

TOWN PLANNING BOARD

Minutes of 576th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 17.3.2017

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Ivan C.S. Fu

Ms Christina M. Lee

Mr H.F. Leung

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

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

Assistant Director (Environmental Assessment),
Environmental Protection Department
Mr K.F. Tang

Assistant Director/Regional 3,
Lands Department
Mr John K.T. Lai

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

Secretary

Absent with Apologies

Mr H.W. Cheung

Professor K.C. Chau

Ms Janice W.M. Lai

Dr C.H. Hau

Mr Alex T.H. Lai

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

In Attendance

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

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

Town Planner/Town Planning Board
Ms Anita M.Y. Wong

Agenda Item 1

Confirmation of the Draft Minutes of the 575th RNTPC Meeting held on 3.3.2017

[Open Meeting]

1. The draft minutes of the 575th RNTPC meeting held on 3.3.2017 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Sha Tin, Tai Po and North District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/ST/34 Application for Amendment to the Draft Sha Tin Outline Zoning Plan No. S/ST/33, To rezone the application site from “Village Type Development” to “Government, Institution or Community (1)”, Lots 63, 296 (Part), 331 RP (Part) and 393 S.B RP (Part) in D.D. 185, Sheung Wo Che, Sha Tin, New Territories
(RNTPC Paper No. Y/ST/34A)

3. The Secretary reported that the application was submitted by Sai Lam Temple Foundation Limited. The following Members have declared interests on the item:

Mr Alex T.H. Lai - his firm having current business dealings with Sai Lam Temple Foundation Limited; and

Mr Martin W.C. Kwan - having a relative’s ashes stored in Sai Lam Temple.

4. The Committee noted that Mr Alex T.H. Lai and Mr Martin W.C. Kwan had tendered apologies for being unable to attend the meeting.

5. The Committee noted that the applicant’s representative requested on 24.2.2017 deferment of consideration of the application for a period of two months in order to allow more time for preparation of detailed responses and assessments on the comments raised by relevant government departments and the public. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including responses to departmental and public comments together with replacement pages to the traffic impact assessment report and a new preliminary engineering feasibility study.

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

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/TP/25 Application for Amendment to the Approved Tai Po Outline Zoning Plan No. S/TP/26, To rezone the application site from "Green Belt" to "Village Type Development", Lots 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 36 (Part), 37 (Part), 63, 64 S.A, 64 S.B, 64 S.C, 64 S.D (Part), 64 S.E (Part), 65, 67 and 813 (Part) in D.D. 20 and Adjoining Government Land, Yuen Tun Ha, Tai Po, New Territories
(RNTPC Paper No. Y/TP/25)

7. The Secretary reported that the site was located in Tai Po and Mr H.W. Cheung had declared an interest on the item as he owned a flat in Tai Po Market. The Committee noted that Mr H.W. Cheung had tendered apologies for being unable to attend the meeting.

8. The Committee noted that the applicant's representative requested on 1.3.2017 deferment of consideration of the application for a period of two months in order to allow time for preparation of further information to address the comments of relevant government departments. It was the first time the applicant requested deferment of the application.

9. 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.

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/FSS/12

Application for Amendment to the Approved Fanling/Sheung Shui Outline Zoning Plan No. S/FSS/22, To rezone the application site from "Comprehensive Development Area" to "Comprehensive Development Area (1)", Sheung Shui Lot 2 RP and Adjoining Government Land, New Territories

(RNTPC Paper No. Y/FSS/12)

10. The Secretary reported that the application was submitted by Mr Hui Sai Fun who was the Chairman of Central Development Limited (CDL). Ove Arup & Partners Hong Kong Limited (Arup), Ramboll Environ Hong Kong Limited (Environ), Dennis Lau & Ng Chun Man Architects & Engineers (HK) Ltd. (DLNCM) and ADI Ltd. (ADI) were four of the consultants of the applicant. The following Members have declared interests on the item:

- Mr Stephen L.H. Liu - having current business dealings with CDL and DLNCM;
- Mr Ivan C.S. Fu - having current business dealings with Arup, Environ and ADI;
- Ms Janice W.M. Lai - having current business dealings with Environ and ADI; and
- Mr Alex T.H. Lai - his firm having current business dealing with Arup.

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

12. The Committee noted that the applicant's representative requested on 3.3.2017 deferment of consideration of the application for a period of two months in order to allow time to address comments from various government departments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including various revised impact assessments and a revised landscape master plan to address departmental comments.

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

unless under very special circumstances.

Agenda Item 6

Section 12A Application

[Open Meeting]

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

14. The Secretary reported that Urbis Limited (Urbis) and Westwood Hong & Associates Ltd. (WHA) were two of the consultants of the applicant. The following Members had declared interests on the item:

Mr Ivan C.S. Fu - having current business dealings with Urbis and WHA;
and

Ms Janice W.M. Lai - having current business dealings with Urbis.

15. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting. The Committee noted that the applicant had requested deferment of the application and agreed that as Mr Ivan C.S. Fu had no involvement in the application, he could stay in the meeting.

16. The Committee noted that the applicant’s representative requested on 8.3.2017 deferment of consideration of the application for a period of two months to allow time to

address comments from various government departments. It was the first time the applicant requested deferment of the application.

17. 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 Philip S.L. Kan arrived to join the meeting at this point.]

Agenda Item 7

Section 12A Application

[Open Meeting]

Y/YL-NTM/2

Application for Amendment to the Approved Ngau Tam Mei Outline Zoning Plan No. S/YL-NTM/12, To rezone the application site from “Comprehensive Development Area” to “Comprehensive Development Area (1)” in “Comprehensive Development Area (1)” and “Comprehensive Development Area” Zones, Lots 435 S.A (Part), 436 S.A (Part), 438, 439, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 456 (Part), 457 (Part), 459 (Part), 460, 461 (Part), 462 (Part), 463 (Part), 464 (Part), 465, 466, 467, 468, 469, 470 (Part), 471, 472, 473, 474, 476, 478, 479, 480, 481, 482, 483, 484 S.A (Part), 485, 486, 492, 493, 494, 495 (Part), 516, 517, 518, 520 (Part), 521 S.A (Part), 522 (Part), 541 S.A (Part), 542 S.A (Part), 543 S.A (Part), 545 S.A (Part), 547, 548, 549, 550, 551, 552, 555, 556, 559, 560, 562, 563 (Part), 564 S.A (Part), 572 S.A (Part), 573, 574, 575 S.A (Part), 576 S.A (Part) in D.D. 105 and Adjoining Government Land in Shek Wu Wai, Yuen Long, New Territories
(RNTPC Paper No. Y/YL-NTM/2A)

18. The Secretary reported that Bonus Plus Company Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK), was one of the applicants. Llewelyn-Davies Hong Kong Limited (LD), Ramboll Environ Hong Kong Limited (Environ), AECOM Asia Co. Ltd. (AECOM), MVA Hong Kong Limited (MVA) Ronald Lu & Partners Hong Kong Limited (RLP) and Ove Arup & Partners Hong Kong Limited (Arup) were six of the consultants of the applicants. The following Members had declared interests on the item:

Mr Ivan C.S. Fu

- having current business dealings with SHK, Environ, AECOM, MVA and Arup;

- Ms Janice W.M. Lai - having current business dealings with SHK, Environ, AECOM;
- Mr Stephen L.H. Liu - having current business dealings with SHK, LD and RLP;
- Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which had solicited sponsorship from SHK before;
- Dr C.H. Hau - having current business dealings with AECOM;
- Mr Alex T.H. Lai - his firm having current business dealing with Arup and RLP; and
- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Co. (1933) Ltd. (KMB) and SHK was one of the shareholders of KMB.

19. The Committee noted that Ms Janice W.M. Lai, Dr C.H. Hau and Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting and Ms Christina M. Lee and Miss Winnie W.M. Ng had not yet arrived to join the meeting. The Committee noted that the applicants had requested deferment of consideration of the application and agreed that as the interests of Mr Ivan C.S. Fu and Mr Stephen L.H. Liu were direct, they could stay in the meeting but should refrain from participating in the discussion.

