

TOWN PLANNING BOARD

Minutes of 553rd Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 18.3.2016

Present

Director of Planning
Mr K.K. Ling

Chairman

Professor S.C. Wong

Vice-chairman

Professor Eddie C.M. Hui

Ms Anita W.T. Ma

Dr W.K. Yau

Mr Ivan C.S. Fu

Mr Lincoln L.H. Huang

Ms Janice W.M. Lai

Mr H.F. Leung

Mr F.C. Chan

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

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

Principal Environmental Protection Officer (Strategic Assessment),
Environmental Protection Department
Mr Terence S.W. Tsang

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

Deputy Director of Planning/District
Mr Raymond K.W. Lee

Secretary

Absent with Apologies

Dr C.P. Lau

Professor K.C. Chau

Ms Christina M. Lee

Mr David Y.T. Lui

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

In Attendance

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

Chief Town Planner/Town Planning Board
Mr Louis K.H. Kau

Town Planner/Town Planning Board
Ms Vienna Y.K. Tong

Agenda Item 1

Confirmation of the Draft Minutes of the 552nd RNTPC Meeting held on 4.3.2016

[Open Meeting]

1. The draft minutes of the 552nd RNTPC meeting held on 4.3.2016 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/YL-NSW/3 Further Consideration of Section 12A Application
Application for Amendment to the Approved Nam Sang Wai Outline
Zoning Plan No. S/YL-NSW/8, To rezone the application site from
“Open Storage” to “Commercial”, Lot 1743 S.C RP (Part) in D.D. 107
to the south of Wing Kei Tsuen, Yuen Long
(RNTPC Paper No. Y/YL-NSW/3C)

3. The Secretary reported that the application was submitted by Bright Strong Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). AECOM Asia Company Limited (AECOM), AGC Design Limited (AGC), Ramboll Environ Hong Kong Limited (Environ) and Urbis Limited (Urbis) were four of the consultants of the applicant. The following Members had declared interests in the item:

- | | |
|---------------------|---|
| Mr Ivan C.S. Fu | - having current business dealings with SHK, AECOM, AGC, Environ and Urbis |
| Ms Janice W.M. Lai | - having current business dealings with SHK, AECOM, Environ and Urbis |
| Professor S.C. Wong | - having current business dealings with AECOM
- being the Chair Professor and Head of the Department of Civil Engineering of the University of Hong Kong where SHK and AECOM had sponsored some activities of the Department |

Ms Christina M. Lee

- being the Secretary - General of the Hong Kong Metropolitan Sports Events Association that had obtained sponsorship from SHK

Dr W.K. Yau

- being the operation agent of a community building lighting and energy improvement project which had obtained sponsorship from SHK

4. The Committee noted that Ms Christina M. Lee had tendered apology for being unable to attend the meeting, Ms Janice W.M. Lai and Dr W.K. Yau had not yet arrived at the meeting. As the interest of Mr Ivan C.S. Fu was direct, the Committee agreed that he should be invited to leave the meeting temporarily for the item. The Committee also noted that Professor S.C. Wong had no involvement in the application, and agreed that he could stay in the meeting.

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

Presentation and Question Sessions

5. The following representatives from the Government and representatives of the applicant were invited to the meeting at this point:

Mr K.T. Ng

- Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE), Planning Department (PlanD)

Mr K.W. Cheung

- Senior Nature Conservation Officer/North, Agriculture, Fisheries and Conservation Department (SNCO/N, AFCD)

Mr Dickson Hui	}	Applicant's Representatives
Ms Winnie Wu		
Miss Grace Siu		
Mr Ryan Kwok		
Mr Calvin Chiu		
Mr Felix Wo		
Mr Ken Wong		
Mr Paul Leader		

6. The Chairman extended a welcome and explained the procedure of the hearing. He then invited Mr K.T. Ng, STP/FSYLE, to brief Members on the background of the application. With the aid of a PowerPoint presentation, Mr Ng presented the application and covered the following aspects as detailed in the Paper :

[Mr Lincoln L.H. Huang and Mr F.C. Chan arrived to join the meeting at this point.]

The Proposal

- (a) the applicant proposed to rezone the application site (the site) from “Open Storage” (“OS”) to “Commercial(1)” (“C(1)”) on the approved Nam Sang Wai Outline Zoning Plan (OZP) No. S/YL-NSW/8 to facilitate a proposed shopping mall cum 700-room hotel development. The applicant also proposed a set of Notes for the “C(1)” zone in which ‘Shop and Services’, ‘Hotel’ and ‘Eating Place’ would be under Column 2;

- (b) the site area was about 38,593m². Based on the applicant’s indicative development proposal, the proposed shopping mall cum hotel development would be subject to a plot ratio (PR) of not more than 1.5, a total non-domestic gross floor area of not more than 57,890m² and a maximum building height (BH) of about 46mPD. The proposed development consisted of two hotel building blocks at the eastern portion of the site with varying BHs between 6 to 8 storeys over a 2-storey retail podium. Five blocks of single-storey specially designed structure for retail use were also proposed above the 2-storey podium, with basement parking;

Background

- (c) on 8.1.2016, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) decided to defer making a decision on the application pending submission of further information by (a) the applicant to demonstrate that the proposed development would not induce adverse sewerage impacts; and (b) PlanD on the scale of similar developments in the area;

Further Information

Sewerage Aspect

- (d) subsequently, the applicant submitted technical clarifications on the existing and planned capacity of the Sha Po sewage pumping station (SPS), Nam Sang Wai (NSW) SPS and Yuen Long Sewage Treatment Works (YLSTW). The sewage to be generated from the proposed development would be discharged to the Sha Po SPS, NSW SPS and then to YLSTW. On-site sewage treatment facilities would no longer be provided;

Scale of Similar Development in the Area

- (e) the site was mainly surrounded by rural industrial and low-density residential development. There was no similar shopping mall cum hotel development in the area;
- (f) to its immediate north was an existing soy sauce factory within the “Industrial (Group D)” (“I(D)”) zone with a PR of 1.6 and BH of 2 storeys (13m) and an area zoned “Other Specified Uses” annotated “Comprehensive Development Wetland Restoration Area” (“OU(CDWRA)”) with a PR of 0.4 and BH of 3 storeys. To its east across the San Tin Highway was dominated by rural industrial uses and the Sha Po residential development with a PR of 1 and BH ranging from 6 to

16 storeys (under approved application no. A/YL-KTN/118-2), further southeast was a planned local shopping centre under “C” zone with a PR of 0.8 and BH of 7 storeys, an existing residential development (The Riva) with a PR of 1 and BH of 3 to 23 storeys, and a planned residential development with a PR of 1.2 and BH of 13 storeys. To its further west near Yuen Long New Town, a comprehensive residential development at the “Undetermined” (“U”) zone with a PR of 0.74 and BH ranging from 6 to 10 storeys was recently approved by the Committee on 22.1.2016;

- (g) according to the Town Planning Board Guidelines No. 12C on “Application for Developments within Deep Bay Area” (TPB PG-No. 12C), the site fell within the Wetland Buffer Area (WBA). Existing and approved development within WBA adjacent to the site were mainly village type development and low-rise and low-density residential development with a PR ranging from 0.2 to 0.4 and BH from 1 to 3 storeys. Apart from the Yuen Long Industrial Estate which was generally restricted to a PR of 2.5 and BH of 8 storeys, there were three “Comprehensive Development Area” (“CDA”) sites for comprehensive residential development falling within WBA that were of higher development intensity, namely the existing Parcville (with a PR of 3.07 and BH of 15 to 16 storeys) adjacent to the Tung Tau Industrial Area, and the two “CDA” sites with a PR of 1.5 and BH of 10 storeys at Tin Shui Wai;

Departmental Comments

- (h) the Director of Environmental Protection (DEP) had no further comment on the Sewerage Impact Assessment as the applicant decided to discharge sewage generated from the proposed development to the public sewerage system; and the discharge of sewage from the proposed development would not overload the Sha Po SPS, NSW SPS and YLSTW;
- (i) the Chief Engineer/Mainland North, Drainage Services Department reserved his further comment on the proposal as the submitted revised Drainage Impact Assessment report was not yet satisfactory;

- (j) the Director of Agriculture, Fisheries and Conservation (DAFC) had reservation on the application from the ecological perspective. Increasing development intensity and/or BH in WBA was undesirable from ecological perspective as it might introduce a higher level of disturbance to WBA and further degrade its buffering function to the Wetland Conservation Area (WCA). The proposed development was not in line with the land uses concept and development guidelines in Deep Bay area as stipulated in TPB PG-No.12C. Approving the application would result in setting a precedent case for other similar large-scale medium-rise development in the subject rural area that might have adverse cumulative effects on the buffer function of WBA for protecting the ecological integrity of fishponds/wetlands in WCA;
- (k) the Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD had some reservations on the application from landscape planning perspective. The proposed development was not fully compatible with the existing rural landscape character. There was also doubt on the feasibility of the tree preservation proposal and adverse landscape impact was anticipated;
- (l) other concerned government departments had no objection to or no adverse comment on the application; and

PlanD's Views

- (m) PlanD maintained its views of not supporting the application based on the assessments set out in paragraph 4 of the Paper, which included:
 - (i) the proposed rezoning to facilitate hotel cum retail use was not in line with TPB PG-No.12C in that the increase of development intensity and/or building bulk was not desirable from an ecological perspective which was expected to introduce more frequent traffic flow and human activities to the Deep Bay area;

- (ii) the applicant failed to demonstrate that the proposed development would not result in adverse ecological, drainage, and landscape impact on the surrounding area; and
- (iii) the approval of the rezoning application would set an undesirable precedent for other rezoning applications within the WBA, which might have adverse cumulative effects on the buffer function of WBA for protecting the ecological integrity of fishponds/wetlands in WCA.

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

- (a) the site context was unique as it was the only "OS" zone within WBA;
- (b) the site was characterised by stacks of containers spreading all over the site with heavy goods vehicles traffic. Given that the site was highly disturbed, it could not perform the buffer function of WBA;
- (c) the layout of the proposed development had been carefully designed with respect to the surrounding context. The proposed development would introduce extensive greening and half of the site would be proposed for landscaping, to enhance the overall amenity of the site and serve the buffer function of WBA;
- (d) in the Committee meeting on 8.1.2016, it was considered that the existing open storage use at the site was undesirable. As the planning circumstances of the area had already changed, the rezoning application might provide an opportunity for the Committee to consider whether to perpetuate the existing open storage use or allow a change that might bring enhancement to the environment through the planning mechanism;

- (e) the Committee decided at that meeting to defer making a decision on the application pending clarifications from the applicant on sewerage aspect and information from PlanD on scale of similar developments in the area;

[Dr W.K. Yau arrived to join the meeting at this point.]

Responses to the Decision from the Committee Meeting on 8.1.2016

Sewerage Aspect

- (f) the applicant had submitted technical clarifications on the existing and planned capacity of the Sha Po SPS, NSW SPS and YLSTW. The sewage to be generated from the proposed development would be discharged to the Sha Po SPS, NSW SPS and then to YLSTW. All public sewage treatment facilities would operate within design capacities and there would be no overloading problem. The proposed sewage treatment arrangement was acceptable to DEP and hence, sewerage issue had been resolved;

Scale of Similar Development in the Area

- (g) within the WBA, there were some non-domestic developments including an area zoned “OU(Industrial Estate)” with a PR of 2.5 and BH of 8 storeys and an existing soy sauce factory within the “I(D)” zone with a PR of 1.6 and BH of 2 storeys to the immediate north of the site. There were other residential developments including two sites (TSWTL 33 and TSWTL 34) with a PR of 1.5 located next to the Hong Kong Wetland Park, and one “CDA” site for comprehensive residential development, namely the existing Parcville, with a PR of 3.07 and BH of 15 to 16 storeys adjacent to the Tung Tau Industrial Area. Given that there were other residential developments with similar development intensity within WBA, the proposed development intensity for the site was considered reasonable;

Conclusion

- (h) the site was a brownfield site. In considering the rezoning application, adverse impacts generated by the existing open storage activities should be compared with that of the proposed development. The existing open storage activities had already degraded the environment in WBA and did not serve the buffer function. The site should be rezoned immediately based on its unique setting and own merits. Given no intention of the operator of the adjacent soy sauce factory to cease operation, no residential use would be allowed at the site. Commercial use could allow immediate redevelopment of the site. The proposed hotel, and shop and services uses with a maximum PR of 1.5 would provide enough incentives to encourage the replacement of the existing open storage use and the proposed Column 2 uses would ensure planning control through section 16 application; and
- (i) the proposed development would provide enhancements to the site and its adjacent habitats and restore the buffer function of the site in the WBA, create a new shopping and leisure spot, provide additional employment opportunities for local residents and offer alternative hotel accommodation in the North West New Territories. The Committee was invited to agree to rezone the site from “OS” to “C(1)” or other appropriate zonings.

