the design and provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the

TPB.”

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/764 Renewal of Planning Approval for Temporary Open Storage of Porcelain Products/Sanitary Utensils for a Period of 3 Years in “Agriculture” Zone, Lots 20 (Part), 21, 22 (Part), 23 (Part), 24 (Part), 25 (Part), 27 S.A (Part), 42 (Part) and 43 (Part) in D.D. 108 and Adjoining Government Land, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/764)

109. The Secretary reported that the site was located in Pat Heung. Ms Janice W.M. Lai had declared an interest on the item as her family member owned a property at Leung Uk Tsuen, Pat Heung. The Committee noted that Ms Janice W.M. Lai had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary open storage of porcelain products/sanitary utensils for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection

(DEP) did not support the application as there were sensitive receivers of residential use in the vicinity of the site and environmental nuisance was expected. 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, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the applied use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone, the Director of Agriculture, Fisheries and Conservation had no objection to the application as the site had been paved and used for storage purpose. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “AGR” zone. The applied use was also not incompatible with the surrounding land uses. The application was in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 3 areas and previous approvals had been granted. Though DEP did not support the application, there was no environmental complaint concerning the site in the past three years and relevant approval conditions had been recommended to minimize any potential environmental nuisances. The application was also in line with the Town Planning Board Guidelines No. 34B in that there had been no major change in planning circumstances since the last approval and all approval conditions under the previous approval had been complied with; and the three-year planning approval period sought was the same time as the previous approval.

111. Members had no question on the application.

Deliberation Session

112. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 21.1.2018 until 20.1.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying and other workshop activities shall be carried out on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the existing trees and landscape planting on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.4.2018;
- (h) the provision of fire extinguisher(s) 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 4.3.2018;

- (i) the submission of 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 21.7.2018;
- (j) in relation to (i) 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 21.10.2018;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning conditions (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.”

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

Agenda Item 27

Section 16 Application

[Open Meeting]

A/YL-PH/765 Temporary Open Storage of Construction Materials, Machinery, Second-Hand Vehicles and Vehicle Parts with Ancillary Office for a Period of 3 Years in “Agriculture” and “Residential (Group D)” Zones, Lots 2879 (Part), 2881 (Part), 2888 (Part), 2889 (Part), 2890 (Part) and 2900 (Part) in D.D. 111, Wing Ning Lei, Wang Toi Shan, Pat Heung, Yuen Long

(RNTPC Paper No. A/YL-PH/765)

114. The Secretary reported that the site was located in Pat Heung. Ms Janice W.M. Lai had declared an interest on the item as her family member owned a property at Leung Uk Tsuen, Pat Heung. The Committee noted that Ms Janice W.M. Lai had tendered an apology for being unable to attend the meeting.

115. The Committee noted that the applicant requested on 4.1.2018 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 28

Section 16 Application

[Open Meeting]

A/YL-SK/232 Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years in “Agriculture” Zone, Lot 1415 in D.D. 114, Kam Sheung Road, Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/232)

117. The Committee noted that the applicant requested on 22.12.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 29

Section 16 Application

[Open Meeting]

A/YL-MP/267 Proposed Temporary Shop and Services (Real Estate Agency and Retail Shop) and Ancillary Staff Canteen and Site Office for a Period of 3 Years in “Open Space” Zone, Lot 2905 S.C RP (Part) in D.D. 104 and Adjoining Government Land, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/267)

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

120. The Committee noted that the applicant requested on 20.12.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/357 Proposed Temporary Open Storage of Construction Machinery and Ancillary Storage Area for a Period of 3 Years in “Recreation” Zone, Lot 715 (Part) in D.D. 104, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/357)