20. The Committee noted that the applicants' representative requested on 8.3.2017 deferment of consideration of the application for a period of two months to allow time to address comments raised by government departments. It was the second time the applicants requested deferment of the application. Since the last deferment, the applicants had submitted further information to address departmental comments including the submission of various revised technical assessments.

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

Tuen Mun and Yuen Long West District

Agenda Item 8

Section 12A Application

[Open Meeting]

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

22. The Secretary reported that the RHL Surveyors Limited (RHL) was the consultant of the applicant. Mr H.F. Leung had declared an interest on the item as RHL had made donation to the Department of Real Estate and Construction in the Faculty of Architecture of the University of Hong Kong, where he was working. The Committee noted that the applicant had requested deferment of the application and agreed that as the interest of Mr H.F. Leung was indirect, he could stay in the meeting.

23. The Committee noted that the applicant's representative requested on 2.3.2017 deferment of consideration of the application for a period of two months to allow time for preparation of further information. It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

24. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the second deferment and a total of 4 months had been allowed including the previous deferment for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 9

Section 12A Application

[Open Meeting]

Y/YL/10 Application for Amendment to the Approved Yuen Long Outline Zoning Plan No. S/YL/23, To rezone the application site from "Government, Institution or Community" to "Residential (Group A)1", Lots 2231 RP, 2232, 2233, 2235, 2236, 2237, 2238, 2239 (Part), 2240 (Part), 2241 (Part), 2296 (Part), 2297 (Part), 2300 (Part), 2302 (Part), 2303 (Part), 2304 RP, 2305 (Part), 2306 RP (Part) and 2497 RP(Part) in D.D. 120 and Adjoining Government Land, Yuen Long, New Territories
(RNTPC Paper No. Y/YL/10C)

25. The Secretary reported that Ove Arup & Partners Hong Kong Limited (Arup) and

Ramboll Environ Hong Kong Limited (Environ) were two of the consultants of the applicants. The following Members had declared interests on the item:

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

26. The Committee noted that Ms Janice W.M. Lai and Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting. The Committee also noted that the applicants had requested deferment of consideration of the application and agreed that as Mr Ivan C.S. Fu had no involvement in the application, he could stay in the meeting.

27. The Committee noted that the applicants' representative requested on 1.3.2017 deferment of the application for a period of two months to allow time for preparation of revised technical assessments to address further comments from government departments. The applicants were also expecting a meeting with the Education Bureau to address their concerns. It was the fourth time the applicants had requested deferment of the application. Since the last deferment, the applicant had submitted further information including new/revised technical assessments and tree preservation proposal to address departmental comments.

28. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within 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 fourth deferment and a total of eight months had been allowed for the preparation of submission of further information, this was the last deferment, no

technical assessments.

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

Agenda Item 11

Section 16 Application

[Open Meeting]

A/SLC/145 Proposed Public Utility Installation (Sewage Pumping Station) and Excavation of Land for Proposed Sewage Pumping Station and Underground Sewers in "Coastal Protection Area" Zone, Government Land in Chi Ma Wan Road at Pui O and Ham Tin, Lantau Island, New Territories
(RNTPC Paper No. A/SLC/145A)

33. The Secretary reported that the application was submitted by the Drainage Services Department (DSD) and Black & Veatch Hong Kong Ltd. (B&V) was the consultant of the applicant. The following Members had declared interests on the item:

Ms Janice W.M. Lai	}	having current business dealings with DSD; and
Dr C.H. Hau		

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

34. The Committee noted that Ms Janice W.M. Lai, Dr C.H. Hau and Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting.

35. The Committee noted that the applicant requested on 2.3.2017 deferment of consideration of the application for a period of two months to allow time to address comments raised by government departments and members of the public. It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted a revised planning study report to address departmental and public comments.

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

Agenda Item 12

Section 16 Application

[Open Meeting]

A/TKO/107 Proposed Flat in "Residential (Group E)" Zone, Junk Bay Town Lot 2 and Extension (Part) and Tseung Kwan O Town Lot 22 and Adjoining Government Land, Shek Kok Road, Area 85, Tseung Kwan O, New Territories

(RNTPC Paper No. A/TKO/107A)

37. The Secretary reported that the ADI Ltd. (ADI) and Ramboll Environ Hong Kong Limited (Environ) were two of the consultants of the applicant. The following Members had declared interests on the item:

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

38. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting. The Committee also noted that the applicant had requested deferment of consideration of the application and agreed that as Mr Ivan C.S. Fu had no involvement in the application, he could stay in the meeting.

39. The Committee noted that the applicant's representative requested on 1.3.2017 deferment of consideration of the application for a period of one month to allow time for preparation of further information to address the comments from the Transport Department. It was the second time the applicant had requested deferment of the application. Since the last deferment, the applicant had submitted various revised impact assessments to address the comments from government departments.

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

Sha Tin, Tai Po and North District

[Ms Jessica H.F. Chu, District Planning Officer/Shan Tin, Tai Po and North (DPO/STN), Mr Wallace W.K. Tang, Mr Kenny C.H. Lau, Mr C.T. Lau, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), and Mr Andrew Cheung, Senior Engineer/Civil Engineering and Development Department (SE/CEDD), were invited to the meeting at this point.]

Agenda Item 13

[Open Meeting]

Proposed Amendments to the approved Man Kam To Outline Zoning Plan (OZP) No. S/NE-MKT/2, the approved Hung Lung Hang OZP No. S/NE-HLH/9, and the approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/14

(RNTPC Paper No. 2/17)

Presentation and Question Sessions

41. With the aid of a PowerPoint presentation, Ms Jessica H.F. Chu, DPO/STN, Planning Department (PlanD), presented the proposed amendments as detailed in the Paper and covered the following main points:

Background

- (a) the Kong Nga Po (KNP) site, with an area of about 19.1ha, was covered by the Fu Tei Au and Sha Ling OZP, the Man Kam To OZP and the Hung Lung Hang OZPs (the three OZPs) and currently zoned “Green Belt” (“GB”), “Agriculture” (“AGR”) and “Undetermined” (“U”);
- (b) the KNP site was originally recommended for low-density residential development, but due to difficulty in relocating the San Uk Ling Firing Range, an alternative land use option was proposed to co-locate various police facilities in the North District as well as a proposed police training

facility. The “Engineering Study for Police Facilities in KNP – Feasibility Study” (the KNP Study) subsequently commissioned by the Civil Engineering and Development Department (CEDD) had confirmed, amongst others, that the co-location of the police facilities at the KNP site was environmentally acceptable and technically feasible with no insurmountable problems on the surrounding areas;

- (c) to better present the future KNP development and achieve more efficient statutory planning control, it was proposed to realign the planning scheme of the three OZPs so that the KNP site would fall entirely within the Fu Tei Au and Sha Ling OZP;

Proposed Amendments to the Three OZPs

Man Kam To OZP

- (d) Amendment Item A – a piece of land currently zoned “U” and “GB” near the San Uk Ling Holding Centre (about 10.1ha) was proposed to be excised from the planning scheme area of the Man Kam To OZP for incorporation into the Fu Tei Au and Sha Ling OZP;

Hung Lung Hang OZP

- (e) Amendment Item A – two pieces of land currently zoned “GB”, one near San Uk Ling Firing Range (about 1.53ha) and the other near Kong Nga Po Road (about 0.24ha) were proposed to be excised from the planning scheme area of the Hung Lung Hang OZP for incorporation into the Fu Tei Au and Sha Ling OZP;

Fu Tei Au and Sha Ling OZP

- (f) Amendment Item A1 – incorporation of two pieces of land, with a total land area of about 6.18ha, near the San Uk Ling Holding Centre from the Man Kam To OZP, and rezoning them from “U” and “GB” to

“Government, Institution or Community (1)” (“G/IC(1)”) to facilitate the proposed KNP development;