8. As the presentation of the applicant’s representative was completed, the Chairman invited questions from Members.

WBA

9. In response to a Member’s question, Mr K.T. Ng, STP/FSYLE, said that the designation of WCA and WBA could be traced back to the promulgation of the TPB PG-No.12B in 1999. After the completion of the ‘Study on the Ecological Value of Fish Ponds in the Deep Bay Area’, it was established that the fish pond system was fundamentally linked with the Mai Po Marshes and was part of the Deep Bay Area wetland ecosystem. To guide the landuse planning control for the Deep Bay Area, all existing continuous and adjoining active/abandoned fish ponds were designated as WCA while a buffer area of about

500m wide along the landward boundary of the WCA was designated as WBA in order to protect the ecological integrity of the WCA. In order to provide incentive to remove the open storage use and/or restore some of the lost fish ponds within WBA, sympathetic consideration by the Board might be given to proposals of residential/recreational developments on an appropriate level, subject to satisfactory ecological and other impact assessments.

10. In response to a Member's query, Mr Ng said that within the WBA, a number of developments had been approved/were being processed, of which most were low-rise residential developments with a PR ranging from 0.2 to 0.4 and BH from 1 to 3 storeys.

Ecological and Environmental Impacts

11. In response to a Member's question on how the proposed development would enhance the environment, Ms Winnie Wu, the applicant's representative, said that for the existing open storage use, there were about 300 vehicles per hour (during peak hours) entering and leaving the site, over 80% of which were heavy goods vehicles. As it was an open-yard site, emission and noise from the mechanical equipments and heavy goods vehicles brought direct adverse impacts on the adjacent habitat. As for the proposed development, it was estimated that there would be about 450 vehicles per hour (during peak hours), less than 20% of which were heavy goods vehicles. Despite the fact that the proposed development would generate more traffic, with better traffic management, the impact would be relatively lower as compared to the existing traffic at the site. Besides, the layout and building disposition of the proposed development had been carefully designed in order to confine the traffic to the eastern part of the site. There were two proposed ingresses/egresses along Castle Peak Road and the internal roads would serve as Emergency Vehicular Access (EVA) only. Basement car parks were also proposed to minimise at-grade traffic. It was expected that direct impact on the adjacent habitat caused by traffic would be minimised. The site was currently occupied by container stackers and the operational noise generated by the open storage activities was very annoying. On the contrary, the proposed shopping mall cum hotel would generate relatively less impact as the visitors' activities would be mostly confined to the indoor areas. As compared with the existing open storage use, the proposed development would be more green and impact arising from the road-based traffic would be less.

12. In responding to a Member's question on the ecological, drainage and landscape impact generated by the proposed development, Ms Wu said that ecologically, the existing open storage activities were operating up to the edge of the existing meander and had generated direct adverse impacts on the adjacent habitat. On the contrary, the proposed development would allow a buffer distance of 20m between the podium edge and the meander. The main hotel towers would be located closer to Castle Peak Road instead of the existing meander. Noise levels of the proposed development would be much lower than that of the existing open storage use. The proposed development would provide proper drainage system for discharge of surface run-off. On landscape aspect, about half of the site would be provided with greenery and landscaping which would enhance the overall amenity of the site.

13. In response to the Chairman's question, Mr K.W. Cheung, SNCO/N, AFCD, said that the off-site impact of the proposed development was the major concern of AFCD as the site was located adjacent to Kam Tin River and a meander. The site itself was currently paved with limited ecological value. The proposed development was considered not in line with the principles as stipulated in TPB PG-No.12C as only low-density, low-rise residential developments or other compatible recreational uses could be considered for those degraded areas within WBA.

14. In response to the Chairman's further question on the off-site impact of the proposed development, Mr Cheung said that the proposed 10-storey buildings in the development would induce various impacts on the Kam Tin River and the wetland beyond. There were still outstanding issues on the assessment in the Ecological Impact Assessment (EcoIA) for indirect impacts on Kam Tin River and the associated water birds during construction and operational phases. Despite a number of mitigation measures were recommended in the EcoIA, more detailed assessment would have to be carried out to demonstrate that the proposed development of higher development intensity would not have adverse impact on the Kam Tin River and WBA.

15. Ms Wu said that the applicant proposed to rezone the site to "C(1)" under which 'Hotel', 'Shop and Services' and 'Eating Place' were Column 2 uses. If the rezoning application was agreed, the applicant would submit a section 16 application for the proposed

shopping mall cum hotel development by which more detailed assessment would be carried out and the applicant would further liaise with relevant government departments to address any possible impacts on the wetland.

Impacts on Birds and Wetland

16. A Member raised concern on how the possible adverse impacts of the proposed development could be mitigated in particular the impact on migration birds near the Kam Tin River. In response, Mr Paul Leader, the applicant's representative, said that the most important site of ecological value close to the site was Kam Tin River. Various mitigation measures, including to locate the main hotel towers closer to Castle Peak Road, allow adequate buffer distance from the existing meander, and erect noise barrier during construction, had been adopted to minimise off-site ecological impact on Kam Tin River. Based on the bird survey conducted, the site was not under the existing flight path of the birds and the number of birds observed within the possible disturbance distance from the proposed development was insignificant during the dry and wet seasons and many of them were disturbance-tolerant species. As there was no flight path of birds across the site, the proposed development would have no impact on the birds. Ms Wu added that a building gap of not less than 35m was maintained between the two hotel blocks to enhance wind penetration.

17. In response to a question of the Chairman, Mr Cheung said that most of the birds flew along the Kam Tin River where food could be provided for birds. According to the applicant's bird survey, not many birds flew across the site as it had been paved and there were a lot of vehicles entering and leaving the site. The findings of the applicant's bird survey were in line with the findings of the Environmental Impact Assessment studies of other projects such as "Development at Lok Ma Chau Loop".

Landscape Proposal

18. In response to a Member's question on preservation of the existing trees, Ms Wu said that the main concern of CTP/UD&L, PlanD was on the existing trees found along the boundary of the site. By referring to a cross section of the proposed development, Ms Wu said that the site formation works of the proposed development would involve mainly the

central part of the site so as to ensure that the existing trees along the boundary of the site could be retained.

19. As the applicant's representatives had no further points to raise and there were no further questions from Members, the Chairman informed them that the hearing procedure for the application had been completed and the Committee would deliberate on the application in their absence and inform the applicant of the Committee's decision in due course. The Chairman thanked the Government's representatives and the representatives of the applicant for attending the meeting. They left the meeting at this point.

Deliberation Session

20. The Chairman recapitulated that compared to the existing open storage, the proposed development could be a better land use option. The sewerage issue had been resolved and significant off-site impact on the ecological value of the wetlands and fish ponds was not envisaged from the proposed development. Within the WBA, there were two "CDA" sites, with a PR of 1.5 and BH of 10 storeys, locating adjacent to the Wetland Park, which would be comparable to that of the proposed development. Planning application for a comprehensive residential and commercial development at one of the sites had been approved with conditions by the Committee in November 2015. Members might consider whether the proposed change of use and scale of development in the subject application were acceptable, noting that if the rezoning application was agreed, a section 16 application would still be required.

21. The Chairman further said that the proposed development would provide more diverse economic growth to the area. The proposed development would be able to provide employment opportunities for residents in North West New Territories (NWNT).

22. A Member supported the rezoning application as the proposed development was a better land use option that would bring enhancement to the environment. Apart from removal of the open storage use, the proposed development would also provide alternative employment opportunities in NWNT. Given that there were not many developments within the WBA, the cumulative impact on the buffer function of WBA was unlikely to be significant. Based on the applicant's bird survey, as confirmed by AFCD, the proposed

development would unlikely cause adverse impacts on the flight path of the birds. The Chairman remarked that more detailed assessment would be carried out at the section 16 application stage to address any possible impacts on the wetland and the birds.

23. Two Members had no objection to the proposed change of use but raised concerns on the proposed scale of development, in particular the visual impact of the proposed podium and the impact on the wetland within the WBA. In response, the Chairman said that if the Committee agreed to rezone the site to “C(1)”, more detailed assessments would be carried out and the proposed scheme could be further refined by the applicant at the section 16 application stage. The Secretary drew Members’ attention to the developments within the WBA as shown on Plan FZ-2b and FZ-2C of the Paper. To its east across the San Tin Highway was the Sha Po residential development with a PR of 1 and BH ranging from 6 to 16 storeys (under approved application No. A/YL-KTN/118-2). To its further west near Yuen Long New Town, a comprehensive residential development at the “U” zone with a PR of 0.74 and BH ranging from 6 to 10 storeys was approved by the Committee on 22.1.2016 (under approved application No. A/YL-NSW/233). To its further south-west, there were three “CDA” sites for comprehensive residential development, namely the existing Parcville with a PR of 3.07 and BH of 15 to 16 storeys adjacent to the Tung Tau Industrial Area (under approved application No. A/YL/93) and two “CDA” sites with a PR of 1.5 and BH of 10 storeys at Tin Shui Wai (under applications No. A/TSW/63 and A/TSW/65). To its immediate north, a proposed outlet mall (shop and services, and eating place) and commercial fish ponds at the “OU(CDWRA)” zone with a PR of 0.4 and BH of 3 storey was being processed. To its further north, there were a residential development at the “Residential (Group D)” (“R(D)”) zone with a PR of 0.2 and BH of 2 storeys (under approved application No. A/YL-MP/205) and a residential and wetland habitat development at the “OU(CDWRA)” zone with a PR of 0.4 and BH of 2 to 3 storeys (under approved application No. A/YL-MP/229) as well as a proposed commercial development (eating place, place of entertainment, shop and services) at the “OU(Service Stations)” with a PR of 2.34 and BH of 4 storeys (under application No. A/YL-ST/477) was being processed.

24. A Member agreed that the proposed change of use would bring benefit and more detailed assessments could be carried out at section 16 application stage, but was concerned about the cumulative impacts induced by the proposed development in the WBA. In response, the Chairman said that developments within the WBA would have to be of an

appropriate development intensity, with no adverse impact on the surrounding wetlands.

25. Members in general considered that the proposed development would be better than the existing open storage use in terms of traffic, environmental and visual impacts, and that more detailed assessment would be carried out to address any possible impacts of the proposed development on the wetland and the flight path of the birds including any glaring effect of glass curtain wall at the section 16 application stage. Members also noted that the proposed shopping mall cum hotel development would be subject to a PR of not more than 1.5 and maximum BH of 10 storeys and 'Hotel', 'Shop and Services' and 'Eating Place' were Column 2 uses which required planning permission.

26. After deliberation, the Committee decided to agree to the application and the relevant proposed amendments to the Approved Nam Sang Wai OZP No. S/YL-NSW/8 would be submitted to the Committee for agreement prior to gazetting under section 5 of the Town Planning Ordinance upon reference back of the OZP for amendment by the Chief Executive in Council.

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

Sai Kung and Islands District

Agenda Item 4

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/I-CC/4 Application for Amendment to the Draft Cheung Chau Outline Zoning Plan No. S/I-CC/6, To rezone the application site from “Green Belt” to “Residential (Group C) 9”, Lot No. 26 R.P. (Part) in D.D. Cheung Chau, Cheung Chau
(RNTPC Paper No. Y/I-CC/4B)

27. The Secretary reported that the application site (the site) was located in Cheung Chau. The following Members had declared interests in the item:

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| Dr W.K. Yau | - being involved in the operation of an education centre in Cheung Chau |
| Mr Lincoln L.H. Huang | - being a shareholder and director of a company that owned a flat in Lung Tsai Tsuen |

28. The Committee noted that the education centre which Dr W.K. Yau had involved and the property of Mr Lincoln L.H. Huang’s company did not have a direct view on the site, and agreed that they could stay in the meeting.

[Ms Janice W.M. Lai arrived to join the meeting at this point.]