Presentation and Question Sessions

122. 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 open storage of construction machinery and ancillary storage area for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Commissioner for Transport (C for T) did not support the application as vehicles longer than 7m were prohibited from entering Ngau Tam Mei Road from San Tam Road and there were local objections on the noise nuisance and traffic congestion caused by the long vehicles. It was quite normal to use long vehicles to transport construction materials and there was insufficient information in the submission to demonstrate no adverse traffic impact on the surrounding areas. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity of the site and environmental nuisance was expected. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as the site was previously covered with vegetation but had now been formed. Approval of the application would encourage similar site modification prior to

application and set an undesirable precedent for similar applications for temporary open storage/workshop uses in the “Recreation” (“REC”) zone, resulting in piecemeal development destroying the tranquil nature of the rural area and general deterioration of rural landscape resources;

- (d) during the first three weeks of the statutory publication period, two public comments were received from a landowner of the adjacent lots and an individual 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 the “REC” zone. There was no strong justification in the submission for a departure from the planning intention of the “REC” zone, even on a temporary basis. The application was not in line with the Town Planning Board Guidelines No. 13E in that no previous approval had been granted for the site. There were adverse comments from concerned departments, including C for T, DEP and CTP/UD&L, PlanD, and the applicant had not submitted any technical assessments/proposals to demonstrate the applied uses would not have adverse impacts on the surrounding areas. Similar applications for temporary open storage use in the “REC” zone were rejected. Approval of the application would set an undesirable precedent for similar applications within the “REC” zone, and the cumulative effect of approving such applications would result in a general degradation of the environment of the area.

123. Members had no question on the application.

Deliberation Session

124. 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 “Recreation” (“REC”) zone, which is primarily for recreational development for the use of the general public. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis;

- (b) the proposed development is not in line with the Town Planning Board Guidelines No. 13E for Application for ‘Open Storage and Port Back-up Uses’ in that no previous approval has been granted for the Site, there are adverse departmental comments on the traffic, environmental and landscape aspects and the proposed development would have adverse traffic, environmental and landscape impacts on the surrounding areas; and

- (c) the approval of the application would set an undesirable precedent for similar applications within the “REC” zone. The cumulative effect of approving such application would result in general degradation of the environment of the area.”

Agenda Item 31

Section 16 Application

A/YL-ST/498 Proposed Temporary Cross-Boundary Shopping Centre with Eating Place, Shop and Services (Fast Food Shop), Office, Storage of Consumer Goods and Ancillary Car Park for a Period of 3 Years in “Undetermined” Zone, Lot 372 S.D RP (Part) in D.D. 99 and Adjoining Government Land, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/498D)

[Withdrawn]

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/508 Proposed Temporary Cold Storage for a Period of 3 Years in “Residential (Group D)” Zone, Lots 16 S.B RP (Part), 19 (Part), 21 (Part), 23 (Part), 24 (Part), 25 (Part), 26 (Part), 42 (Part) and 44 (Part) in D.D. 105 and Adjoining Government Land, San Tin, Yuen Long (RNTPC Paper No. A/YL-ST/508A)

125. The Secretary reported that the application was submitted by Land Jumbo Development Limited (LJD) which was a subsidiary of Henderson Land Development Company Limited (HLD). The following Members had declared interests on the item:

- | | | |
|---------------------|---|--|
| Mr Ivan C.S. Fu | } | having current business dealings with HLD; |
| Ms Janice W.M. Lai | | |
| Mr Alex T.H. Lai | - | his firm having current business dealings with LJD; |
| Mr Stephen L.H. Liu | - | having past business dealings with HLD; |
| Mr H.F. Leung | - | being an employee of the University of Hong Kong which had received a donation from a family member of the Chairman of HLD before; |
| Professor K.C. Chau | - | being an employee of the Chinese University of Hong Kong which had received a donation from a family member of the Chairman of HLD before; |
| Dr Lawrence K.C. Li | - | being the Treasurer of the Hong Kong Polytechnic University which had obtained sponsorship from HLD before; |
| Ms Christina M. Lee | - | being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which had obtained sponsorship from HLD before; and |

Mr Peter K.T. Yuen - being a member of the Board of Governors of the Hong Kong Arts Centre which had received a donation from an Executive Director of HLD before.