- (g) Amendment Item A2 – incorporation of two pieces of land, with a total land area of about 1.77ha, from the Hung Lung Hang OZP, and rezoning them from “GB” to “G/IC(1)” to facilitate the proposed KNP development;
- (h) Amendment Item A3 – an area of about 11.14ha at the central part of the KNP site was proposed to be rezoned from “GB” and “AGR” to “G/IC(1)” to facilitate the proposed KNP development;
- (i) Amendment Item B – incorporation of a piece of land, with an area of about 3.92ha and zoned “GB” near the San Uk Ling Holding Centre from the Man Kam To OZP with no change to its land use zoning;

Proposed Amendments to the Notes of the Three OZPs

- (j) deletion of the paragraph relating to the “U” zone in the covering Notes of the Man Kam To OZP;
- (k) amendment to the Notes of the “G/IC” zone of the Fu Tei Au and Sha Ling OZP to incorporate ‘Firing Range (on land designated “G/IC(1)” only)’ and ‘Helicopter Landing Pad (on land designated “G/IC(1)” only) as Column 1 uses;

Departmental Consultation

- (l) relevant bureaux and departments consulted had no objection to or no adverse comment on the proposed amendments;

Public Consultation

- (m) upon completion of the KNP Study, CEDD conducted public consultation on the site formation and infrastructure works of the KNP project in

November 2016;

- (n) the Sheung Shui District Rural Committee (SSDRC) and Ta Kwu Ling District Rural Committee (TKLDRC) were consulted respectively on 14.11.2016 and 17.11.2016 on the rezoning proposals. The SSDRC generally supported the KNP development and the proposed zoning amendments of the OZPs. The TKLDRC did not support the KNP development unless the local access road connecting Kong Nga Po Road and Ping Che Road would be improved to enhance the local accessibility in the area, but had no comment on the proposed zoning amendments under the OZPs;
- (o) the District Minor Works and Environmental Improvement Committee of the North District Council (NDC) was consulted on 21.11.2016. NDC members generally supported the KNP development and requested the government to consider improving the access road connecting Kong Nga Po Road and Ping Che Road. They had no comment on the proposed zoning amendments under the OZPs; and
- (p) the NDC and relevant RCs would be further consulted on the amendments during the plan exhibition period.

42. Noting that the KNP development would consolidate some existing police facilities in the area, a Member enquired about the future use of those vacated sites. In response, Ms Jessica H.F. Chu, DPO/STN, said that a review would be carried out and there was no concrete proposal on their future use at present.

43. In response to another Member's enquiry on the safety issue of the firing ranges, Ms Jessica H.F. Chu said that according to the Environmental Impact Assessment Report, suitable mitigation measures including installation of tall perimeter/boundary walls would be adopted to address the noise concern. Moreover, as advised by the Commissioner of Police, there would be no ammunition storage at the site and the ammunition would be transported to the site when required at the training activities.

44. Members had no further question on the proposals.

45. After deliberation, the Committee decided to:

- (a) agree to the proposed amendments to the following approved Outline Zoning Plans (OZPs) and their Notes (at Annexes D1, E1 and F1 of the Paper) were suitable for exhibition under section 5 of the Town Planning Ordinance:
 - (i) the approved Man Kam To OZP No. S/NE-MKT/2 as shown on the draft Man Kam To OZP No. S/NE-MKT/2A at Annex A2 of the Paper (to be renumbered to S/NE-MKT/3 upon exhibition);
 - (ii) the approved Hung Lung Hang OZP No. S/NE-HLH/9 as shown on the draft Hung Lung Hang OZP No. S/NE-HLH/9A at Annex B2 of the Paper (to be renumbered to S/NE-HLH/10 upon exhibition); and
 - (iii) the approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/14 as shown on the draft Fu Tei Au and Sha Ling OZP No. S/NE-FTA/14A at Annex C2 of the Paper (to be renumbered to S/NE-FTA/15 upon exhibition); and
- (b) adopt the revised Explanatory Statements (ESs) at Annexes D2, E2 and F2 of the Paper for the draft Man Kam To OZP No. S/NE-MKT/2A, the draft Hung Lung Hang OZP No. S/NE-HLH/9A and the draft Fu Tei Au and Sha Ling OZP No. S/NE-FTA/14A as an expression of the planning intentions and objectives of the Board for the various land use zones of the three OZPs and agree that the revised ESs were suitable for publication together with the OZPs.

Agenda Item 14

Section 16 Application

[Open Meeting]

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

46. The Committee noted that the applicant’s representative requested on 28.2.2017 deferment of the consideration of the application for a period of two months in order to allow time to prepare further information to address departmental comments. It was the first time the applicant requested deferment of the application.

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

Agenda Items 15 and 16

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-STK/8 Proposed Sewage Treatment Plant (Expansion of Sha Tau Kok Sewage Treatment Works) in “Government, Institution or Community” Zone, Sha Tau Kok Sewage Treatment Works, Sha Tau Kok, New Territories (RNTPC Paper No. A/NE-STK/8A)

A/NE-STK/9 Temporary Sewage Treatment Plant for a Period of 7 Years in “Government, Institution or Community” Zone, Sha Tau Kok Sewage Treatment Works, Sha Tau Kok, New Territories (RNTPC Paper No. A/NE-STK/9A)

48. The Committee noted that the two applications were submitted by the Drainage Services Department (DSD) for similar uses at the same site. The Committee agreed that they could be considered together.

49. The Secretary reported that the two applications were submitted by DSD and Black & Veatch Hong Kong Ltd. was the consultant of the applicant. The following Members had declared interests on the item:

Mr K.F. Tang - EPD being the client department of DSD for the two projects under applications; and
as Assistant Director (Environmental Assessment), Environmental Protection Department (EPD)

Ms Janice W.M. Lai }
Dr C.H. Hau } having current business dealings with DSD;

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

50. The Committee noted that Ms Janice W.M. Lai, Dr C.H. Hau and Mr Alex T.H.

Lai had tendered apologies for being unable to attend the meeting. As the interest of Mr K.F. Tang was direct, he should be invited to leave the meeting temporarily for this item.

[Mr K.F. Tang left the meeting temporarily at this point.]

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the proposed sewage treatment plant (expansion of the Sha Tau Kok Sewage Treatment Works (STKSTW)) under application No. A/NE-STK/8 and the proposed temporary sewage treatment plant for a period of 7 years under application No. A/NE-STK/9;

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

- (c) departmental comments – departmental comments were set out in paragraph 8 of the Papers. Concerned government departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of the statutory publication periods, three and five public comments on applications No. A/NE-STK/8 and No. A/NE-STK/9 were received respectively. A North District Council (NDC) Member and the Chairman of Sheung Shui District Rural Committee (SSDRC) either supported or had no comment on applications No. A/NE-STK/8 and A/NE-STK/9, whereas the public comment from an individual provided views on application No. A/NE-STK/9. Major views were set out in paragraph 9 of the Papers. The District Officer (North) advised that the Chairman of the Sha Tau Kok District Rural Committee supported the applications whereas the Resident Representative (RR) of Sha Tau Kok Market (West Lower), one of the Indigenous Inhabitant

Representatives (IIR) of Tam Shui Hang Village, the RR of Sha Tau Kok Market (East) and the Representative of Sha Tau Kok Marine Fish Culture Association had no comment on the applications. A NDC member cum RR of Tam Shui Hang Village, two IIRs of Tam Shui Hang Village, the RR of Sha Tau Kok Market (West Upper) and one of the two Fishermen Representatives of Yim Liu Ha raised objection to the applications. Major views were set out in paragraph 8.18 of the Papers; and

- (e) the PlanD's views – PlanD had no objection to the applications based on the assessments set out in paragraph 10 of the Paper. The proposed developments forming part of the projects for expansion of the STKSTW were in line with the planning intention of the “Government, Institution or Community” zone. The applied uses were not incompatible with the surrounding land uses. The proposed development under application No. A/NE-STK/8 comprised only one building block of three storeys in height (including one basement level) with periphery tree planting and other green features to blend in with the surrounding local landscape character. The proposed temporary development under application No. A/NE-STK/9 comprised two building blocks of 4m and 15m in height with provision of suitable design and landscaping to minimise the landscape/visual impacts. The Chief Town Planner/Urban Design and Landscape had no adverse comment on both applications from landscape planning and visual perspectives. The Director of Environmental Protection had no objection to both applications as the subject STW expansion was a designated project under the Environmental Impact Assessment Ordinance (EIAO) and the EIA report was approved with conditions under the EIAO. An Environmental Permit for the expansion of the STW was also issued to DSD. Other concerned departments had no objection to or no adverse comment on the applications. Regarding the public comments received, the comments of government departments and the assessments above were relevant.