Presentation and Question Sessions

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

- Ms Donna Y.P. Tam - District Planning Officer/Sai Kung and Islands (DPO/SKIs), PlanD
- Ms S.H. Lam - Senior Town Planners/Sai Kung and Islands (STP/SKIs), PlanD
- Mr P.T. Wong
Miss Cannis Lee
Miss Ketty Chan
- } Applicant's Representatives

30. The Chairman extended a welcome and explained the procedure of the hearing. He then invited Ms S.H. Lam, STP/SKIs, to brief Members on the background of the application. With the aid of a PowerPoint presentation, Ms Lam presented the application and covered the following aspects as detailed in the Paper :

The Proposal

- (a) the applicant proposed to rezone the site from “Green Belt” (“GB”) zone to “Residential (Group C)9” (“R(C)9”) zone with a maximum plot ratio (PR) of 0.75, site coverage (SC) of 25% and building height (BH) of 3 storeys (9m) to facilitate a low-rise and low-density residential development at the site;
- (b) the site area was about 1,275m². Based on the applicant’s indicative development proposal, the proposed residential development was subject to a PR of not more than 0.75, a total domestic gross floor area of not more than 956.232m² and a maximum BH of 3 storeys (9m). The proposed development consisted of 3 residential blocks with a total of 9 flats;

Background

- (c) The site was mainly occupied by dilapidated structures of a vacant preserved fruit factory. The northern part of the site was a natural slope. The site was not accessible by vehicular transport but could be accessed via the adjoining lot which was also owned by the applicant. The site was covered

with 27 trees of common species. Eleven trees were proposed to be removed due to poor health/high risk potential/already dead while 7 trees were proposed to be felled due to in conflict with the proposed development and 48 trees were proposed for compensation planting;

Departmental Comments

- (d) concerned government departments had no objection to or no adverse comment on the application;

Public Comments

- (e) a total of 28 public comments were received, of which 3 supported/raised supporting comments and 25 objected/raised adverse comments on the application;
- (f) the public comments supported the application for the reasons that the application would increase housing supply in the area; it would be an improvement to the surroundings; and the site was approved for village type development and was a factory site in the 50s;
- (g) the objecting comments were mainly on the grounds that the proposed rezoning was incompatible with the planning intention of “GB” zone; might cause some ecological impact on the locality (e.g. tree felling, vegetation clearance, light and human disturbance to the nearby natural habitats) and further intensify the already crowded conditions of the small area; would set an undesirable precedent for similar developments within the “GB” zone; the cumulative effects would degrade the green buffer and natural environment of the area; and planning permission had already been granted for the adjoining site which would add to the oversupply of housing in Cheung Chau; and

PlanD's Views

- (h) PlanD had no objection to the application based on the assessments set out in

paragraph 10 of the Paper, which were summarised as follows:

- (i) the site had its unique situation being partly occupied by dilapidated factory structures and surrounded in three sides by existing and approved residential developments including existing village houses and elderly homes, and the approved 10-house development to the immediate east (application No. A/I-CC/8);
- (ii) the proposed PR of 0.75, BH of 3 storeys (9m) and SC of 25% for the proposed “R(C)9” zone was considered appropriate and not incompatible with the surrounding existing and approved developments, as well as the development intensity of other “R(C)” sites within Cheung Chau (i.e. PR mainly ranging from 0.4 to 1);
- (iii) the proposed development would result in replacing the ruins of the previous factory with 3 houses, hence, improving the general environment of the site. The proposed development was unlikely to cause any significant adverse visual or landscape impact, and loss of existing trees could be reasonably compensated; and
- (iv) the proposed development involved only 9 flats of about 26 residents. Significant adverse impact on environment, traffic, water supply and sewerage was not anticipated. The proposed development would not overstrain the overall provision of open space and Government, institution and community facilities in Cheung Chau.

31. The Chairman then invited the applicant’s representatives to elaborate on the application. Miss Cannis Lee made the following main points :

Site Context

- (a) the site was used as a preserved fruit factory in 70s and 80s but had been abandoned for over 10 years. The proposed development would result in replacing the ruins of the previous factory with 3 houses, hence, improving the general environment of the site and contribute to the housing supply;

- (b) the proposed development was surrounded by developments with building height from 1 to 3 storeys on three sides. To the immediate south-east was an approved development of ten 3-story houses (application No. A/I-CC/8). The land for such development was also owned by the applicant. Since the surrounding developments were low-rise in nature, the proposed BH of 3-storey would be compatible with the surrounding area;

The Proposed scheme

- (c) technical assessments including tree assessment and compensatory proposal, drainage and sewerage impact assessment and visual appraisal report were acceptable to relevant government departments; and
- (d) as the proposed development would not cause any adverse impacts on the surrounding area, the application was supported by PlanD. Compared with the existing development parameters of the “R(C)” zone and “Village Type Development” (“V”) zone, the proposed development with a maximum PR of 0.75, SC of 25% and BH of 3 storeys (9m) was a reasonable proposal.

32. As the presentation of the applicant’s representative was completed, the Chairman invited questions from Members.

33. In response to a Member’s question, Miss Cannis Lee said that there was currently no plan for the subsequent phase of development in the area, should the Committee agree to the current rezoning application.

34. As the applicant’s representatives had no further points to raise and there were no further questions from Members, the Chairman informed them that the hearing procedure for the application had been completed and the Committee would deliberate on the application in their absence and inform the applicant of the Committee’s decision in due course. The Chairman thanked the PlanD’s representatives and the representatives of the applicant for

attending the meeting. They left the meeting at this point.

Deliberation Session

35. The Chairman said that Members might consider the character of the site and magnitude of the possible impacts in assessing the subject application. The site was not entirely a greenfield site as it had been occupied by a factory for years, while PlanD and relevant government departments had no objection to or no adverse comment on the application.

36. A Member did not support the application as it might induce further encroachment onto the “GB” zone. Despite that the provision of additional land could meet the housing need, there was no strong justification for rezoning of the “GB” zone given in the application. The Member considered that having no adverse impact, removing the derelict structures and being compatible with the nearby village houses were not sufficient grounds to justify the approval of the application. There was no planning gain in the application to warrant favourable consideration by the Committee. Approval of the rezoning application would set an undesirable precedent for encouraging other similar applications to further encroach onto the adjacent green belt leading to degradation of the natural environment in the area. The same Member also questioned whether the erection of three 3-storey houses involving vegetation clearance and loss of existing trees would bring enhancement to the environment.

37. Two other Members shared the same view. One of them considered that there was no strong justification for the rezoning and the reasons given in paragraph 10.3 of the Paper were considered insufficient.

38. A Member had no objection to the rezoning application but suggested that the relevant information such as approval date of similar planning applications should be provided in the paper future.

39. In response to the Chairman’s enquiry, Mr Edwin W.K. Chan, Assistant Director/Regional 3, Lands Department said that the site was not a building lot and waivers were granted in 70s and 80s for the preserved fruit factory on site.

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

- “(a) the site partly covered with vegetation including trees and undergrowth forms an integral part of the “Green Belt” (“GB”) zone. The “GB” zone serves as a green and visual buffer amidst the existing developed areas. There is no strong justification for the amendment of the “GB” zone in the application; and

- (b) approval of the proposed rezoning would set an undesirable precedent for similar applications within the “GB” zone in Cheung Chau. The cumulative effect of similar applications would degrade the green buffer and natural environment of the area.”

[Mr Richard Y.L. Siu and Mrs Alice K.F. Mak, Senior Town Planners/Sai Kung and Islands (STPs/SKIs), were invited to the meeting at this point.]

[Professor S.C. Wong left the meeting temporarily at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/I-MWF/27 Proposed Temporary Site Office for a Period of 3 Years in
 “Recreation” and “Undetermined” zones, Lots 558 RP (Part) and 564
 S.A RP (Part) in D.D.4 MW, Mui Wo, Lantau Island
 (RNTPC Paper No. A/I-MWF/27)

41. The Secretary reported that the application was submitted by Hip Hing Engineering Co. Ltd. (Hip Hing). The Committee noted that Professor S.C. Wong had declared an interest in the item as he was the Chair Professor and Head of the Department of Civil Engineering of the University of Hong Kong where Hip Hing had sponsored some activities of the Department. Members noted that Professor S.C. Wong had left the meeting temporarily. Mr Ivan C.S. Fu also declared an interest in the item as his company had current business dealings with Hip Hing. As the interest of Mr Ivan C.S. Fu was direct, the Committee agreed that he should be invited to leave the meeting temporarily for the item.

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

Presentation and Question Sessions

42. With the aid of a PowerPoint presentation, Mr Richard Y.L. Siu, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

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

- (b) proposed temporary site 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, one public comment was received. The commenter objected to the application and raised concerns mainly on adverse environmental, landscape, visual and ecological impacts of the proposed development as well as insufficient justifications for the applied use; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use under application could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed site office on a temporary basis would not jeopardize the long-term planning intention of “Recreation” and “Undetermined” zones. In view of the small scale of the proposed development which was not incompatible with the surrounding temporary works and storage areas, the proposed development would unlikely result in adverse impact or overstrain the local infrastructure. Regarding the public comment, relevant approval conditions would be imposed in order to alleviate any potential impact arising from the proposed development.

43. Members had no question on the application.

Deliberation Session

44. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.3.2019, 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 vehicle as defined in the Road Traffic Ordinance to be parked/stored on the site or enter/exit the site, as proposed by the applicant, is allowed at any time during the planning approval period;
- (d) the submission of a landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 18.9.2016;
- (e) in relation to (d) above, the implementation of a landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 18.12.2016;
- (f) the submission of fire service installations proposal and provision of water supplies for firefighting proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.9.2016;
- (g) in relation to (f) above, the implementation of fire service installations proposal and provision of water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.12.2016;
- (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 18.9.2016;
- (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 18.12.2016;
- (j) if any of the above planning conditions (a), (b), (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

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

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

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

Agenda Item 6

Section 16 Application

[Open Meeting]

A/SK-HC/248 Temporary Film Studio for a Period of 3 Years in “Green Belt” and “Recreation” zones, Lots 287 (Part), 288 (Part), 289S.A, 289RP, 295, 299, 309(Part), 815(Part) and adjoining Government land in D.D. 247, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/248A)

46. The Committee noted that the applicant requested on 10.3.2016 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments from relevant government departments. This was the applicant’s second request for deferment.

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

Agenda Item 7

Section 16 Application

[Open Meeting]

A/SK-TLS/47 Proposed Public Utility Installation (Sewage Pumping Station and Underground Sewers) and Excavation of Land (1.5m to 12m in depth) in "Green Belt" zone, Lots No. 586(Part), 587(Part), 588(Part), 589, 590, 591(Part), 592(Part) and 593(Part) and adjoining Government Land in D.D. 253, Tseng Lan Shue, Sai Kung
(RNTPC Paper No. A/SK-TLS/47)

48. The Secretary reported that the application was submitted by the Drainage Services Department (DSD). The following Members had declared interests in the item:

- | | |
|---------------------|---|
| Ms Janice W.M. Lai | - having current business dealings with DSD |
| Professor S.C. Wong | - being the Chair Professor and Head of the Department of Civil Engineering of the University of Hong Kong and his colleague had current business dealings with DSD |

49. The Committee noted that Professor S.C. Wong had already left the meeting. The applicant had requested for a deferral of consideration of the application. As the interest of Ms Janice W.M. Lai was direct, the Committee agreed that she could stay in the meeting but should refrain from participating in the discussion.

50. The Committee noted that the applicant requested on 7.3.2016 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments from relevant government departments. This was the applicant's second request for deferment.

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

Agenda Item 8

Section 16 Application

[Open Meeting]

A/SK-TMT/53 Proposed House (New Territories Exempted House - Small House) in
"Green Belt" zone, Lot 33 RP in D.D. 256, Tai Po Tsai Village, Tai
Mong Tsai, Sai Kung

(RNTPC Paper No. A/SK-TMT/53A)

52. The Committee noted that the applicant requested on 7.3.2016 for deferment of the consideration of the application for two months so as to allow more time for preparation of further information to address the comments from relevant government departments. This was the applicant's second request for deferment.

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

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

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TKO/105 Proposed Flat (Rank and File Quarters Units for Fire Services Department) and Proposed Minor Relaxation of Building Height Restriction in "Government, Institution or Community (4)" zone, Government Land in Area 106, Pak Shing Kok, Tseung Kwan O
(RNTPC Paper No. A/TKO/105)

54. The Secretary reported that the application was submitted by the Architectural Services Department (ArchSD). Urbis Limited (Urbis) and Ramboll Environ Hong Kong Limited (Environ) were two of the consultants of the applicant. The following Members had declared interests in the item:

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

55. Mr Peter K.T. Yuen also declared an interest in the item as he was an ex-employee of ArchSD. The Committee noted that Ms Janice W.M. Lai had left the meeting temporarily. The Committee also noted that Mr Ivan C.S. Fu had no involvement

in the application and the interest of Mr Peter K.T. Yuen was indirect, and agreed that they could stay in the meeting.

[Professor S.C. Wong returned to join the meeting at this point.]

Presentation and Question Sessions

56. With the aid of a PowerPoint presentation, Mrs Alice K.F. Mak, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed flat (rank and file quarters units for Fire Services Department (FSD)) and proposed minor relaxation of building height (BH) restriction;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments/bureau had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, two public comments were received from the same individual. The commenter raised concern mainly on: (i) the proposed location of FSD departmental quarters (DQ) was not justified and the firemen should better live in a more varied community rather than in an isolated compound; and (ii) the increase in BH was unacceptable since many trees and vegetation had to be removed; and

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

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed development with a relaxed BH from 40m to 52m (at about 118mPD) was considered compatible with the adjacent developments. Concerned government departments had no objection to or no adverse

comment on the application. Relevant approval conditions were recommended to address the technical concerns raised by concerned departments. Regarding the public comments, the planning assessments above were relevant.