126. The Committee noted that Ms Janice W.M. Lai and Dr Lawrence K.C. Li had tendered apologies for being unable to attend the meeting, and Mr Alex T.H. Lai and Ms Christina M. Lee had already left the meeting. As the interest of Mr Ivan C.S. Fu was direct, the Committee agreed that he should leave the meeting temporarily for the item. The Committee also agreed that as the interests of Mr H.F. Leung, Professor K.C. Chau and Mr Peter K.T. Yuen were indirect and Mr Stephen L.H. Liu had no involvement in the application, they could stay in the meeting.

[Mr Ivan C.S. Fu left the meeting temporarily at this point.]

Presentation and Question Sessions

127. 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 cold storage for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the statutory publication periods, 13 public comments were received from local villagers and individuals objecting to the application. The District Officer (Yuen Long) conveyed that an objecting comment was received from the San Tin Rural Committee. Major objection grounds were set out in paragraphs 9.1.15 and 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Though the applied use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no immediate development proposal for the application site and approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone. The proposed use was also not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. Relevant approval conditions and advisory clauses were recommended to minimize any potential environmental nuisances and to advise the applicant to comply with relevant environmental protection and pollution control ordinances, and avoid disturbing the wild birds including their nests and eggs. Previous and similar applications within the same “R(D)” zone had been approved by the Committee and approval of the application was in line with the Committee’s previous decisions. Regarding the adverse public comments, the planning assessments above were relevant. As for the concern on blockage of access, an approval condition requiring the provision of free pedestrian and vehicular accesses (including emergency vehicular access) was proposed.

128. Noting that the site was largely under private ownership, a Member enquired about the existing access arrangement for the nearby residents and operators. With reference to Plan A-2 of the Paper, Ms Emily P.W. Tong, STP/FSYLE, explained that the neighbouring residential dwellings and operators were currently served by an existing vehicular/pedestrian access along the western site periphery connecting to Castle Peak Road as well as another pedestrian access traversing the middle part of the site. Since the existing accesses would be affected by the proposed development, the applicant proposed to reprovide a 2m-wide pedestrian access and a 3.5m-wide vehicular/pedestrian access along the eastern and western site boundaries respectively with the provision of two sets of moveable gates (i.e. for pedestrian access and emergency vehicular access) at the boundary fences to allow free access through the site.

Deliberation Session

129. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.1.2021, 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 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no medium/heavy goods vehicles exceeding 5.5 tonnes as defined in the Road Traffic Ordinance or container trailers/tractors are allowed to enter, park or operate on the Site at any time during the planning approval period;
- (c) the provision and maintenance of free pedestrian and vehicular accesses (including EVA) to the surrounding residential dwellings, as proposed by the applicant, during the planning approval period;
- (d) the provision of boundary fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.7.2018;
- (e) the submission of 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 12.7.2018;
- (f) in relation to (e) above, the implementation 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 12.10.2018;
- (g) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.7.2018;
- (h) the submission of landscape and tree preservation proposal within 6 months

from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.7.2018;

- (i) in relation to (h) above, the implementation of landscape and tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.10.2018;
- (j) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (d), (e), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.
- (l) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

[Mr Ivan C.S. Fu returned to join the meeting at this point.]

Agenda Item 33

Section 16 Application

[Open Meeting]

A/YL-ST/516 Proposed Filling of Pond for Permitted Agricultural Use (Fish Pond Culture) in “Conservation Area” Zone, Lots 1765 and 1766 in D.D. 96, San Tin, Yuen Long

(RNTPC Paper No. A/YL-ST/516)

131. The Committee noted that the applicant's representative requested on 6.1.2018 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 34

Section 16 Application

[Open Meeting]

A/YL-ST/517 Proposed Filling of Pond for Permitted Agricultural Use (Fish Pond Culture) in "Conservation Area" Zone, Lot 1808 in D.D. 96, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/517)