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

52. Members had no question on the applications.

Deliberation Session

For Application No. A/NE-STK/8

53. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 17.3.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the design and provision of water supplies for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) the submission and implementation of tree preservation and landscape proposals to the satisfaction of the Director of Planning or of the TPB.”

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

For Application No. A/NE-STK/9

55. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 7 years until 17.3.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the submission and implementation of proposals for water supplies for fire-fighting and fire service installations before the commissioning of the proposed development to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) the submission and implementation of tree preservation and landscape

proposals before the commissioning of the proposed development to the satisfaction of the Director of Planning or of the TPB.”

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

[Mr K.F. Tang returned to join the meeting at this point.]

Agenda Item 17

Section 16 Application

[Open Meeting]

A/NE-TKL/554 Proposed Temporary Eating Place for a Period of 3 Years in “Open Storage” Zone, Lots 817 RP (Part), 818 and 819 in D.D. 77 and Adjoining Government Land, Ng Chow South Road, Ping Che, New Territories
(RNTPC Paper No. A/NE-TKL/554)

57. The Secretary reported that the application site was located in Ping Che and Landes Limited (Landes) was one of the consultants of the applicant. The following Members had declared interests on the item:

Mr Ivan C.S. Fu	}	having current business dealings with Landes; and
Ms Janice W.M. Lai		
Mr Alex T.H. Lai	-	his father co-owning two lots of land in Ping Che area

58. The Committee noted that Ms Janice W.M. Lai and Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting. The Committee also noted that the applicant had requested deferment of consideration of the application and agreed that as Mr Ivan C.S. Fu had no involvement in the application, he could stay in the meeting.

59. The Committee noted that the applicant's representative requested on 3.3.2017 deferment of consideration of the application for a period of two months to allow time for preparation of further information to address the further comments of the Commissioner for Transport. It was the second time the applicant had requested deferment of the application. Since the last deferment, the applicant had submitted further information including responses to departmental comments, revised traffic impact assessment report and revised submission on treatment of existing trees within the application site.

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

Agenda Item 18

Section 16 Application

[Open Meeting]

A/MOS/114 Proposed Government Refuse Collection Point in "Village Type Development" Zone, Government land in D.D. 169, Wu Kai Sha, Ma On Shan, New Territories
(RNTPC Paper No. A/MOS/114)

61. The Committee noted that the applicant requested on 9.3.2017 deferment of consideration of the application for a period of two months to allow sufficient time to prepare further information to address departmental comments. It was the first time the applicant requested deferment of the application.

62. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that 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 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/914 Temporary Shop and Services (Fast Food Shop) for a Period of 5 Years
in "Industrial" Zone, Workshop I2, G/F, Century Industrial Centre,
33-35 Au Pui Wan Street, Fo Tan, Sha Tin, New Territories
(RNTPC Paper No. A/ST/914)

63. The Secretary reported that the application site was located in Fo Tan. Professor K.C. Chau had declared an interest on the item as he co-owned with spouse a flat in Fo Tan. The Committee noted that Professor K.C. Chau had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

64. Mr Kenny C.H. Lau, STP/STN, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary shop and services (fast food shop) for a period of five 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) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments as set out in paragraph 11 of the Paper. The applied use was small in scale and considered not incompatible with the industrial and industrial-related uses in the subject industrial building. Similar applications had been approved for other units on the ground floor of the subject industrial building and its vicinity. The subject industrial building was subject to a maximum permissible limit of 460m² for aggregate commercial floor area on the ground floor but the limit did not apply to fast food counter at street level without seating accommodation and licensed as food factory. The applied use generally complied with the relevant considerations set out in Town Planning Board Guidelines No. 25D including the fire safety and traffic aspects. A temporary approval of three years, instead of five years as applied, was recommended in order not to jeopardise the long term planning intention of the industrial use for the subject premises and to allow the Committee to monitor the supply and demand of industrial floor space in the area.

65. Members had no question on the application.

Deliberation Session

66. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.3.2020, on the terms of the application as

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

- “(a) the submission of the fire service installations and water supplies proposal for fire fighting within 6 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 17.9.2017;
- (b) in relation to (a), the implementation of the fire service installations and water supplies proposal for fire fighting within 9 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 17.12.2017; and
- (c) if the above planning condition (a) or (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/915 Shop and Services (Retail Shop) in “Industrial” Zone, G/F (Portion),
Power Industrial Building, 9-15 Wo Heung Street, Fo Tan, Sha Tin,
New Territories
(RNTPC Paper No. A/ST/915)

68. The Secretary reported that the application site was located in Fo Tan. Professor K.C. Chau had declared an interest on the item as he co-owned with spouse a flat in Fo Tan. The Committee noted that Professor K.C. Chau had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

69. Mr Kenny C.H. Lau, STP/STN, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the shop and services (retail shop) under application;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the considerations set out in paragraph 11 of the Paper. The applied use was considered not incompatible with the industrial and industrial-related uses in the subject industrial building and the surrounding developments. Similar applications had been approved on the ground floor of the adjacent industrial buildings. The subject industrial building was subject to a maximum permissible limit of 460m² for aggregate commercial floor area on the ground floor. The aggregate commercial floor area would be 100m² if the floor area of the Premises was included, which was within the maximum permissible limit of 460m². The applied use generally complied with the relevant considerations set out in Town Planning Board Guidelines No. 25D including the fire safety and traffic aspects. However, a temporary approval of three years was recommended in order not to jeopardise the long term planning intention of the industrial use for the Premises and to allow the Committee to monitor the supply and demand of industrial floor space in the area. Moreover, in view of the non-compliance with approval conditions on the fire safety measures in the previous revoked application, shorter compliance periods were proposed to monitor the progress of compliance.

70. Members had no question on the application.

Deliberation Session

71. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.3.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission of the fire service installations proposal within 3 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 17.6.2017;
- (b) in relation to (a), the implementation of the fire service installations within 6 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 17.9.2017; and
- (c) if the above planning condition (a) or (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/916 Proposed Shop and Services in “Industrial” Zone, Workshop D6, LG/F,
Wah Lok Industrial Centre Phase 2, 31-35 Shan Mei Street, Fo Tan,
Sha Tin, New Territories

(RNTPC Paper No. A/ST/916)

73. The Secretary reported that the application site was located in Fo Tan. Professor K.C. Chau had declared an interest on the item as he co-owned with spouse a flat in Fo Tan. The Committee noted that Professor K.C. Chau had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

74. Mr Kenny C.H. Lau, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services;
- (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) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the considerations set out in paragraph 11 of the Paper. The proposed 'Shop and Services' use was small in scale and considered not incompatible with the industrial and industrial-related uses in the subject industrial building and the surrounding developments. Similar applications had been approved on the lower ground floor of the subject industrial building. The subject industrial building was subject to a maximum permissible limit of 460m² for aggregate commercial floor area on the upper and lower ground floors. The aggregate commercial floor area would be 67.54m² if the floor area of the application premises was included, which was within the maximum permissible limit of 460m². The proposed use generally complied with the relevant considerations set out in Town Planning Board Guideline No. 25D including the fire safety

and traffic aspects. However, a temporary approval of three years was recommended in order not to jeopardise the long term planning intention of the industrial use for the application premises and to allow the Committee to monitor the supply and demand of industrial floor space in the area.