57. Members had no question on the application.

Deliberation Session

58. 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 18.3.2020, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB;
- (b) the submission of a revised Traffic Impact Assessment, together with the design and implementation, including but not limited to the provision of a lay-by, prior to the population intake of the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the submission of a revised Air Ventilation Assessment to the satisfaction of the Director of Planning or of the TPB; and
- (d) the submission and implementation of a landscape proposal including tree preservation proposal to the satisfaction of the Director of Planning or of the TPB.”

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

[Ms Janice W.M. Lai returned to join the meeting at this point.]

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TKO/106 Proposed House in “Green Belt” and “Residential (Group C) 1” zones
and an area shown as ‘Road’, Lot No.310 in D.D.224, Hang Hau Road,
Sai Kung
(RNTPC Paper No. A/TKO/106)

Presentation and Question Sessions

60. With the aid of a PowerPoint presentation, Mrs Alice K.F. Mak, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed house;
- (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 urging the Town Planning Board (TPB) not to approve the application involving the “Green Belt” (“GB”) zone as approval of the application would set an undesirable precedent. No local objection/view was received by the District Officer (Sai Kung); 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 development generally complied with the TPB Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ (TPB PG-No. 10) in that inclusion of the “GB” area for the proposed development reflected the lease entitlement

of the applicant, and should be regarded as an exceptional circumstance. Relevant approval conditions were recommended to address the technical concerns raised by concerned departments. Regarding the public comment, the planning assessments above were relevant.

61. The Chairman asked whether the portion of the site fell within the “GB” zone was private land. Mrs Alice K.F. Mak, STP/SKIs answered in the affirmative.

Deliberation Session

62. A Member had no objection to the application but suggested that the approval condition as recommended in paragraph 12.2 (a) of the Paper should be revised to ensure that no structure would be built within the “GB” zone and area shown as ‘Road’ on the Outline Zoning Plan. Members agreed.

63. 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 18.3.2020, 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) no structure should be built upon the area within the “GB” zone and area shown as ‘Road’ on the Tseung Kwan O Outline Zoning Plan;
- (b) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB;
- (c) the submission of a Geotechnical Planning Review Report and where necessary, to carry out any necessary mitigation measures as part of the development to the satisfaction of the Director of Civil Engineering and Development or of the TPB; and
- (d) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

64. 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 Mr Richard Y.L. Siu and Mrs Alice K.F. Mak, STPs/SKIs, for their attendance to answer Members' enquiries. They left the meeting at this point.]

[Mr Lincoln L.H. Huang left the meeting temporarily at this point.]

Sha Tin, Tai Po and North District

[Mr David Y.M. Ng, Mr Wallace W.K. Tang and Mr Kenny C.H. Lau, Senior Town Planners/Shu Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-YSO/1 Proposed House (New Territories Exempted House - Small House) in
 "Green Belt" zone, Government land in D.D. 204, Yung Shue O, Tai
 Po
 (RNTPC Paper No. A/NE-YSO/1A)

Presentation and Question Sessions

65. The Secretary reported that the replacement page (Plan A-2b) was tabled at the meeting. Mr David Y.M. Ng, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

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

House);

- (c) departmental comments – departmental comments were set out in paragraph 11 and Appendix IV of the Paper which were summarized as follows:
 - (i) the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) raised objection to the application as the proposed Small House was overlooked by steep natural hillside and met the Alert Criteria requiring a Natural Terrain Hazard Study, unless the applicant was prepared to undertake the required study and to provide suitable mitigation measures, as part of the development;
 - (ii) the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) raised objection to the application as extensive slope formation work including filling of land within and outside the site was unavoidable, and vegetation clearance outside the site for construction of the Small House and sewerage connection and slope formation work might be required. Significant landscape impact arising from the Small House within and beyond the site including the natural stream was anticipated. Approval of the application would set an undesirable precedent for similar applications into the adjacent secondary woodland. The cumulative effect of approving similar applications would result in a general degradation on the landscape of the area;
 - (iii) the Director of Agriculture, Fisheries and Conservation (DAFC) had reservation on the application from the nature conservation point of view as the site was densely covered with vegetation and was in proximity to a natural stream;
 - (iv) the Commissioner for Transport (C for T) had reservation on the application and considered that such type of development should be

confined within the “Village Type Development” (“V”) 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, five public comments were received. Kadoorie Farm and Botanic Garden, World Wide Fund Hong Kong, Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual objected to the application mainly on the grounds that the proposed development was not in line with the planning intention of the area; would cause adverse ecological, landscape, environmental and cumulative impacts; would set an undesirable precedent; and would have potential ecological impact on Yung Shue O Ecologically Important Stream; and

- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 13 of the Paper. The proposed development was not in line with the planning intention of the “Green Belt” (“GB”) zone. The application did not meet the Interim Criteria for Consideration of Application for NTEH/Small House Development in the New Territories in that the proposed development would cause adverse environmental, landscape, sewerage and geotechnical impacts on the surrounding area, the footprint of the proposed Small House fell entirely outside “V” zone, and land was still available within the “V” zone of Yung Shue O for Small House development. The application also did not meet the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ (TPB PG-No. 10) as the proposed Small House would involve extensive clearance of existing natural vegetation, affect the existing natural landscape, overstrain the capacity of existing sewerage infrastructure and adversely affect slope stability. Regarding the public comments, the assessments above were relevant.

66. Members had no question on the application.

Deliberation Session

67. 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 “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 planning justification given in the submission for a departure from the planning intention of the “GB” zone;
- (b) the application does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse environmental, landscape, sewerage and geotechnical impacts on the surrounding area;
- (c) land is still available within the “Village Type Development” (“V”) zone of Yung Shue O which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services;
- (d) the application does not comply with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would involve extensive clearance of existing natural vegetation, affect the existing natural landscape, overstrain the capacity of existing sewerage infrastructure and adversely affect slope stability; and
- (e) the approval of the application would set an undesirable precedent for similar applications in the area. The cumulative effect of approving such

applications would result in general degradation of the natural environment and landscape quality of the area.”

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/514 Proposed Temporary Open Storage (Construction Materials and Equipments and Tools) for a Period of 3 Years in “Agriculture” zone, Lot 1097 in D.D. 82, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/514B)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary open storage (construction materials and equipments and tools) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from the agricultural development point of view as the site possessed potential for agricultural rehabilitation. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers 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 from the landscape planning perspective as mature trees found within and at the fringe of the site would be affected by the proposed development and tree removal had taken place

at the western boundary of the site. Approval of the application would cause adverse landscape impact on the surrounding area;

[Mr Lincoln L.H. Huang returned to join the meeting at this point.]

- (d) the District Officer (North) had consulted the locals regarding the application. The Vice-chairman of Ta Kwu Ling District Rural Committee and the Indigenous Inhabitant Representative (IIR) of Tong Fong Village raised objection to the application mainly on the grounds that the village representative of Tong Fong Village did not support the application, the development would lead to environmental deterioration, endanger the road safety of villagers nearby, and the dogs kept by the operators might threaten the nearby residents. The North District Council (NDC) member of the subject constituency, the Resident Representative (RR) of Tong Fong Village and the IIR and RR of Lei Uk had no comment on the application;
- (e) during the first three weeks of the statutory publication period, three public comments were received. A NDC member had no comment on the application. Designing Hong Kong Limited and Kadoorie Farm and Botanic Garden Corporation objected to the application mainly on the grounds that the application was not in line with the planning intention of the “Agriculture” zone; not compatible with the surrounding land uses; there was already sufficient supply of space for open storage use to meet the current and future demand; and would set an undesirable precedent; and
- (f) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The application did not comply with Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E) in that the site fell within Category 2 areas, there were adverse departmental comments and local objections to the application, and the applicant had failed to demonstrate that the development would not have adverse landscape impact on the surrounding area. Regarding the public comments, the

planning assessments above were relevant.

69. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” (“AGR”) zone in the Ta Kwu Ling area which is primarily intended to retain and safeguard good agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the application does not comply with the Town Planning Board Guidelines No. 13E in that there are adverse departmental comments and local objections to the application, and the applicant fails to demonstrate that the development under application would not have adverse landscape impact on the surrounding area; and
- (c) approval of the application would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

Agenda Item 13

Section 16 Application

[Open Meeting]

A/NE-TKL/538 Proposed Temporary Open Storage and Covered Storage of Building Materials and Waste Paper for Recycling for a Period of 3 Years in “Agriculture” zone, Lots 965 RP(Part) and 966 RP(Part) in D.D. 82, Ping Che Road, Ping Che
(RNTPC Paper No. A/NE-TKL/538A)

71. The Committee noted that the applicant requested on 1.3.2016 for deferment of the consideration of the application for two months to allow time for the applicant to address the comments of the Agriculture, Fisheries and Conservation Department (AFCD). This was the applicant’s second request for deferment.

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

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/896 Religious Institution (Nunnery, Management Office and Ancillary Facilities) in “Village Type Development” zone, Lot Nos. 3, 4, 312 and 313 RP (Part) in D.D. 185 and adjoining Government Land, No. 148 Pai Tau Village, Sha Tin
(RNTPC Paper No. A/ST/896)

Presentation and Question Sessions

73. With the aid of a PowerPoint presentation, Mr Kenny C.H. Lau, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) religious institution (nunnery, management office and ancillary facilities);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Secretary for Home Affairs (SHA) was satisfied that the applicant was a charitable religious organization. However, policy support could only be given to the worshipping hall in the nunnery, but not to other facilities at this stage. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) the District Officer (Sha Tin) had consulted the locals regarding the application. She noted that near the subject area, complaints about the increased pedestrian flows and adverse impact on local traffic network caused by the columbarium use had long been raised by the village representatives of Pai Tau Village. Written comments from the villagers of Pai Tau Village were submitted to the Town Planning Board (TPB) in the past few years. As such, she expected that objection would be raised

from the villages with regularization of their ancillary facilities, even the applicant claimed no intention to provide columbarium at the site;

- (e) during the first three weeks of the statutory publication period, three public comments were received. The chairperson of the Sha Tin Rural Committee, representatives of local villagers and an individual objected to the application mainly on the grounds: (i) the development of religious institution was not compatible with the planning intention of the “Village Type Development” (“V”) zone and the site should be reserved for Small House development; (ii) allowing another columbarium would cause adverse traffic impact during the festival periods; and (iii) the proposed development would cause adverse impacts on noise and air pollution, building and fire safety, “fung shui”, visual and traffic aspects; and
- (f) 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 religious institution was not totally in line with the planning intention of the “V” zone, given the nature and scale of the existing nunnery and its ancillary facilities, it was considered not incompatible with the character of the surrounding environment. The development was not large in scale and it was not expected to have significant visual, landscape and traffic impacts on the surrounding areas. Relevant approval conditions were recommended to address the technical concerns raised by concerned departments. Regarding the public comments, the comments of government departments and the assessments above were relevant.

74. Members had no question on the application.

Deliberation Session

75. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the TPB. The permission was subject to the following conditions :

- “(a) the provision of fire service installations and waters supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB;
- (b) the submission and implementation of tree preservation proposal to the satisfaction of the Director of Planning or of the TPB; and
- (c) the submission of Geotechnical Planning Review Report to the satisfaction of the Director of Civil Engineering and Development or of the TPB.”

76. 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 Mr David Y.M. Ng, Mr Wallace W.K. Tang and Mr Kenny C.H. Lau, STPs/STN, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 15

Section 12A Application

[Open Meeting]

Y/NE-KTS/6 Application for Amendment to the Approved Kwu Tung South Outline Zoning Plan No. S/NE-KTS/14, To rezone the application site from “Comprehensive Development Area”, “Recreation”, “Government, Institution or Community” and an area shown as 'Road' to “Comprehensive Development Area (1)”, Lots 884 RP, 887 S.C RP (Part), 888, 889 (Part), 891, 892, 893, 894, 895, 896, 897 RP (Part), 898 RP, 899, 900, 901 S.A RP, 901 RP, 929 S.C RP (Part), 930 RP, 931 (Part), 934 (Part), 935 S.A (Part) and 936 RP (Part) in D.D. 92 and Adjoining Government Land, Sheung Shui
(RNTPC Paper No. Y/NE-KTS/6B)

77. The Secretary reported that the application was submitted by Base One Limited, which was a subsidiary of Sun Hung Kai Properties Ltd. (SHK). Ramboll Environ Hong Kong Ltd. (Environ) and MVA Hong Kong Ltd. (MVA) were two of the consultants of the applicant. The following Members had declared interests in the item:

- | | |
|---------------------|--|
| Mr Ivan C.S. Fu | - having current business dealings with SHK, Environ and MVA |
| Ms Janice W.M. Lai | - having current business dealings with SHK and Environ |
| Professor S.C. Wong | - being the Chair Professor and Head of the Department of Civil Engineering of the University of Hong Kong where SHK had sponsored some activities of the Department |
| Ms Christina M. Lee | - being the Secretary - General of the Hong Kong Metropolitan Sports Events Association that had obtained sponsorship from SHK |
| Dr W.K. Yau | - being the operation agent of a community building lighting and energy improvement project which had obtained sponsorship from SHK |

78. The Committee noted that Ms Christina M. Lee had tendered apology for being unable to attend the meeting. The applicant had requested for a deferral of consideration of the application. As the interests of Professor S.C. Wong and Dr W.K. Yau were indirect, the Committee agreed that they could stay in the meeting. As the interests of Mr Ivan C.S. Fu and Ms Janice W.M. Lai were direct, the Committee agreed that they could also stay in the meeting but should refrain from participating in the discussion.