133. The Committee noted that the applicant's representative requested on 6.1.2018 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

134. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its

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

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

Tuen Mun and Yuen Long West District

Agenda Item 35

Section 16 Application

[Open Meeting]

A/TM/512 Proposed Wholesale Trade in "Industrial" Zone, Part of Workshops E, F & G at Lower Ground Floor, Co-Tack Industrial Building, 17 Kin Fat Street, Tuen Mun
(RNTPC Paper No. A/TM/512)

135. The Committee noted that the applicant's representative requested on 4.1.2018 deferment of the consideration of the application for one month in order to allow time to prepare further information to address the comments of the Transport Department. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 36

Section 16 Application

[Open Meeting]

A/YL-TT/417 Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in "Agriculture", "Green Belt" and "Open Storage" Zones, Lots 1403, 1404, 1406, 1408, 1409, 1410 (Part), 1411, 1412, 1413 RP (Part), 1419 (Part), 1420 (Part), 1441 and 1447 RP in D.D. 117 and Adjoining Government Land, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/417)

137. The Committee noted that the applicant's representative requested on 19.12.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to respond to departmental comments and to prepare tree preservation and landscape, fire service installations, drainage and run-in/out proposals. It was the first time that the applicant requested deferment of the application.

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

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

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

[Dr F.C. Chan left the meeting temporarily at this point.]

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/418 Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Village Type Development” Zone, Lots 4891 RP (Part), 4892 S.A, 4892 RP (Part) and 4893 (Part) in D.D. 116 and Adjoining Government Land, Tai Tong Road, Yuen Long
(RNTPC Paper No. A/YL-TT/418)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary shop and services (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, two public comments were received from an individual and a resident of Shung Ching San Tsuen 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 three years based on the assessments set out in paragraph 12 of the Paper. Though the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could provide real estate service to serve the needs of the locals and neighbouring residential developments. Whilst there were three Small House applications under processing at the site, the District Lands Officer/Yuen Long, Lands Department advised that they were still in preliminary stage and his office had no comment on the application provided that the site would be available in case the Small House applications were approved. The approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “V” zone. The applied use was also not incompatible with the surrounding land uses. The application was in line with the Town Planning Board Guidelines No. 34B in that there had been no major change in planning circumstances since the last approval; all approval conditions under the previous approval had been complied with; and the three-year planning approval period sought was the same time as the previous approval. Significant adverse impacts arising from the applied use on the surrounding areas were not envisaged and relevant approval conditions had been recommended to address the possible environmental nuisances and the technical requirements of government concerned departments. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

140. Members had no question on the application.

Deliberation Session

141. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 17.1.2018 to 16.1.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 10:00 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 fencing on the site shall be maintained at all times during the planning approval period;
- (d) the existing landscape planting on the site shall be maintained at all time during the approval period;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.4.2018;
- (g) the implementation of the accepted 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 17.7.2018;
- (h) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby

given shall cease to have effect and shall be revoked immediately without further notice;

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

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

Agenda Item 38

Section 16 Application

[Open Meeting]

A/YL-TYST/852 Temporary Warehouse for Storage of Clothes and Household Products for a Period of 3 Years in “Undetermined” Zone, Lots 749 (Part), 753 (Part), 754 (Part), 757 (Part), 758 (Part), 759 (Part), 760 S.A (Part), 760 S.B (Part), 761, 762, 763, 771 (Part) and 796 (Part) in D.D 117, Kung Um Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/852A)

143. The Committee noted that the applicant’s representative requested on 22.12.2017 deferment of the consideration of the application for two months in order to allow time to address the further comments from the Drainage Services Department (DSD) on the submitted drainage proposal, and to prepare run-in/out and fencing proposals. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted a drainage proposal in response to the comments of DSD.