75. Members had no question on the application.

Deliberation Session

76. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.3.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission of the fire service installations proposal within 6 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 17.9.2017;
- (b) in relation to (a), the implementation of fire service installations within 9 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 17.12.2017; and
- (c) if the above planning condition (a) or (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 22

Section 16 Application

[Open Meeting]

A/NE-KLH/524 Proposed House (New Territories Exempted House - Small House) in
“Green Belt” zone, Lot 708 S.C. in D.D. 9, Yuen Leng Village, Tai Po,
New Territories

(RNTPC Paper No. A/NE-KLH/524A)

78. The Committee noted that the applicant’s representative requested on 6.3.2017 deferment of consideration of the application for a period of two months to allow additional time for preparation of further information on sewerage connection proposal. It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had not submitted any further information.

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

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/602 Proposed 5 Houses (New Territories Exempted Houses - Small Houses) in “Agriculture” and “Village Type Development” Zones, Lots 1323 S.B ss.3, 1323 S.B ss.4, 1323 S.B ss.5, 1323 S.B ss.6 and 1323 S.B ss.7 in D.D. 8, San Tong Village, Lam Tsuen, Tai Po, New Territories
(RNTPC Paper No. A/NE-LT/602)

Presentation and Question Sessions

80. Mr C.T. Lau, STP/STN, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed five houses (New Territories Exempted Houses (NTEHs) – Small Houses);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix II of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from the agricultural point of view as there were active agricultural activities at the application site and its vicinity. The Director of Environmental Protection (DEP) and the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) also did not support the application as the proposed sewerage connection was not technically feasible. Other concerned departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication periods, 12 public comments from local villagers of San Tong, Designing Hong Kong Limited,

The Hong Kong Bird Watching Society and an individual were received objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small Houses were not in line with the planning intention of the “Agriculture” (“AGR”) zone and the site was within the upper indirect water gathering grounds (WGG). Both DEP and CE/C, WSD did not support the application as the proposed sewerage connection was not technically feasible in view of the level difference between the application site and the proposed manhole. The proposed Small Houses did not comply with the Interim Criteria in that the applicants failed to demonstrate that the proposed Small Houses located within WGG would not cause adverse impact on the water quality in the area. Besides, land was still available within the “Village Type Development” (“V”) zone of San Tong and Lam Tsuen San Tsuen to meet the Small House demand. Part of the application site was the subject of a previous planning application submitted by a different applicant for the same use but was rejected by the Committee; and the situation and consideration of that application was similar to the current one. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

81. Members had no question on the application.

Deliberation Session

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

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

for cultivation and other agricultural purposes. There is no strong planning justification in the current submission for a departure from the planning intention;

- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories in that the applicants fail to demonstrate that the proposed developments located within water gathering grounds would not cause adverse impact on the water quality in the area; and
- (c) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories in the New Territories in that there is no general shortage of land in meeting the demand for Small House development in the “Village Type Development” (“V”) zone of San Tong and Lam Tsuen San Tsuen.”

Agenda Item 24

Section 16 Application

[Open Meeting]

A/NE-LT/603 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 261 S.B in D.D. 8, Tai Yeung Che Village, Lam Tsuen, Tai Po, New Territories
(RNTPC Paper No. A/NE-LT/603)

83. The Committee noted that the applicant’s representative requested on 10.3.2017 deferment of consideration of the application for a period of one month to allow time to prepare further information to respond to departmental comments. It was the first time the applicant requested deferment of the application.

84. 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 25

Section 16 Application

[Open Meeting]

A/TP/610 Proposed 2 Houses (New Territories Exempted Houses) in “Green Belt” Zone, Lot 966 RP in D.D. 22, Pan Chung, Tai Po, New Territories
(RNTPC Paper No. A/TP/610B)

85. The Secretary reported that the application site was located in Tai Po. Mr H.W. Cheung had declared an interest on the item as he owned a flat in Tai Po Market. The Committee noted that Mr H.W. Cheung had tendered apologies for being unable to attend the meeting.

86. The Committee noted that the applicants' representative requested on 9.3.2017 deferment of consideration of the application for a period of one month so as to allow time for preparation of further information to address departmental comments. It was the third time the applicants had requested deferment of the application. Since the first deferment on 26.8.2016, the applicants had conducted tree survey and submitted site formation and landscape proposals in response to departmental comment.

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/622 Proposed School (Tutorial School) in "Green Belt" Zone, G/F, No. 182
San Uk Ka Village, Tai Po, New Territories
(RNTPC Paper No. A/TP/622)

88. The Secretary reported that the application site was located in Tai Po. Mr H.W. Cheung had declared an interest on the item as he owned a flat in Tai Po Market. The Committee noted that Mr H.W. Cheung had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

89. Mr C.T. Lau, STP/STN, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed school (tutorial school);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Secretary for Education advised that school

registration was required. The Commissioner for Transport (C for T) had reservation on the application as the approval of the application would set an undesirable precedent. However, as the application only involved a tutorial school located on the G/F of an existing New Territories Exempted House (NTEH), C for T considered the proposed school use could be tolerated. Other concerned government bureau and departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, three public comments from a village representative and two individuals were received objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not incompatible with the residential use on the upper floors of the existing NTEH and developments in the area which was surrounded by village houses and approved Small House sites. The application was generally in line with Town Planning Board Guidelines No. 10 and Town Planning Board Guidelines No. 40. Although C for T had reservation on the application, he advised that the proposed tutorial school on the ground floor of an existing NTEH could be tolerated. Regarding the adverse public comments, the comments of government bureau/departments and planning assessments above were relevant.

90. Some Members raised the following questions:

- (a) whether there were any similar tutorial schools within an NTEH in the vicinity of the application site and whether the approval of the application would set an undesirable precedent;
- (b) noting that over 30 students would be accommodated in each session, whether the area of the application premises was large enough for such a

large group of students at any one time;

- (c) whether it was common for the ground floor of NTEHs in San Uk Ka Village to be used for non-residential purpose; and
- (d) whether there was any vehicular access to the site.

91. Mr C.T. Lau, STP/STN, made the following responses:

- (a) there were no similar applications for tutorial school in the vicinity of the application site or nearby area. For the subject application, concerned government bureau and departments consulted had no objection to or no adverse comment on the application. The proposed tutorial school also complied with TPB PG-No. 40 in that the proposed access to the tutorial school was separated from the upper floors of the NTEH and would not cause disturbance or nuisance to the local residents;
- (b) the applicant would be required to apply to the Education Bureau (EDB) for school registration. To support the school registration application, the applicant would need to comply with the necessary fire service requirements and obtain safety certificate issued by the Fire Services Department for EDB's consideration;
- (c) there were some shop and services uses on the ground floor of NTEHs, mainly near Wun Yiu Road, which were always permitted in the 'Village Type Development' zone; and
- (d) with reference to Plan A-3, the application premises had no direct vehicular access but was accessible via local tracks off Wun Yiu Road. According to the applicant, the proposed tutorial school was mainly intended to serve the residents of San Uk Ka Village. It was envisaged that the students would make their way to the tutorial school on foot.

92. Members had no further question on the application.

Deliberation Session

93. A Member did not support the application as the application premises was considered too small to accommodate such a large group of students. There were no similar applications for using the ground floor of a NTEH as tutorial school in the vicinity and approval of the application would set an undesirable precedent.

94. Another Member opined that accommodating such large number of students within the application premises might cause health concerns. In this regard, Members noted Attachment 4 in Appendix Ia of the Paper on the tentative arrangement of the class and classroom schedule provided by the applicant.

95. A Member, however, considered that the application complied with the requirements set out in TPG PG-No. 40. While it was common for shop and services/eating place to be located on ground floor of NTEHs, the risks associated with a tutorial school would not be more than that of those shop and services/eating place on the ground floor of NTEHs. The concerns on the proposed number of students might be dealt with through the school registration mechanism.