79. The Committee noted that the applicant requested on 10.3.2016 for deferment of

the consideration of the application for two months in order to review the Traffic Impact Assessment in relation to the provision of public transport services and facilities at Kam Hang Road and Kwu Tung Road. The applicant also stated that he was currently in close liaison with the Transport Department for their views regarding the proposed pedestrian access routing and public transport service. This was the applicant's third request for deferment.

80. 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 third deferment and a total of six months had been allowed for preparation of the submission of the further information, no further deferment would be granted unless under very special circumstances.

[Ms Jannie H.T. Leung, Mr Kepler S.Y. Yuen and Mr K.T. Ng, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/417 Proposed House (New Territories Exempted House - Small House) and Excavation of Land in "Green Belt" and "Village Type Development" zones, Government Land near Lot 900 in D.D. 94, Hang Tau, Sheung Shui

(RNTPC Paper No. A/NE-KTS/417)

Presentation and Question Sessions

81. Ms Jannie H.T. Leung, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed house (New Territories Exempted House (NTEH) - Small House) and excavation of land;
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper. The Chief Town Planner, Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as the existing “Village Type Development” (“V”) zone had not been fully occupied and approval of the application would set an undesirable precedent attracting similar village type development to further encroach onto adjacent green knoll and cause a cumulative impact and a general degradation of the “Green Belt” (“GB”) area. The Commissioner for Transport (C for T) had reservation on the application and considered that such type of development should be confined within the “V” 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, two public comments were received. A North District Council (NDC) member had no comment on the application whilst an individual objected to the application on the grounds that the proposed development was not in line with the planning intention of the “GB” zone;
- (e) the District Officer (North) had consulted the locals regarding the application. The incumbent NDC member, the Chairman of the Sheung Shui District Rural Committee and the Resident Representative of Hang Tau Village had no comment on the application. The two Indigenous

Inhabitant Representatives of Hang Tau Village supported the application as the applicant was an indigenous inhabitant of Hang Tau Village and the site partly (about 80%) fell within the “V” zone. Besides, there was insufficient land for construction of Small Houses in the village; and

- (f) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed Small House development did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House Development in the New Territories in that the proposed development would frustrate the planning intention of the “GB” zone. Land was still available within the “V” zone of Hang Tau Village for Small House development. Both CTP/UD&L, PlanD and C for T had reservation on the application. Regarding the adverse public comment, the assessments above were relevant.

82. A Member asked whether the structures as shown on the aerial photo next to the site were illegal. In response, Ms Jannie H.T. Leung, STP/FSYLE said that the temporary domestic structures adjacent to the site had been referred to the Central Enforcement and Prosecution Section of PlanD for investigation.

Deliberation Session

83. 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 and there is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention;

- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would frustrate the planning intention of the “GB” zone; and
- (c) land is still available within the “Village Type Development” (“V”) zone of Hang Tau Village, which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 17

Section 16 Application

[Open Meeting]

A/YL-KTN/495 Temporary Place of Recreation (including Barbecue Spot, Picnic Area, Children Playground and Handicraft Making Area) with Ancillary Facilities for a Period of 3 Years in “Agriculture” and “Village Type Development” zones, Lots 680(Part), 681(Part), 682(Part), 684 RP(Part),1615(Part) in D.D.109 and Adjoining Government Land, Shui Mei Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/495A)

84. The Committee noted that the applicant requested on 10.3.2016 for deferment of the consideration of the application for one month so as to allow time for conducting a traffic assessment to further address the additional comments from the Transport Department. This was the applicant’s second request for deferment.

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

Agenda Item 18

Section 16 Application

[Open Meeting]

A/YL-KTN/497 Temporary Eating Place (Outside Seating Areas) and Parking Spaces Ancillary to the Eating Place for a Period of 3 Years in "Village Type Development" zone, Lots 216 S.S RP (part), 237 S.B RP, 237 S.B ss.3 S.A, 237 S.B ss.4 S.A, 237 S.B ss.4 S.B (part), 237 S.B ss.4 RP, 237 S.B ss.12 RP, 237 S.B ss.13 RP, 237 S.B ss.14 RP in D.D.103, and Adjoining Government Land, Ying Ho Road, Kam Tin, Yuen Long (RNTPC Paper No. A/YL-KTN/497A)

86. The Committee noted that the applicant requested on 1.3.2016 for deferment of the consideration of the application for two months so as to allow time for responding to the Transport Department's further comments. This was the applicant's second request for deferment.

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

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/509 Temporary Warehouse for Musical Instruments, Posters and Documents for a Period of 3 Years in “Agriculture” and “Industrial (Group D)” zones, Lots 812 S.A (Part) and 813 S.A (Part) in D.D.107, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/509)

Presentation and Question Sessions

88. Mr Kepler S.Y. Yuen, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary warehouse for musical instruments, posters and documents for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, a public comment was received from Designing Hong Kong Limited objecting to the application on the grounds that the proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone, quality farmland should be reserved, approval of the application would set an

undesirable precedent for similar applications. No local objection/view was received by the District Officer (Yuen Long); 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. In view of the small scale and temporary nature of the development within an entirely enclosed structure, it would not have significant impact on the rural character of the area. The concerns of relevant government departments could be addressed through the imposition of approval conditions. Regarding the public comment, the assessments above were relevant.

89. Members had no question on the application.

Deliberation Session

90. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.3.2019, 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 10:00 a.m., as proposed by the applicants, is allowed on the site during the planning approval period;
- (b) no operation on Saturdays, Sundays and public holidays is allowed on the site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;

- (e) no reversing of vehicle into or out from the site at any time during the planning approval period;
- (f) 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 18.9.2016;
- (g) in relation to (f) 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 18.12.2016;
- (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 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.”

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

Agenda Items 20 to 22

Section 16 Applications

[Open Meeting]

A/YL-KTN/510 Temporary Open Storage of Electrical Appliances for Recycling for a Period of 1 Year in “Agriculture” zone, Lots 97 S.A (Part), 97 S.B RP (Part), 106 (Part) and 107 (Part) in D.D.110, Tsat Sing Kong, Pat Heung, Yuen Long

A/YL-KTN/511 Temporary Open Storage of Vehicle Parts for a Period of 1 Year in “Agriculture” zone, Lot 107 (Part) in D.D.110, Tsat Sing Kong, Pat Heung, Yuen Long

A/YL-KTN/512 Temporary Warehouse for Household Products for a Period of 1 Year in “Agriculture” zone, Lot 97 S.B RP (Part) in D.D.110 and Adjoining Government Land, Tsat Sing Kong, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTN/510 to 512)

92. The Secretary reported that the three section 16 applications were submitted by the same applicant, and presented in one Paper, the Committee agreed that they could be considered together.

93. The Committee noted that the applicant requested on 4.3.2016 for deferment of the consideration of the applications for two months so as to allow time to provide further information on landscaping aspect. It was the first time that the applicant requested for deferment of the applications.

94. After deliberation, the Committee decided to defer a decision on the applications as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the applications should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the applications could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the 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 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/513 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” zone, Lots 959 RP (Part), 960 RP (Part), 961 RP (Part), 962 RP (Part) in D.D.107, Fung Kat Heung, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/513)

Presentation and Question Sessions

95. Mr Kepler S.Y. Yuen, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary place of recreation, sports or culture (hobby farm) 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. No local objection/view was received by the District Officer (Yuen Long);
- (d) during the first three weeks of the statutory publication period, one public comment was received. The commenter objected to the application mainly for reasons that the hobby farm use was not genuine agriculture and would adversely impact on the bona fide farm land uses; not in line with planning intention of the “Agriculture” (“AGR”) zone, create undesirable

precedent for further encroachment onto “AGR” zone and not in line with the Government’s policy to optimise the use of quality agricultural land through planning and land management; and

- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed development was generally in line with the planning intention of the “AGR” zone. In view of its scale and nature, the proposed development would unlikely cause significant adverse environmental, traffic, landscape or drainage impacts. The concerns/technical requirements of relevant government departments could be addressed through the imposition of approval conditions. Regarding the public comment, the assessments above were relevant.

96. Members had no question on the application.

Deliberation Session

97. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.3.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no reversing of vehicles into or out of the site is allowed at any time during the planning approval period;
- (c) 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 18.9.2016;

- (d) in relation to (c) 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 18.12.2016;
- (e) 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 18.9.2016;
- (f) in relation to (e) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.12.2016;
- (g) 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 18.9.2016;
- (h) in relation to (g) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.12.2016;
- (i) if the above planning conditions (a) or (b) is not complied with during planning approval, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning conditions (c), (d), (e), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon 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.”

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

Agenda Item 24

Section 16 Application

[Open Meeting]

A/YL-KTN/514 Proposed Temporary Vehicle Repair Workshop for a Period of 3 Years
in “Agriculture” zone, Lot 1181 RP in D.D.109, Chi Ho Road, Kam
Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/514)

99. The Committee noted that the applicant requested on 9.3.2016 for deferment of the consideration of the application for one month so as to allow time to address the comments of the relevant department. It was the first time that the applicant requested for deferment of the application.

100. 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 as requested by the applicant, 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-KTN/515 Renewal of Planning Approval for Temporary Open Storage of Construction Materials (Excluding Cement, Sand, Chemical Product, Dangerous Goods) for a Period of 2 Years in “Other Specified Uses” annotated “Railway Reserve” zone, Lot 4115 (Part) in D.D. 104, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/515)

Presentation and Question Sessions

101. Mr Kepler S.Y. Yuen, 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 construction materials (excluding cement, sand, chemical product, dangerous goods) under previous planning application No. A/YL-KTN/440 for a period of two 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, i.e. residential structures located to the north and southwest (the nearest one at about 15m to the north) and 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) no public comment was received during the first three weeks of the statutory publication period. No local objection/view was received by the District Officer (Yuen Long); and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of 18 months based on the assessments set out in paragraph 12 of the Paper. The application was in line with the Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34B) in that there was generally no adverse comment from concerned government departments except DEP. Although DEP did not support the application, no environmental complaint was received in the past three years. To address DEP's concerns on the possible environmental nuisance generated by the temporary use, approval conditions were recommended. As the programme and alignment of the proposed Northern Link were still under review, it was recommended to grant a temporary permission for a further period of 18 months of the current application.

102. Members had no question on the application.

Deliberation Session

103. After deliberation, the Committee decided to approve the application on a temporary basis for a further period of 18 months instead of 2 years sought, and be renewed from 10.5.2016 until 9.11.2017, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Saturdays between 1:00 p.m. and 6:00 p.m., Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the

planning approval period;

- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) no reversing of vehicle into or out from the site is allowed at any time during the planning approval period;
- (f) all existing trees and landscape plantings on the site shall be maintained at all times during the planning approval period;
- (g) the drainage facilities implemented on the site under application No. A/YL-KTN/440 shall be maintained at all times during the planning approval period;
- (h) the provision of peripheral fencing on the eastern boundary of the site to separate from the adjoining "Conservation Area" zone within 3 months from the date of commencement of the renewal planning approval to the satisfaction to the Director of Planning or the TPB by 10.8.2016;
- (i) the submission of a record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewal planning approval to the satisfaction to the Director of Drainage Services or the TPB by 10.8.2016;
- (j) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) within 6 weeks from the date of commencement of the renewal planning approval to the satisfaction of the Director of Fire Services or of the TPB by 21.6.2016;
- (k) the submission of fire service installations proposal within 6 months from the date of commencement of the renewal planning approval to the

satisfaction of the Director of Fire Services or of the TPB by 10.11.2016;

- (l) in relation to (k) above, the implementation of fire service installations proposal within 9 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.2.2017;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (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.”