144. 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 39

Section 16 Application

[Open Meeting]

A/YL-TYST/870 Proposed Social Welfare Facility (Residential Care Home for the Elderly) in "Comprehensive Development Area" Zone, Lots 398 RP (Part) and 404 in D.D. 121, Tai Tao Tsuen, Hung Shui Kiu, Yuen Long (RNTPC Paper No. A/YL-TYST/870)

145. The Secretary reported that the application was submitted by Orient Talent Limited which was a subsidiary of New World Development Company Limited (NWD). Ove Arup & Partners Hong Kong Limited (Arup), WCWP International Limited (WCWP), MVA Hong Kong Limited (MVA) and Ramboll Environ Hong Kong Limited (Environ) were four of the consultants of the applicant. The following Members had declared interests on the item :

- | | | |
|--------------------|---|---|
| Mr Ivan C.S. Fu | - | having current business dealings with NWD, Arup, MVA and Environ, and past business dealings with WCWP; |
| Ms Janice W.M. Lai | - | having current business dealings with NWD, Arup and Environ; |

- Dr C.H. Hau - being a principal lecturer and programme director of the University of Hong Kong (HKU). K11 Concept Ltd. of NWD had been sponsoring his student learning projects in HKU since 2009;
- Mr Stephen L.H. Liu - having past business dealings with NWD; and
- Mr Alex T.H. Lai - his firm having current business dealings with Arup, and having past business dealings with Automall Limited, which was a subsidiary of NWD.

146. The Committee noted that Ms Janice W.M. Lai and Dr C.H. Hau had tendered apologies for being unable to attend the meeting, 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 as the interest of Mr Ivan C.S. Fu was direct, he could stay in the meeting but should refrain from participating in the discussion. The Committee also agreed that as Mr Stephen L.H. Liu had no involvement in the application, he could stay in the meeting.

147. The Committee noted that the applicant's representative requested on 27.12.2017 deferment of the consideration of the application for two months in order to allow time to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 40

Section 16 Application

[Open Meeting]

A/YL-TYST/871 Temporary Warehouse for Storage of Clothes and Shoes for a Period of 3 Years in “Undetermined” Zone, Lots 747 (Part), 748 (Part), 749 (Part), 797 and 798 (Part) in D.D. 117 and Adjoining Government Land, Kung Um Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/871)

149. The Committee noted that the applicant’s representative requested on 22.12.2017 deferment of the consideration of the application for two months in order to allow time to address comments from the Fire Services Department, and to prepare run-in/out, fencing and drainage proposals. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 41

Section 16 Application

[Open Meeting]

A/HSK/15 Proposed Religious Institution (Redevelopment of Seminary) in “Village Type Development” Zone, Lots 171 (Part), 172 (Part), 173, 174 and 175 RP (Part) in D.D. 121, 130 Hung Uk, Yuen Long
(RNTPC Paper No. A/HSK/15)

151. The Secretary reported that Ramboll Environ Hong Kong Limited (Environ) was one of the consultants of the applicant and Mr Ivan C.S. Fu and Ms Janice W.M. Lai had declared interests on the item for having current business dealings with Environ. The Committee noted that Ms Janice W.M. Lai had tendered an apology for being unable to attend the meeting and the applicant had requested deferment of consideration of the application. The Committee agreed that Mr Ivan C.S. Fu could stay in the meeting as he had no involvement in the application.

152. The Committee noted that the applicant’s representative requested on 29.12.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address the comments of the Architectural Services Department and the Landscape Unit of the Planning Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information providing responses to address departmental comments.

153. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of 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 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/36 Proposed Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years in “Village Type Development” Zone, Lots 136 RP (Part) and 137 RP (Part) in D.D. 127 and Adjoining Government Land, Ping Shan, Yuen Long

(RNTPC Paper No. A/HSK/36)

154. The Committee noted that two replacement pages (page 4 of the Main Paper and page 1 of Appendix III of the Paper) regarding the comments of the District Lands Officer/Yuen Long, Lands Department were dispatched to Members before the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary public vehicle park (private cars) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, eight public comments were received. Among them, seven comments from the

individuals, indigenous villagers of Kiu Tau Wai and a District Council Member objected to the application and one comment from the Village Representative (VR) of Hung Uk Tsuen supported the application. The same comments submitted by the indigenous villagers of Kiu Tau Wai and the VR of Hung Uk Tsuen were also received by the District Officer (Yuen Long). Major views and objection grounds were set out in paragraphs 9.19 and 10 of the Paper; and

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

- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not in line with the planning intention of “Village Type Development” (“V”) zone, it could provide vehicle parking spaces to meet any such parking demand in the area. There was no approved Small House application at the site. Approval of the application on a temporary basis would not frustrate the planning intention of the “V” zone. The proposed use was also not incompatible with the surrounding land uses. The proposed use would unlikely create significant adverse impacts on the surrounding areas and relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances and the technical requirements of the relevant government departments. Regarding the adverse public comments, an approval condition on requiring the posting of a notice on pedestrian safety had been recommended and the comments of government departments and planning assessments above were also relevant.

156. Members had no question on the application.

Deliberation Session

157. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.1.2021, on the terms of the application as

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

- “(a) only private cars as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter/be parked on the site at all times during the planning approval period;
- (b) a notice shall be posted at a prominent location of the site at all times to indicate that only private cars as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter/be parked on the Site during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site to remind drivers on pedestrian safety on the access road to the site at all times during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (e) no vehicle repairing, dismantling and workshop uses, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.7.2018;
- (h) in relation to (g) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (i) the submission of a run-in/out proposal within 6 months from the date of

planning approval to the satisfaction of the Director of Highways or of the TPB by 12.7.2018;

- (j) in relation to (i) above, the provision of the run-in/out within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 12.10.2018;
- (k) 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 12.7.2018;
- (l) in relation to (k) 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 12.10.2018;
- (m) the provision of boundary fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.7.2018;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f) 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;
- (o) if any of the above planning conditions (g), (i), (j), (k), (l) or (m) 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;
- (p) upon the expiry of the planning permission, the reinstatement of the run-in/out and the affected street furniture to the satisfaction of the Director of Highways or of the TPB; and
- (q) upon the expiry of the planning permission, the reinstatement of the site to

an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 43

Section 16 Application

A/TM-LTYYY/338 Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles only) for a Period of 3 Year in “Residential (Group C)” Zone, Lots 1156 RP (Part), 1157 (Part) and 1158 (Part) in D.D. 130, Wong Kong Wai Road, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTYYY/338B)

[Withdrawn]

Agenda Item 44

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/35 Temporary Public Vehicle Park for Medium Goods Vehicle, Heavy Goods Vehicle and Container Trailer with Ancillary Site Office for a Period of 3 Years in “Residential (Group A) 3” Zone, Lots 93 S.A (Part), 771 S.B RP (Part), 772 (Part), 774 S.B RP (Part), 775 S.A RP (Part) and 775 S.B RP (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/35)

159. The Secretary reported that the site was located in Ha Tsuen. 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 tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

160. 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 public vehicle park for medium goods vehicle, heavy goods vehicle and container trailer with ancillary site office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. 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, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not in line with the planning intention of the “Residential (Group A)3” (“R(A)3”) zone, the implementation programme for this part of the Hung Shui Kiu New Development Area was still being formulated and the Project Manager (New Territories West), Civil Engineering and Development Department and the Director of Housing had no objection to the temporary use of the site for three years. Approval of the application on a temporary basis would not jeopardize the long-term development of the site. The applied use was also 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 fell within Category 1 areas which were considered suitable for open storage and port back-up uses and relevant proposals had been submitted to demonstrate the proposed use would not generate adverse impacts. Although DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years. The concerns on the possible environmental nuisances and the technical requirements of the relevant government departments could be addressed by imposing relevant approval conditions. Previous applications for the same use at the site and a number of similar applications within the same “R(A)3” zone had been approved by the Committee.