96. In response to a Member's enquiry on class size and school registration, the Chairman drew Members' attention to EDB's advice in paragraph 9.1.8 of the Paper on the definition of school under the Education Ordinance.

97. A Member considered that the proposed tutorial school was mainly to serve the neighbourhood and the local need. The application premises was located on ground floor with separate access from the residential portion on the upper floors and fire safety was not a concern. Moreover, in the school registration process, the applicant was required to satisfy the EDB's requirements. Those views were shared by some other Members

98. The Chairman concluded that a majority of the Members had no objection to the application. Regarding some Members' concern on fire safety, the Director of Fire Services had no objection to the application and a related approval condition was recommended to be

included in the planning permission, while some Members' concerns on the large number of students to be accommodated within the application premises would be subject to the control through the school registration mechanism. The Committee agreed that Members' concerns could be conveyed to EDB.

99. 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 17.3.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition:

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

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

[The Chairman thanked Ms Jessica H.F. Chu, DPO/STN, Mr Wallace W.K. Tang, Mr Kenny C.H. Lau, Mr C.T. Lau, STPs/STN, and Mr Andrew Cheung, SE/CEDD, for their attendance to answer Members' enquiries. Ms Chu, Messrs Tang, Lau and Cheung left the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

[Mr Otto K.C. Chan, Ms Ivy C.W. Wong and Ms Emily P.W. Tong, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

Agenda Items 27 and 28

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/FSS/257 Proposed House (New Territories Exempted House - Small House) in “Green Belt” Zone, Government Land in D.D. 91, Ng Uk Tsuen, Sheung Shui, New Territories

A/FSS/258 Proposed House (New Territories Exempted House - Small House) in “Green Belt” Zone, Government Land in D.D. 91, Ng Uk Tsuen, Sheung Shui, New Territories
(RNTPC Paper No. A/FSS/257 and 258)

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

Presentation and Question Sessions

102. Mr Otto K.C. Chan, STP/FSYLE, presented the applications and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed house (NTEH – Small House) at each of the application sites;
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix III of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the applications in view that the applications were not in line with the planning intention of the “GB” zone. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the applications from landscape planning point of view as the approval of the

Small House applications would nibble the natural buffer by extending the village area in the “GB” zone. The Commissioner for Transport (C for T) had reservation on the proposed developments as Small House developments should be confined within “Village Type Development” (“V”) zone. Other concerned departments had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, seven public comments on each of the applications were received. Amongst them, two North District Council (NDC) members supported both applications and the Chairman of Sheung Shui District Rural Committee and the Chairman of Fanling District Rural Committee indicated no comment on the applications. The remaining public comments were from Designing Hong Kong Limited and two individuals objecting to the applications. The major objection grounds were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applications based on the assessments set out in paragraph 12 of the Paper. Although the proposed Small Houses were not in line with the planning intention of the “GB” zone, they generally complied with Town Planning Board Guidelines No. 10 as the sites were vacant and in close proximity to the existing village and residential developments. The sites and the footprints of the proposed Small Houses both fell entirely within the ‘Village Environ’ of Ng Uk Tsuen and land available within the “V” zone was insufficient to meet the outstanding Small House applications and the future Small House demand. The sites were the subject of previous approved applications each for a Small House but the permission had lapsed. Sympathetic consideration might be given to the applications in accordance with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories. Although C for T had reservation on the applications, the traffic associated with the proposed developments was not expected to be significant. While CTP/UD&L, PlanD also had reservation on the applications, the sites were vacant and covered mainly with grass only and the natural landscape area with tree clusters was to the

further southwest of the sites. Other concerned departments had no objection to or no adverse comments on the applications. Regarding the adverse public comments received, the comments of government departments and the assessments above were relevant.

103. A Member enquired whether the three Small Houses near the application sites under applications No. A/FSS/185, 186 and 191 had been built. In response, Mr Otto K.C. Chan, STP/FSYLE, said that the three Small Houses under the respective planning applications had not yet been built, but the applicants of those three planning applications had applied in 2014 for extension of time for commencement of development and extended the validity of their planning permissions until 2018.

104. In response to the Chairman's enquiry, Mr Otto K.C. Chan said that the Small House Grant applications in respect of the sites under the current applications were being processed by the District Lands Officer/North, Lands Department.

105. Members had no further question on the application.

Deliberation Session

106. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 17.3.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. Each of the permissions was subject to the following conditions :

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

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

Agenda Item 29

Section 16 Application

[Open Meeting]

A/YL-KTN/551 Temporary Open Storage of Construction Materials and Machinery for a Period of 3 Years in “Agriculture” Zone, Lot 4 in D.D. 110, Tai Kong Po, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTN/551)

108. The Committee noted that the applicant requested on 9.3.2017 deferment of consideration of the application for a period of two months to allow time for preparation of further information to address the comments raised by the Transport Department. It was the first time the applicant requested deferment of the application.

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

Agenda Item 30

Section 16 Application

[Open Meeting]

A/YL-KTS/725 Temporary Animal Boarding Establishment for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 1923 S.A and 1925 in D.D. 106, Kam Tin, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/725A)

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

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/731 Renewal of Planning Approval for Temporary “Open Storage of Forklifts” for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” Zone, Lots 606 RP (Part), 609 RP (Part) and 610 (Part) in D.D. 106 and Adjoining Government Land, Kam Sheung Road, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/731)

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

Presentation and Question Sessions

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

- (a) background to the application;

- (b) the renewal of planning approval for temporary open storage of forklifts 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 in the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received expressing views on the application. The major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Other Specified Uses” annotated “Rural Use” (“OU(RU)”) zone, it was temporary in nature and there was no known programme for long-term development at the site. The application was in line with the Town Planning Board Guidelines No. 13E and 34B in that all approval conditions under the previous approval had been complied with. Compared with the last application, the current application submitted by the same applicant was essentially the same in terms of the development details. While DEP did not support the application as there were sensitive receivers in the vicinity of the application site, the environmental complaint related to water aspect received in 2014 was classified as non-substantiated. To address DEP's concern, approval conditions restricting the operation hours were recommended. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

113. Members had no question on the application.

Deliberation Session

114. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 5.4.2017 to 4.4.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and statutory holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) submission of tree preservation proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Planning or of the TPB by 5.10.2017;
- (e) in relation to (d) above, the implementation of tree preservation proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Planning or of the TPB by 5.1.2018;
- (f) the submission of a record of the existing drainage facilities on the Site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.7.2017;
- (g) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;

- (h) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.5.2017;
- (i) the submission of fire services installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.10.2017;
- (j) in relation to (i) above, the provision of fire services installations within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.1.2018;
- (k) if any of the above planning conditions (a), (b), (c) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning conditions (d), (e), (f), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (m) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

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

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/732 Temporary Open Storage of Construction Tools, Machinery and Materials for a Period of 3 Years in “Agriculture” Zone, Lot 475 in D.D. 113, Kam Tin, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTS/732)

116. The Secretary reported that application site was located at Kam Tin South and RHL Surveyors Limited (RHL) was the consultant of the applicant. The following Members have declared interests on the item:

Mr H.F. Leung - RHL had made donation to the Department of Real Estate and Construction in the Faculty of Architecture of the University of Hong Kong, where he was working; and

Ms Janice W.M. Lai - her family member owning property at Cheung Po Tsuen, Kam Tin South.

117. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting. The Committee agreed that as Mr H.F. Leung had no involvement in the application, he could stay in the meeting.