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/516 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” zone, Lots 97 S.B RP (Part), 98 RP (Part), 99 S.A RP, 99 S.B (Part), 100 RP, 101 (Part), 102 (Part), 161 RP (Part), 173 RP (Part) and 175 S.A RP (Part) in D.D.110, Tsat Sing Kong, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTN/516)

Presentation and Question Sessions

105. The Committee noted that the replacement pages (page 6 in main paper and page 1 in Appendix V) had been dispatched to Members on 17.3.2016. Mr Kepler S.Y. Yuen, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary place of recreation, sports or culture (hobby farm) 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, five public comments were received. Designing Hong Kong Limited, Kadoorie Farm & Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Land Justice League and an individual objected to or raised concerns over the application for reasons that hobby farm use was not genuine agriculture and would lead to adverse traffic, drainage and sewerage impacts, not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Government’s policy to optimise the use of quality agricultural land through planning and land management, a suspected destroy first, build later case and would set an undesirable precedent for future non-agricultural uses to spread in rural areas. No local objection/view was received by the District Officer (Yuen Long); and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed development was generally in line with the planning intention of the

“AGR” zone. In view of its scale and nature, the proposed development would unlikely cause significant adverse environmental, traffic, landscape or drainage impacts. The concerns of relevant government departments could be addressed through the imposition of approval conditions. Regarding the public comments, the 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 a temporary basis for a period of 3 years until 18.3.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation of the proposed development from 5:00 p.m. to 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no reversing of vehicles into or out of the site is allowed at any time during the planning approval period;
- (c) 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 18.9.2016;
- (d) in relation to (c) 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 18.12.2016;
- (e) 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 18.9.2016;

- (f) in relation to (e) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.12.2016;
- (g) 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 18.9.2016;
- (h) in relation to (g) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.12.2016;
- (i) if any of the above planning conditions (a) or (b) is not complied with during planning approval, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning conditions (c), (d), (e), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
and
- (k) upon 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.”

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

Agenda Item 27

Section 16 Application

[Open Meeting]

A/YL-KTS/695 Temporary Warehouse for Storage of Rice with Ancillary Site Office and Packaging Workshop for a Period of 3 Years in “Residential (Group D)” zone, Lots 586 RP (Part) and 587 RP (Part) in D.D.106, Kam Sheung Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/695)

109. The Committee noted that the applicant requested on 29.2.2016 for deferment of the consideration of the application for two months so as to allow time to address the comments of relevant departments. It was the first time that the applicant requested for deferment of the application.

110. 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-KTS/696 Proposed Temporary Religious Institution (Temple) for a Period of 3 Years in “Agriculture” zone, Lots 810 S.A & S.B & 810 RP (Part) in D.D.103, Sze Pai Shek, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/696)

111. The Committee noted that the applicant requested on 1.3.2016 for deferment of the consideration of the application for two months so as to allow time to address the comments of relevant departments. It was the first time that the applicant requested for deferment of the application.

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

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/697 Proposed Temporary Place of Recreation, Sports or Culture (including Barbecue Site and Kiosks) for a Period of 3 Years in “Agriculture” zone, Lot 779 RP in D.D.103, Sze Pai Shek, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/697)

Presentation and Question Sessions

113. Mr Kepler S.Y. Yuen, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary place of recreation, sports or culture (including barbecue site and kiosks) 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) did not support the application as the site was an abandoned land overgrown with grasses which still had potential for agricultural rehabilitation. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservations on the application as the proposed use was not incompatible with the rural village setting. The vegetation cover at the site had been removed during May 2014 to January 2015 and landscape proposal was considered not acceptable. The proposed development, if approved, would encourage similar site modification prior to application, thus resulting in piecemeal developments destroying the tranquil nature of the rural area. The Commissioner of Police (C of P) strongly objected to the application as there was a similar farm (barbecue site) named 環保農莊 located next to the site, which had been repeatedly complained by members of the public for liquor licence and food licence related offence since May 2013. Similar complaints from members of the public might be received if the current application was approved;
- (d) during the first three weeks of the statutory publication period, a total of 27 public comments were received. They objected to the application mainly on the grounds: (i) the proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and approval of the application was in contravention with the Government’s new agricultural

policy under consultation and would set an undesirable precedent; (ii) the proposed development would generate adverse impacts on drainage, environmental and traffic aspects; (iii) a similar application in the vicinity of the site was rejected by the Committee; (iv) there were concerns on the potential environmental and cumulative impacts on the nearby watercourse and active farm; (v) there was concern that ‘destroy first and develop later’ might have taken place at the site; and (vi) any impacts to the site and neighbourhood should be considered thoroughly before granting any approval. No local objection/view was received by the District Officer (Yuen Long); and

- (e) the PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “AGR” zone. There was no strong planning justification in the submission for a departure from the planning intention of the “AGR” zone, even on a temporary basis. The proposed development which attracted visitors and group activities was considered not entirely compatible with the tranquil character of the surrounding area. No information had been submitted by the applicant to demonstrate that the proposed development would not generate environmental nuisances and no mitigation measure had been proposed to avoid such nuisances and adverse impacts on the existing watercourse. Regarding the public comments, relevant government departments’ comments and the planning assessments above were relevant.

Deliberation Session

114. A Member asked whether any similar application in the area had been approved. Referring to Plan A-1 of the Paper, Mr Kepler S.Y. Yuen, STP/FSYLE said that no similar application had been approved though the site was part of a previous application for temporary hobby farm (not involving barbecue site) approved by the Committee.

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

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

Agenda Item 30

Section 16 Application

[Open Meeting]

A/YL-PH/728 Temporary Open Storage of Building Materials and Vehicles for a Period of 3 Years in “Residential (Group D)” zone, Lots 9 (Part) and 10 (Part) in D.D.111 and Adjoining Government Land, Pat Heung, Yuen Long

(RNTPC Paper No. A/YL-PH/728)

116. The Committee noted that the site was located in Yuen Long. The Secretary reported that Ms Janice W.M. Lai had declared an interest in the item as her family members had a house at Cheung Po Tsuen, Pat Heung. As the property of Ms Lai’s family members did not have a direct view of the site, the Committee agreed that she could stay in the meeting.

117. The Committee noted that the applicant requested on 10.3.2016 for deferment of the consideration of the application for two months so as to allow time to respond to the comments of relevant department. It was the first time that the applicant requested for 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.

[Dr W.K. Yau left the meeting temporarily at this point.]

Agenda Item 31

Section 16 Application

[Open Meeting]

A/YL-MP/247 Proposed Comprehensive House and Wetland Habitat Development with Filling of Land in "Other Specified Uses" annotated "Comprehensive Development and Wetland Protection Area" Zone, Lot Nos. 3054 S.B RP and 3055 in D.D.104, near Yau Mei San Tsuen, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/247)

119. The Secretary reported that the application was submitted by Asia King Development Ltd. and Well Glided Ltd., which were subsidiaries of Henderson Land Development Co. Ltd. (HLD). AECOM Asia Co. Ltd. (AECOM), Ramboll Environ Hong Kong Ltd. (Environ) and Urbis Ltd. (Urbis) were three of the consultants of the applicants.

The following Members had declared interests in the item:

- | | | |
|---------------------|---|--|
| Mr Ivan C.S. Fu | } | having current business dealings with HLD,
AECOM, Environ and Urbis |
| Ms Janice W.M. Lai | | |
| Professor K.C. Chau | - | being an employee of the Chinese University of Hong Kong which had obtained a donation from a family member of the Chairman of HLD |
| Dr W.K. Yau | - | being a Director of a non-governmental organization which had obtained a donation from HLD |
| Mr H.F. Leung | - | being the employee of the University of Hong Kong (HKU) which had obtained a donation from a family member of the Chairman of HLD |
| Ms Christina M. Lee | - | being the Secretary-General of the Hong Kong Metropolitan Sports Events Association that had obtained sponsorship from HLD |
| Professor S.C. Wong | - | being the employee of HKU which had obtained a donation from a family member of the Chairman of HLD |
| | - | having current business dealings with AECOM |
| | - | being the Chair Professor and Head of the Department of Civil Engineering of HKU where AECOM had sponsored some activities of the Department |

Mr Peter K.T. Yuen

- being a member of the Board of Governors of the Hong Kong Arts Centre that had obtained a donation from an Executive Director of HLD

120. The Committee noted that Professor K.C. Chau and Ms Christina M. Lee had tendered apologies for being unable to attend the meeting. The applicants had requested for a deferral of consideration of the application. The Committee noted that the interests of Dr W.K. Yau, Mr H.F. Leung and Mr Peter K.T. Yuen were indirect and Professor S.C. Wong had no involvement in the application, and agreed that they could stay in the meeting. As the interests of Mr Ivan C.S. Fu and Ms Janice W.M. Lai were direct, the Committee agreed that they could also stay in the meeting but should refrain from participating in the discussion.

121. The Committee noted that the applicant requested on 2.3.2016 for deferment of the consideration of the application for two months so as to allow time for preparation of responses to address departmental comments. This was the applicant's second request for deferment.

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

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/249 Renewal of Planning Approval for Temporary Sales Offices (for Real Estate and Furniture) and Furniture Showrooms for a Period of 3 Years in “Open Space” zone, Lots 11 (Part) and 12 (Part) in D.D. 101, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/249)

Presentation and Question Sessions

123. Mr K.T. Ng, 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 sales offices (for real estate and furniture) and furniture showrooms under previous planning application No. A/YL-MP/210 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, one public comment was received from an individual, raising concern on the inappropriate use of land zoned “Open Space”. No local objection/view was received by the District Officer (Yuen Long); and

[Mr H.F. Leung left the meeting at this point.]

- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a further period of three years based

on the assessments set out in paragraph 12 of the Paper. The renewal was in line with the Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34B) in that since the last approval, there had been no major change in the planning circumstances; concerned government departments had no objection to or no adverse comment on the application; and all the approval conditions under the previous approval had been complied with. The site fell within the Wetland Buffer Area of the TPB Guidelines for Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance (TPB PG-No. 12C) which specified that planning application for temporary uses were exempted from the requirement of ecological impact assessment. Significant negative off-site disturbance impact on the ecological value of the wetlands and fish ponds was not envisaged. Regarding the public comment, the assessments above were relevant.

124. Members had no question on the application.

Deliberation Session

125. After deliberation, the Committee decided to approve the application on a temporary basis for a further period of 3 years from 10.4.2016 to 9.4.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation of the sales office for real estate between 8:30 p.m. and 9:30 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation of the sales office for furniture and furniture showrooms between 6:00 p.m. and 9:30 a.m. from Mondays to Saturdays, and whole day on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) no medium or heavy goods vehicle (i.e. exceeding 5.5 tonnes) including container trailer/tractor defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored at the site at any time during the planning approval period;
- (d) the maintenance of landscape planting within the site at all times during the planning approval period;
- (e) the maintenance of boundary fencing within the site at all times during the planning approval period;
- (f) the submission of as-built drainage plans and photographs of existing drainage facilities within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.10.2016;
- (g) 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 9.10.2016;
- (h) in relation to (g) above, the implementation of fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.1.2017;
- (i) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning conditions (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

- (k) upon 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.”

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

[Dr W.K. Yau returned to join the meeting at this point.]

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/333 Temporary Vegetable Collection and Transfer Station for a Period of 3 Years in “Comprehensive Development Area” zone, Government Land in D.D. 104, Chun Shin Road, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/333)

Presentation and Question Sessions

127. Mr K.T. Ng, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary vegetable collection and transfer station 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) no public comment was received during the first three weeks of the statutory publication period and no local objection/view was received by the District Officer (Yuen Long); and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. In view of the small scale and the daily operation hours of the applied use, significant adverse traffic, environmental, ecological, drainage and landscape impacts on the surrounding area were not envisaged. All concerned government departments had no objection to or no adverse comment on the application.

128. Members had no question on the application.

Deliberation Session

129. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.3.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the operation is restricted from 7:00 a.m. to 10:00 a.m. from Mondays to Sundays, as proposed by the applicant, during the planning approval period;
- (b) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.9.2016;
- (c) the implementation of the fire service installations proposed within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.12.2016;
- (d) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

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

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

Agenda Item 34

Section 16 Application

[Open Meeting]

A/YL-NTM/334 Renewal of Planning Approval for Temporary Public Vehicle Park (Private Cars and Container Vehicles) and Ancillary Offices for a Period of 3 Years in “Open Storage” zone, Lots 826RP(Part), 827, 828 and 829 in D.D. 102 and Lots 296, 297RP, 298RP, 299RP, 396RP(Part) and 397(Part) in D.D. 105 and Adjoining Government Land, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/334)

131. The Committee noted that the applicant requested on 9.3.2016 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested for deferment of the application.

132. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and

could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 35

Section 16 Application

[Open Meeting]

A/YL-ST/486 Proposed Temporary Warehouse and Office for a Period of 3 Years in
"Undetermined" zone, Lots 174, 176, and 186 (Part) in D.D. 99, and
adjoining Government Land, Lok Ma Chau, Yuen Long

(RNTPC Paper No. A/YL-ST/486)

133. The Committee noted that the applicant requested on 29.2.2016 for deferment of the consideration of the application for two months so as to allow time for preparation of responses to comments from the Commissioner of Police. It was the first time that the applicant requested for 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 Jannie H.T. Leung, Mr Kepler S.Y. Yuen and Mr K.T. Ng, STPs/FSYLE, for their attendance to answer Members' enquiries. They left the meeting at

member of the Tuen Mun District Council. One objection was submitted by an individual on the ground that there was no material or justification provided to demonstrate any change in conditions since the rejection of the previous application. No local objection/view was received by the District Officer (Tuen Mun); and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment set out in paragraph 12 of the Paper. The application generally met the Interim Criteria for Consideration of Application for NTEH/Small House Development in the New Territories in that the site and the footprint of the proposed Small House fell wholly within the village ‘environs’ of San Hing Tsuen, Tuen Tsz Wai and Tsing Chuen Wai and land available within the “Village Type Development” (“V”) zone was insufficient to meet the future Small House demand. Regarding the adverse public comment, the planning assessments above were relevant.

136. Members had no question on the application.

Deliberation Session

137. 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 18.3.2020, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

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

satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/505 Temporary Place of Recreation, Sports and Culture (Indoor Football Courts) for a Period of 3 Years in “Comprehensive Development Area” zone, Unit A, 1/F, Century Centre, 1 Ping Ha Road, Yuen Long
(RNTPC Paper No. A/YL-PS/505A)

Presentation and Question Sessions

139. 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) temporary place of recreation, sports and culture (indoor football courts) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Fire Services (D of FS) did not support the application from fire safety point of view due to the public’s unpreparedness in facing the potential risks inside and outside industrial buildings and their unfamiliarity with the situation in case of emergency, rendering their escape materially much more difficult. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection/view was received by the District Officer (Yuen Long); and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. Since the development was on the 1st floor of a 2-storey industrial building and the same floor and the ground floor of the same building were also occupied by industrial uses including factories and workshops, the development was not entirely compatible with the uses within the same floor/building. The development was considered not acceptable in an industrial building from fire safety point of view and D of FS did not support the application..

140. Members had no question on the application.

Deliberation Session

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

“- the proposed indoor football court is considered not acceptable in an industrial building from fire safety point of view.”

[Mr Peter K.T. Yuen left the meeting temporarily at this point.]

Agenda Item 38

Section 16 Application

[Open Meeting]

A/YL-PS/514

Proposed Temporary Logistics Centre for a Period of 3 Years in
“Comprehensive Development Area” zone, Lots 120 (Part), 121 (Part),
122 (Part), 246 RP (Part), 247, 248 S.A, 248 S.B, 248 RP (Part), 249
RP, 250 RP and 254 RP in D.D. 122, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/514)

142. The Committee noted that the applicant’s representative requested on 10.3.2016 for deferment of the consideration of the application for one month so as to allow sufficient time to resolve comments from the Transport Department. It was the first time that the applicant requested for deferment of the application.

143. 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 39

Section 12A Application

[Open Meeting]

Y/YL-LFS/8 Application for Amendment to the Approved Lau Fau Shan & Tsim Bei Tsui Outline Zoning Plan No. S/YL-LFS/7, To rezone the application site from “Recreation” to “Government, Institution or Community (1)”, Lot 1862 (Part) in D.D. 129, Lau Fau Shan, Yuen Long

(RNTPC Paper No. Y/YL-LFS/8)

144. The Secretary reported that the application was submitted by Chun Wo Construction and Engineering Company Ltd. (Chun Wo). Ramboll Environ Hong Kong Ltd. (Environ) was one of the consultants of the applicant. The following Members had declared interests in the item:

Mr Ivan C.S. Fu	}	having current business dealings with Environ
Ms Janice W.M. Lai		
Professor S.C. Wong	-	being the Chair Professor and Head of the Department of Civil Engineering of the University of Hong Kong where Chun Wo had sponsored some activities of the Department

145. The applicant had requested for a deferral of consideration of the application. The Committee noted that the interest of Professor S.C. Wong was indirect, and Ivan C.S. Fu and Ms Janice W.M. Lai had no involvement in the application, and agreed that they could stay in the meeting.

146. The Committee noted that the applicant requested on 2.3.2016 for deferment of the consideration of the application for two months to allow time to prepare further information to address departmental comments. It was the first time that the applicant

requested for deferment of the application.

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

[Mr Peter K.T. Yuen returned to join the meeting at this point.]

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

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TSW/66 Renewal of Planning Approval for Temporary 'Public Vehicle Park (excluding container vehicle) (Letting of surplus parking spaces to non-residents)' for a Period of 3 Years in "Residential (Group A)" zone, Tin Heng Estate, Tin Shui Wai
(RNTPC Paper No. A/TSW/66)

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

Mr K.K. Ling
(the Chairman)
as the Director of Planning

- being a member of the Strategic Planning Committee (SPC) and the Building Committee of HKHA

- Mr Edwin W.K. Chan
*as the Assistant Director/Regional 3,
Lands Department*
- Mr Martin W.C. Kwan
*as the Chief Engineer (Works) of
Home Affairs Department*
- Mr H.F. Leung
- Mr Ivan C.S. Fu
Ms Janice W.M. Lai
- being an alternate member for the Director of Lands who was a member of HKHA
 - being an alternate member for the Director of Home Affairs who was a member of SPC and Subsidized Housing Committee of HKHA
 - being a member of the Tender Committee of HKHA
 - } having business dealings with HKHA

149. The Committee noted that Mr Martin W.C. Kwan had tendered apology for being unable to attend the meeting and Mr H.F. Leung had already left the meeting. The Committee also noted that the interests of Mr K.K. Ling, Mr Edwin W.K. Chan, Mr Ivan C.S. Fu and Ms Janice W.M. Lai were direct, and agreed that they should be invited to leave the meeting temporarily for the item. The Vice-chairman took over the chairmanship of the meeting at this point.

[Mr K.K. Ling, Mr Edwin W.K. Chan, Mr Ivan C.S. Fu and Ms Janice W.M. Lai left the meeting temporarily at this point.]

Presentation and Question Sessions

150. 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 renewal of planning approval for temporary ‘public vehicle park (excluding container vehicle)’ (letting of surplus parking spaces to non-residents) under applicatin No. A/TSW/56 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, one public comment was received urging the Town Planning Board (TPB) to reject the application so that the application site could be released for other uses. No local objection/view was received by the District Officer/Yuen Long (DO/YL); and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a further period of three years based on the assessments set out in paragraph 11 of the Paper. The application was generally in line with the TPB Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34B) in that there had been no material change in planning circumstances since the granting of the previous approval; there was no adverse planning implication; there was no adverse departmental comment; and the 3-year approval period sought was considered reasonable. Regarding the public comment, the planning assessments above were relevant.

151. Members had no question on the application.

Deliberation Session

152. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 15.5.2016 to 14.5.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition :

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

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

[Mr K.K. Ling, Mr Edwin W.K. Chan, Mr Ivan C.S. Fu and Ms Janice W.M. Lai returned to join the meeting at this point.]

Agenda Item 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1010 Temporary Place of Recreation, Sports or Culture (Fishing Ground) and Ancillary Refreshment Kiosk for a Period of 3 Years in “Coastal Protection Area” zone, Lots 215 S.A (Part), 219 S.A ss.1 RP (Part), 219 S.B, 221 (Part), 222 S.A RP (Part), 222 S.A ss.1 (Part), 222 S.B (Part), 224 S.B (Part), 224 S.C (Part) and 224 S.D in D.D.128, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/1010)

154. The Secretary reported that Ms Janice W.M. Lai had declared an interest in the item as her spouse was a shareholder of a company which owned two pieces of land in Ha Tsuen. The Committee agreed that as the said properties did not have a direct view of the site, she could stay in the meeting.

Presentation and Question Sessions

155. The Committee noted that the replacement page (page 1 in Appendix IV) had been dispatched to Members on 17.3.2016. 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) temporary place of recreation, sports or culture (fishing ground) and ancillary refreshment kiosk 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, a total of six comments were received. Five individuals and Designing Hong Kong Limited objected to the application on the grounds that the proposed use was not in line with the planning intention of the “Coastal Protection Area” (“CPA”) zone and would possibly degenerate the ecological function of the site due to the additional structures; a suspected ‘destroy first, develop later’ case; and would set an undesirable precedent. No local objection/view was received by the District Officer (Yuen Long); and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The development was not incompatible with the surrounding land uses and would unlikely cause significant adverse traffic, environmental and drainage impacts on the surrounding area. Approval conditions restricting operation hours, no barbecue activities, no public announcement systems and no pond filling were recommended to minimize any potential environmental nuisances or to address the technical concerns of relevant government departments. Regarding the public comments, the planning assessments above were 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 18.3.2019, 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. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the approval period;
- (b) no barbecue activity, as proposed by the applicant, is allowed at any time on the site during the planning approval period;
- (c) no public announcement system, as proposed by the applicant, is allowed at any time on the site during the planning approval period;
- (d) no filling of pond, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (e) a clearance of at least 1.5m from the centerline of the existing water mains at the site shall be maintained at all times during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from the public road is allowed at any time during the planning approval period;
- (g) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (h) 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 18.6.2016;

- (i) 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 18.9.2016;
- (j) in relation to (i) above, the implementation of a landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 18.12.2016;
- (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 18.9.2016;
- (l) in relation to (k) above, the implementation of a 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 18.12.2016;
- (m) if the above planning condition (a), (b), (c), (d), (e), (f) or (g) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (h), (i), (j), (k) or (l) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon 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 IV of the Paper.

Agenda Item 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1011 Temporary Open Storage of Vehicles (Coaches/Buses), Parts, Tyres and Parking of Coaches/Buses, Private Cars for a Period of 3 Years in “Open Space” zone, Lots 482 (Part), 483 (Part), 484(Part), 485(Part), 509 RP, 511, 512, 513 RP (Part), 514, 515 RP (Part), 519 RP (Part), 520 RP, 521 RP and 522 (Part) in D.D. 124, Ha Tsuen, Yuen Long (RNTPC Paper No. A/YL-HT/1011)

159. The Secretary reported that Ms Janice W.M. Lai had declared an interest in the item as her spouse was a shareholder of a company which owned two pieces of land in Ha Tsuen. The Committee agreed that as the said properties did not have a direct view of the site, she could stay in 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) temporary open storage of vehicles (coaches/buses), parts, tyres and parking of coaches/buses, private cars 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 because there were sensitive uses in the vicinity of the site (the nearest residential structure was about 42m away) and along the access road, environmental nuisance was expected. Other government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, 28 public comments were received. All commenters objected to/or expressed concerns on the application mainly on the grounds that the heavy lorries serving the nearby logistics centres and warehouses already had an adverse traffic impact and caused traffic safety concerns to the residents, illegal parking of lorries on the road side were often noted; the development would have an adverse environmental impacts on surrounding areas; the applicant had altered the existing drainage facilities leading to the blockage and flooding to surrounding areas; the site occupied one of the commenters' land without his authorization and blocking access to his land; and inefficient use of land. No local objection/view was received by the District Officer (Yuen Long); and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary uses could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The application was in line with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E) in that the site fell within Category 3 areas, there was previous approval for similar use, the applicant had complied with the approval conditions and no adverse comments from concerned departments, except DEP; and the concerns of relevant government departments could be addressed through the imposition of approval conditions. Although DEP did not support the application, no environmental complaint was received in the past three years and possible nuisances generated by the temporary use could be minimized by the imposition of relevant approval conditions. Regarding the public comments, the assessments above were relevant and as regards the issues on unauthorized occupation of private land and block of private access, an advisory clause was recommended to remind the applicant to resolve any land issue relating to the development.

161. The Chairman asked how the applicant addressed the public concerns as summarized in paragraph 11 of the Paper. In response, Mr Vincent T.K. Lai, STP/TMYLW said that approval conditions on operation hours, types of vehicles to be parked and fencing

of the site were recommended to minimize any possible impacts on the surrounding area. Referring to Drawing A-3 of the Paper, Mr Lai further said that the applicant had revised the drainage proposal so that the underground drainage pipe would be connected to the public drains directly without affecting the adjacent lot. The drainage proposal had already been accepted by the Director of Drainage Services.

162. The Chairman further asked whether approval conditions under the previous application had been complied with. Mr Lai answered in the affirmative.