[Dr F.C. Chan returned to join the meeting at this point.]

161. Members had no question on the application.

Deliberation Session

162. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.1.2021, 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. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the existing fencing on the site shall be maintained at all times during the planning approval period;
- (d) no vehicle without valid licences issue under the Traffic Regulations, as proposed by the applicant, is allowed to be parked/stored on the site at any time during the planning approval period;

- (e) no vehicle queuing back to or reverse onto/from the public road is allowed at any time during the planning approval period;
- (f) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.4.2018;
- (h) the existing landscape planting on the site shall be maintained at all time during the planning approval period;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.7.2018;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.10.2018;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (h) is not complied with at any time 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 (g), (i) or (j) 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
- (m) 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.”

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

Agenda Item 45

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/37 Proposed Temporary Warehouse (Furniture) and Ancillary Office for a Period of 3 Years in “Government, Institution or Community” and “Open Space” Zones and an area shown as ‘Road’, Lots 1808 RP, 1809, 1810 S.B RP (Part), 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823 and 1825 in D.D. 125, Ha Tsuen, Yuen Long

(RNTPC Paper No. A/HSK/37)

164. The Secretary reported that the site was located in Ha Tsuen. 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 tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

165. 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 (furniture) and ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not in line with the planning intentions of the “Government, Institution or Community” and “Open Space” zones, the implementation programme for this part of the Hung Shui Kiu New Development Area was still being formulated and the Project Manager (New Territories West), Civil Engineering and Development Department and the Director of Leisure and Cultural Services had no objection to the temporary use of the site for three years. Approval of the application on a temporary basis would not jeopardize the long-term development of the site. The applied use was also not incompatible with the surrounding land uses. There was no adverse departmental comment and relevant approval conditions had been recommended to address the potential environmental nuisances and technical requirements of concerned government departments. Previous applications for open storage and warehouse uses at the site had been approved by the Committee.

166. Members had no question on the application.

Deliberation Session

167. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.1.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 7:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the existing fencing on the site shall be maintained at all time during the approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.7.2018;
- (f) the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (g) 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 12.7.2018;
- (h) in relation to (g) 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 12.10.2018;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 12.7.2018;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 12.10.2018;
- (k) if any of the above planning conditions (a), (b), (c), (d) or (f) 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 (e), (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.”

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

Agenda Item 46

Section 16 Application

[Open Meeting]

A/YL-HTF/1085 Temporary Recyclable Collection Centre for Garment, Cloth and Waste Paper for a Period of 3 Years in “Residential (Group D)” Zone, Lots 142 (Part), 143 (Part), 158 (Part) and 160 (Part) in D.D. 128, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HTF/1085)

169. The Secretary reported that the site was located in Ha Tsuen. 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 tendered an apology for being unable to attend the meeting.

170. The Committee noted that the applicant requested on 30.12.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 47

Any Other Business

Section 16A Application

[Open Meeting]

A/YL-TYST/812-5 Application for Extension of Time for Compliance with Planning Conditions, Lots 989 (Part) and 990 (Part) in D.D. 119, Yuen Long, New Territories

172. The Secretary reported that the application was approved with conditions by the Committee on 14.10.2016. The deadline for compliance with approval conditions (j) and (l) was 14.1.2018. An application for extension of time for compliance with approval conditions (j) and (l) for three months up till 14.4.2018 was received by the Town Planning Board on 29.12.2017, which was only 10 working days before the expiry of the specified time limit for approval conditions (j) and (l). It was recommended not to consider the application as there was insufficient time to obtain departmental comments before the expiry

of the specified time limit for compliance with conditions (j) and (l) which were essential for the consideration of the application.

173. After deliberation, the Committee agreed not to consider the section 16A application as there was insufficient time to obtain departmental comments before the expiry of the specified time limits for compliance with the conditions mentioned above which were essential for the consideration of the application.

174. There being no other business, the meeting closed at 5:10 p.m..