Presentation and Question Sessions

118. Ms Ivy C.W. Wong, STP/FSYLE, drew Members’ attention that the applicant on 15.3.2017 submitted further information (FI) providing responses to comments raised by the Commissioner for Transport (C for T). The FI was tabled at the meeting for Members’ information. She then presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;

- (b) the temporary open storage of construction tools, machinery and 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) does not support the application as there were sensitive receivers in the vicinity of the application site and environmental nuisance was expected. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation from the landscape planning perspective as the approval of the application might encourage other similar developments, resulting in irreversible changes to the existing landscape character in the area and potential risk of encroachment into the nearby “Conservation Area” zone. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from agricultural point of view as the site was well served with road access and possessed potential for use as greenhouses or plant nursery. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, four public comments from the Kadoorie Farm & Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and an individual objecting to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone. DEP did not support the application as there were sensitive receivers in the vicinity. DAFC also did not support the application from the agricultural point of view as the site possessed potential for use as greenhouse and plant nursery. Besides, no strong planning justifications had been given in the submission to justify for a departure from the planning intention even on a

temporary basis. Furthermore, despite the applicant had submitted FI to address the comments of C for T, it was not sufficient to address C for T's concerns. The site fell within Category 3 areas under Town Planning Board Guidelines No. 13E. The application did not comply with the said guidelines in that there was no previous approval for open storage use granted at the site. There were adverse departmental and public comments on the application and the application did not warrant sympathetic consideration. Approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications in the "AGR" zone. Rejection of the current application was in line with the previous decision of the Committee on two similar applications within the same "AGR" zone. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

119. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is to retain and safeguard good agricultural land for agricultural purposes. This zone is also intended to retain fallow arable land with good potential for rehabilitation. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the application does not comply with the Town Planning Board PG-No. 13E in that there is no previous approval granted at the Site and there are adverse departmental comments on the application;
- (c) the applicant fails to demonstrate that the development would not generate

adverse landscape and environmental impacts on the surrounding areas;
and

- (d) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within 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 33

Section 16 Application

[Open Meeting]

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

121. The Committee noted that the applicant’s representative requested on 10.3.2017 deferment of consideration of the application for a period of two months to allow time for the applicant to address departmental comments. It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted a revised drainage impact assessment and a fencing wall plan to address departmental comments.

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

Agenda Item 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/501 Renewal of Planning Approval for Temporary Public Vehicle Park (including Private Cars, Container Vehicles and Heavy Goods Vehicles) and Ancillary Facilities (including Vehicle Repair Area, Site Offices and Canteen), Storage of Metal Ware and Construction Material, and Cargo Handling and Forwarding Facilities for a Period of 3 Years in “Undetermined” Zone, Lots 253, 254, 255, 256, 257, 258, 259, 260, 261 (Part), 262 (Part), 264 (Part), 265, 266, 267, 268, 270, 279 S.B RP (Part), 280 and 372 S.D RP (Part) in D.D. 99 and Adjoining Government Land, San Tin, Yuen Long, New Territories
(RNTPC Paper No. A/YL-ST/501)

Presentation and Question Sessions

123. Ms Emily P.W. Tong, STP/FSYLE, drew Members’ attention that three replacement pages (pages 8 and 17 of the Paper and page 1 of Appendix IV) rectifying typographical errors were despatched to Members before the meeting. She then presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) renewal of planning approval for temporary public vehicle park (including private cars, container vehicles and heavy goods vehicles) and ancillary facilities (including vehicle repair area, site offices and canteen), storage of metal ware and construction material, and cargo handling and forwarding facilities 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 residential dwellings within 100m 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; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The application was in line with the Town Planning Board Guidelines No. 13E and 34B in that since the last approval, there had been no major change in planning circumstances and all approval conditions under the previous approval had been complied with. Compared with the last application, the subject application submitted by the same applicant was essentially the same. While DEP did not support the application as there were residential dwellings within 100m from the boundary of the site, there was no environmental complaint against the site in the past three years. The concerns of DEP on the possible environmental nuisance generated by the proposed use could be addressed by incorporating suitable approval conditions and advisory clauses. Approval of the current application was in line with the previous decisions of the Committee on similar applications within the same “Undetermined” zone.

124. In response to a Member's question, Ms Emily P.W. Tong, STP/FSYLE, said that the replacement pages were related to rectifying typographical errors on comments from Lands Department and the number of similar applications approved by the Committee.

125. Members had no further question on the application.

Deliberation Session

126. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 5.4.2017 to 4.4.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m. for parking of container vehicles and heavy goods vehicles, vehicle repairing activities, and cargo handling and forwarding services, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the Site at any time during the planning approval period;
- (c) the paving and boundary fencing on the Site should be maintained at all times during the planning approval period;
- (d) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.10.2017;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.1.2018;
- (f) the submission of a drainage proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.10.2017;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of commencement of the renewed planning

approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.1.2018;

- (h) the submission of a tree preservation proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Planning or of the TPB by 4.10.2017;
- (i) in relation to (h) above, the implementation of the tree preservation proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Planning or of the TPB by 4.1.2018;
- (j) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (d), (e), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon the expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

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

Tuen Mun and Yuen Long West District

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

Agenda Item 35

Section 16 Application

[Open Meeting]

A/TM-LTY Y/329 Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles only) for a Period of 3 Years in “Village Type Development” Zone, Lots 2931 S.B RP (Part) and 2933 S.B RP (Part) in D.D. 124 and Adjoining Government Land, Castle Peak Road - Hung Shui Kiu, Tuen Mun, New Territories
(RNTPC Paper No. A/TM-LTY Y/329)

128. The Committee noted that the applicant requested on 27.2.2017 deferment of consideration of the application for a period of two months in order to allow time to prepare further information to address the comments of relevant government departments. It was the first time the applicant requested deferment of the application.

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

circumstances.

Agenda Item 36

Section 16 Application

[Open Meeting]

A/TM-LTY Y/330 Proposed Temporary Public Vehicle Park (Private Car and Coach Only) and Shop and Services (Motor-Vehicle Showroom)(Coach Only) for a Period of 3 Years in “Residential (Group D)” Zone, Lots 1201 RP (Part), 1211 S.C (Part), 1212 (Part), 1243 S.B (Part), 1247 RP (Part), 1248 (Part), 1249 (Part), 1251, 1252, 1253, 1254, 1256 S.A (Part) and 1256 S.B (Part) in D.D. 130 and Adjoining Government Land, Fuk Hang Tsuen, Lam Tei, Tuen Mun, New Territories
(RNTPC Paper No. A/TM-LTY Y/330)

130. The Committee noted that the applicant’s representative requested on 24.2.2017 deferment of consideration of the application for a period of two months to allow time for the applicant to prepare further information to address the comments of the Transport Department. It was the first time the applicant requested for deferment of the application.

131. 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 37

Section 16 Application

[Open Meeting]

A/YL-PS/519 Proposed Temporary Driving School for a Period of 3 Years and Associated Road and Drainage Works and Filling and Excavation of Land in “Comprehensive Development Area” and “Green Belt” Zones and an area shown as 'Road', Lots 708 RP, 709 (Part), 710 (Part), 711(Part), 712 (Part), 713, 714, 715, 716 RP, 717 RP, 718 RP, 728, 729 RP, 730 RP, 814 RP, 815 RP, 816, 817, 819, 820 (Part), 821 (Part), 822 S.B (Part), 894 RP (Part) and 934 RP (Part) in D.D. 122 and Adjoining Government Land, Wing Ning Tsuen, Ping Shan, Yuen Long, New Territories
(RNTPC Paper No. A/YL-PS/519B)

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

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

133. The Committee noted that Ms Janice W.M. Lai and Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting. The Committee also noted that the applicant had requested deferment of the application and agreed that as Mr Ivan C.S. Fu had no involvement in the application, he could stay in the meeting.

134. The Committee noted that the applicant’s representative requested on 28.2.2017 deferment of consideration of the application for a period of two months to allow time to prepare further information in response to departmental comments. It was the third time the applicant had requested deferment of the application. Since the last deferment, the applicant

had submitted further information including, amongst others, revised technical assessments and revised tree preservation proposal in response to the comments of various government departments.