Deliberation Session

163. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.3.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 10:00 p.m. to 6:00 a.m., as proposed by the applicant, is allowed on the site during the approval period;
- (b) in relation to (a) above, no operation for parking of coaches/buses and car between 8:00 p.m. to 8:00 a.m. on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the approval period;
- (c) in relation to (a) above, no operation for open storage of vehicle (coaches/buses), parts, tyres uses on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any times during the planning approval period;
- (e) the implementation of the accepted drainage proposal on site within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.9.2016;

- (f) the implemented drainage facilities on the site 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 18.9.2016;
- (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 18.12.2016;
- (i) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.4.2016;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.9.2016;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.12.2016;
- (l) the provision of fencing of the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 18.9.2016;
- (m) if any of the above planning conditions (a), (b), (c), (d) and (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;

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

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

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/285 Proposed Temporary Open Storage of Construction Machinery, Materials and Equipment for a Period of 3 Years in “Green Belt” zone, Lots No. 886 and 887 RP in D.D.129, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/285)

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) proposed temporary open storage of construction machinery, materials and equipment 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 (the closest was about 31m) and along the access road (Deep Bay Road), and environmental nuisance was expected. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) raised objection to the application as the proposed use was not compatible with the surrounding environment and would likely involve vegetation clearance. In the absence of a landscape and tree preservation proposal, the overall impact of the development could not be fully ascertained. Approval of the application would likely set an undesirable precedent attracting similar open storage uses within the “Green Belt” (“GB”) zone and the cumulative impact of such approval might lead to general degradation of the landscape character and quality of the green belt;

- (d) during the first three weeks of the statutory publication period, five public comments were received. Kadoorie Farm & Botanic Garden Corporation, Green Sense, Designing Hong Kong Limited and two individuals urged the Town Planning Board (TPB) to reject the application on grounds that the proposed development was not in line with the planning intention of the “GB” zone; did not tally with the relevant TPB Guidelines; would generate adverse traffic, environmental and/or ecological impacts and set an undesirable precedent. No local objection/view was received by the District Officer (Yuen Long); 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 TPB Guidelines for Application for Development within the “GB” zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 10) in that the development was not compatible with the surrounding area. The development was not in line with the TPB Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E) in that the site fell within Category 4 areas, there was no previous planning approval for the same use, the applicant had not demonstrated any exceptional circumstance to justify the development and there was no approval for similar use within the “GB” zone. Regarding the public comments, the assessments above were

relevant.

166. Members had no question on the application.

Deliberation Session

167. 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 to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl, as well as to provide passive recreational outlets. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the proposed development is not in line with the Town Planning Board (TPB) Guidelines No. 10 for Application for Development within the Green Belt zone in that the development is not compatible with the surrounding areas;
- (c) the proposed development is not in line with the TPB Guidelines No. 13E for Application for Open Storage and Port Back-up Uses in that the applicant has not provided any strong planning justification to demonstrate the proposed open storage use in Category 4 areas should be treated as an exception under the Guidelines; and
- (d) approval of the application would set an undesirable precedent for similar open storage use in the “GB” zone, the cumulative effect of which would result in a general degradation of the environment of the area.”

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

Agenda Item 44

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/374 Proposed Temporary Wholesale Centre of Auto Parts and Car Sales
Centre for a Period of 3 Years in “Residential (Group C)” zone, Lots
1012 S.A RP, 1037(A) & (B), 1038, 1039, 1040, 1041 and 1042 in
D.D. 115, Au Tau, Yuen Long
(RNTPC Paper No. A/YL-TT/374)

Presentation and Question Sessions

168. Ms Bonita K.K. Ho, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary wholesale centre of auto parts and car sales centre for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received raising objection to the application on the ground of inefficient use of land. No local objection/view was received by the District Officer (Yuen Long); and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with the planning intention of the “Residential (Group C)” zone, there was no known development programme for the zoned use.

Relevant approval conditions were recommended to mitigate any potential nuisance generated by the use or to address the technical concerns of the government departments. Regarding the public comment, planning assessments above were relevant.

169. Members had no question on the application.

Deliberation Session

170. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.3.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no dismantling, maintenance, repairing, cleansing, paint spraying, car washing or other workshop activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, is allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (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 submission of records of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.6.2016;

- (g) the submission of 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 18.9.2016;
- (h) in relation to (g) above, the implementation of 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 18.12.2016;
- (i) 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 18.9.2016;
- (j) in relation to (i) above, the implementation of fire service installation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.12.2016;
- (k) 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;
- (l) if any of the above planning conditions (f), (g), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (m) upon 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.”

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

Agenda Item 45

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/771 Temporary Warehouse and Open Storage of Construction Materials for a Period of 3 Years in “Undetermined” zone, Lots 1402 (Part), 1487 (Part), 1488 S.A (Part), 1488 RP (Part) and 1489 (Part) in D.D. 119, Kung Um Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/771A)

Presentation and Question Sessions

172. Ms Bonita K.K. Ho, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary warehouse and open storage of construction materials 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, i.e. residential structures located to the northwest and in the vicinity, and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection/view was received by the District Officer (Yuen Long); and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The application was

generally in line with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E) in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up uses; there were no adverse comments from concerned departments except DEP; and the concerns of relevant government departments could be addressed through the imposition of approval conditions. Although DEP did not support the application, no environmental complaint was received in the past three years and possible environmental nuisances generated by the temporary use could be minimized by the imposition of relevant approval conditions.

173. Members had no question on the application.

Deliberation Session

174. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.3.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no storage or handling (including loading and unloading) of electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste are allowed on the site at any time during the planning approval period;

- (e) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the provision of boundary fence on the site within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 18.6.2016;
- (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 18.9.2016;
- (i) in relation to (h) above, the implementation of the landscape and tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 18.12.2016;
- (j) 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 18.9.2016;
- (k) in relation to (j) 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 18.12.2016;
- (l) in relation to (k) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (m) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.4.2016;

- (n) 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 18.9.2016;
- (o) in relation to (n) above, the implementation of 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 18.12.2016;
- (p) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (l) 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;
- (q) if any of the above planning conditions (g), (h), (i), (j), (k), (m), (n) or (o) 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
- (r) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 46

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/781 Temporary Warehouse and Open storage of Homeware for a Period of 3 Years in “Undetermined” zone, Lots 1062 (Part), 1125 (Part), 1127 (Part) and 1128 (Part) in D.D. 119, Kung Um Road, Yuen Long (RNTPC Paper No. A/YL-TYST/781)

Presentation and Question Sessions

176. Ms Bonita K.K. Ho, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary warehouse and open storage of homeware 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, i.e. residential structures located to the west, northeast and in the vicinity, and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection/view was received by the District Officer (Yuen Long); and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E) in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up uses; there were no adverse comments from concerned departments except DEP; and the concerns of relevant government departments could be addressed through the imposition of approval conditions. Although DEP did not support the application, no environmental complaint was received in the past three years and possible environmental nuisances generated by the temporary use could be minimized by the imposition of relevant approval conditions.

177. Members had no question on the application.

Deliberation Session

178. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.3.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no repairing, dismantling, maintenance, cleansing or any other workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (e) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (f) the existing boundary fence on the site shall be maintained at all times during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;

- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of records of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.6.2016;
- (j) the submission of 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 18.9.2016;
- (k) in relation to (j) 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 18.12.2016;
- (l) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.4.2016;
- (m) 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 18.9.2016;
- (n) in relation to (m) above, the implementation of 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 18.12.2016;
- (o) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

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

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

Agenda Item 47

Section 16 Application

[Open Meeting]

A/YL-TYST/782 Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years in “Green Belt” zone, Lots 417 RP, 418, 419, 422 RP, 496, 497, 498, 499, 500 and 501 in D.D. 119 and Adjoining Government Land, Lam Tai West Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/782)

180. The Committee noted that the applicant requested on 9.3.2016 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the departmental comments received on the application. It was the first time that the applicant requested for deferment of the application

181. 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 48

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/783 Temporary Open Storage of Construction Materials, Equipment and Machinery for a Period of 3 Years in “Undetermined” zone, Lots 348 RP (Part), 349 RP, 350 RP (Part), 351 (Part), 352 (Part), 353 S.A RP (Part), 353 S.B (Part), 361 RP and 362 RP in D.D. 119, Yuen Long (RNTPC Paper No. A/YL-TYST/783)

Presentation and Question Sessions

182. Ms Bonita K.K. Ho, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary open storage of construction materials, equipment and machinery 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, i.e. residential dwelling/structure along the access track leading from Shan Ha Road to the site, and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection/view was received by the District Officer (Yuen Long); and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E) in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up uses; there were no adverse comments from concerned departments except DEP; and the concerns of relevant government departments could be addressed through the imposition of approval conditions. Although DEP did not support the application, no environmental complaint was received in the past three years and possible environmental nuisances generated by the temporary use could be minimized by the imposition of relevant approval conditions.

183. Members had no question on the application.

Deliberation Session

184. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.3.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no repairing, dismantling, spraying, cleansing or any other workshop activities, as proposed by the applicant, are allowed on the site at any time

during the planning approval period;

- (d) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the provision of boundary fence on the site within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 18.6.2016;
- (g) 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 18.9.2016;
- (h) in relation to (g) above, the implementation of the landscape and tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 18.12.2016;
- (i) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.9.2016;
- (j) in relation to (i) 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 18.12.2016;
- (k) in relation to (j) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;

- (l) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.4.2016;
- (m) 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 18.9.2016;
- (n) in relation to (m) above, the implementation of 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 18.12.2016;
- (o) if any of the above planning conditions (a), (b), (c), (d), (e) or (k) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (p) if any of the above planning conditions (f), (g), (h), (i), (j), (l), (m) or (n) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (q) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 49

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/220 Renewal of Planning Approval for Temporary ‘Public Vehicle Park (excluding container vehicle)(Letting of Surplus Parking Spaces to Non-residents)’ for a Period of 3 Years in “Residential (Group A)” zone, Shui Pin Wai Estate, Yuen Long
(RNTPC Paper No. A/YL/220)

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

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| Mr K.K. Ling
(the Chairman)
<i>as the Director of Planning</i> | - being a member of the Strategic Planning Committee (SPC) and the Building Committee of HKHA |
| Mr Edwin W.K. Chan
<i>as the Assistant Director/Regional 3, Lands Department</i> | - being an alternate member for the Director of Lands who was a member of HKHA |
| Mr Martin W.C. Kwan
<i>as the Chief Engineer (Works) of Home Affairs Department</i> | - being an alternate member for the Director of Home Affairs who was a member of SPC and Subsidized Housing Committee of HKHA |
| Mr H.F. Leung | - being a member of the Tender Committee of HKHA |
| Mr Ivan C.S. Fu | } having business dealings with HKHA |
| Ms Janice W.M. Lai | |

187. The Committee noted that Mr Martin W.C. Kwan had tendered apology for being unable to attend the meeting and Mr H.F. Leung had already left the meeting. The

Committee also noted that the interests of Mr K.K. Ling, Mr Edwin W.K. Chan, Mr Ivan C.S. Fu and Ms Janice W.M. Lai were direct, and agreed that they should be invited to leave the meeting temporarily for the item. The Vice-chairman took over the chairmanship of the meeting at this point.

[Mr K.K. Ling, Mr Edwin W.K. Chan and Mr Ivan C.S. Fu left the meeting temporarily while Ms Janice W.M. Lai left the meeting at this point.]

Presentation and Question Sessions

188. Ms Bonita K.K. Ho, 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 ‘public vehicle park (excluding container vehicle)’ (letting of surplus parking spaces to non-residents) under application No. A/YL/197 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, two public comments were received. Designing Hong Kong Limited and an individual expressed concerns on the application on the following main grounds : (i) the proposal was not in line with the planning intention of the “Residential (Group A)” (“R(A)”) zone; (ii) the applied use had been allowed for 12 years and the HKHA should come up with a comprehensive proposal to handle the shortage of parking space in the community or find permanent use for the spaces; and (iii) the open-air car park could be converted to open space to serve the local residents. No local objection/view was received by the District Officer (Yuen Long); and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a further period of three years based on the assessments set out in paragraph 11 of the Paper. The application was generally in line with the Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34B) in that there had not been any material change in planning circumstances since the approval of the last application, and there was no adverse departmental comment, and the 3-year approval period sought was considered reasonable. Whilst there was one substantiated environmental complaint received in 2014, preventive measures had been implemented and no malpractice was detected. With regard to the public concern on the alternative uses of the surplus parking spaces, an advisory clause was proposed to advise the applicant to consider releasing some spaces to non-governmental organisations for other uses.

189. Members had no question on the application.

Deliberation Session

190. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 15.5.2016 to 14.5.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition :

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

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

[The Vice-chairman thanked Ms Stella Y. Ng, Mr Vincent T.K. Lai and Ms Bonita K.K. Ho, STPs/TMYLW, for their attendance to answer Members' enquiries. They left the meeting at this point.]

[Mr K.K. Ling, Mr Edwin W.K. Chan and Mr Ivan C.S. Fu returned to join the meeting at this point.]

Agenda Item 50

Any Other Business

192. As this was the last RNTPC meeting of the current term, the Chairman took the opportunity to thank Members for their dedication and support to the work for the Committee over the past two years.

193. There being no other business, the meeting closed at 6:00 p.m..