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

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/520 Proposed Shop and Services, Eating Place, Office and Place of Entertainment in "Undetermined" Zone, Lot 636 S.B ss.5 in D.D. 124 and Adjoining Government Land, Kiu Tau Wai, Ping Shan, Yuen Long, New Territories
(RNTPC Paper No. A/YL-PS/520B)

136. The Secretary reported that the application was submitted by Beautiglory Investment Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD) and MVA Hong Kong Limited were two of the consultants of the applicant. The following Members had declared interests on the item:

Mr Ivan C.S. Fu

- having current business dealings with SHK and MVA;

- Ms Janice W.M. Lai - having current business dealings with SHK;
- Mr Stephen L.H. Liu - having current business dealings with SHK and LD;
- Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which has solicited sponsorship from SHK before; and
- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Co. (1933) Ltd. (KMB) and SHK was one of the shareholders of KMB.

137. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting and Ms Winnie W.M. Ng had not yet arrived to join the meeting. As the interests of Mr Ivan C.S. Fu and Mr Stephen L.H. Liu were direct, they should be invited to leave the meeting temporarily for this item. As the interest of Ms Christina M. Lee was indirect, the Committee agreed that she could stay in the meeting.

[Mr Ivan C.S. Fu and Mr Stephen L.H. Liu left the meeting temporarily at this point.]

Presentation and Question Sessions

138. Ms Stella Y. Ng, STP/TMYLW, drew Members' attention that two replacement pages (pages 2 and 3 of the Paper) rectifying typographical errors were tabled at the meeting for Members' information. She then presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed shop and services, eating place, office and place of entertainment;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no

objection to or no adverse comment on the application. ;

- (d) during the first three weeks of the statutory publication periods, 29 public comments were received. Amongst them, 22 public comments from individuals supported the application. Six comments, including three from two members of the YLDC and three from the same individual objected to the application, while one from the Mass Transit Railway Corporation Limited expressed concerns/views on the application. Major supporting and objecting grounds were set out in paragraph 10 of the Paper. The District Officer (Yuen Long) advised that two objection letters from a Yuen Long District Council (YLDC) member were received; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments in paragraph 11 of the Paper. The current application was an amendment to a previously approved scheme by the Committee under application No. A/YL-PS/445 due to an increase in maximum gross floor area arising from the increase in net site area during the land exchange process, together with an increase in car parking spaces and loading/unloading spaces in line with the standard requirements. The changes were minor in nature. As there were no major change in planning circumstances of the site and its vicinity, approval of the current application was in line with the Committee's previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

139. Members had no question on the application.

Deliberation Session

140. 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 17.3.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the submission and implementation of revised Master Layout Plan taking into account conditions (b), (c), (d), (g) and (h) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission of a revised Traffic Impact Assessment, and implementation of the road improvement works identified therein, to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the design and provision of vehicular access, parking and loading/unloading facilities and lay-bys for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the submission and implementation of a run-in/run-out proposal to the satisfaction of the Director of Highways or of the TPB;
- (e) the implementation of a drainage proposal including the mitigation measures identified therein to the satisfaction of the Director of Drainage Services or of the TPB;
- (f) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (g) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (h) the submission of a risk assessment related to the high pressure town gas pipelines in the vicinity and implementation of the mitigation measures identified therein to the satisfaction of the Director of Electrical and Mechanical Services or of the TPB.”

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

[Mr Ivan C.S. Fu and Mr Stephen L.H. Liu returned to join the meeting at this point.]

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/534 Temporary Eating Place (Restaurant) for a Period of 3 Years in
 “Comprehensive Development Area” Zone, Lot 2407 RP (Part) in D.D.
 124 and Adjoining Government Land, Hung Shui Kiu Tin Sam Road,
 Hung Shui Kiu, Yuen Long, New Territories
 (RNTPC Paper No. A/YL-PS/534)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary eating place (restaurant) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application from the landscape perspective. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments from individuals were received. Amongst them, two comments objected to the application while one comment had no objection to the application. Major objection grounds and views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the development was not in line with the planning intention of the “Comprehensive Development Area” zone, there was no development proposal to implement the zoned use. The proposed development could provide eating place services to meet any such demand in the area. Approval of the application on a temporary basis would not jeopardise the long-term development of the area. Should the application be approved, the applicant should be advised that the site might be subject to land resumption for the implementation of the Hung Shui Kiu New Development Area which might take place at any time before the expiry of the temporary planning permission. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

143. Members had no question on the application.

Deliberation Session

144. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.3.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.9.2017;
- (c) in relation to (b) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the

Director of Drainage Services or of the TPB by 17.12.2017;

- (d) in relation to (c) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (e) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.9.2017;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.12.2017;
- (g) if any of the above planning conditions (a) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (h) if any of the above planning conditions (b), (c), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (i) 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.”

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

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/490 Proposed Place of Recreation, Sports or Culture (Shooting Range), Utility Installation for Private Project (Water Pump and Transformer Houses) in “Green Belt” Zone, Pillar Point Valley Landfill, Tuen Mun, New Territories
(RNTPC Paper No. A/TM/490C)

146. The Secretary reported that the Hong Kong Shooting Association (HKSA) was the applicant and the site was located at the Pillar Point Valley Landfill (PPVL) which was allocated to the Environmental Protection Department (EPD) as an aftercare works area. Ramboll Environ Hong Kong Limited (Environ), MVA Hong Kong Limited (MVA) and Ove Arup & Partners Hong Kong Limited (Arup) were three of the consultants of the applicant. The following Members had declared interests on the item:

Mr Ivan C.S. Fu - having current business dealings with Environ, Arup and MVA;

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

Mr Alex T.H. Lai - his firm having current business dealing with Arup; and

Mr K.F. Tang - being the allocatee of the government land at the site and
as Assistant Director the site was one of the restored landfills identified for the
(Environmental Assessment), “Restored Landfill Revitalisation Funding Scheme”
EPD (RLRFS) managed by EPD and HKSA was one of the
applicants for the RLRFS.

147. The Committee noted that Ms Janice W.M. Lai and Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting. The Committee agreed that, as the interest of Mr K.F. Tang was direct, he was invited to leave the meeting temporarily for this item. As Mr Ivan C.S. Fu had no involvement in the application, the Committee agreed

that he could stay in the meeting.

Presentation and Question Sessions

148. Mr Kenneth C.K. Yeung, TP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed place of recreation, sports or culture (shooting range) and utility installations for private project (water pump and transformer houses);
- (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 periods, four public comments were received. Amongst them, three comments from the same individual objected to the application while the remaining comment did not provide any details of the comment. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection based on the assessments set out in paragraph 12 of the Paper. The current application was an amendment to a previously approved scheme for the same applied use approved on 2.8.2013. Major development parameters of the proposed development remained unchanged as compared with the previously approved scheme. However, the layout of the proposed shooting range involved substantial changes and a fresh application was required. As there was no material change in the planning circumstances since last approval, concerned government departments had no objection to or no adverse comment on the application. Regarding the adverse public comments, the comments of government departments and planning

assessments above were relevant.

149. Members had no question on the application.

Deliberation Session

150. 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 17.3.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the submission and implementation of a landscape and tree preservation proposal to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission of a detailed qualitative landfill gas hazard assessment report including detailed design of landfill gas protection measures and the implementation of the protection measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (c) the submission and implementation of an operation plan (including a routing plan) for the shuttle coach services to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (e) the submission of a natural terrain hazard study and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Civil Engineering and Development or of the TPB;
- (f) the implementation of the operation and safety measures, as proposed by the applicant, to the satisfaction of the Director-General of Civil Aviation or of the TPB; and

- (g) the provision of emergency vehicular access, water supply for fire fighting and fire service installations for the proposed development to the satisfaction of the Director of Fire Services or of the TPB.”

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

[Mr K.F. Tang returned to join the meeting at this point.]

Agenda Item 41

Section 16 Application

[Open Meeting]

A/TM/495 Proposed Columbarium Use in Redevelopment of Existing Gig Lok Monastery in “Government, Institution or Community” Zone, Lot 2011 (Part) in D.D. 132, Tuen On Lane, Tuen Fu Road, Fu Tei, Tuen Mun, New Territories
(RNTPC Paper No. A/TM/495A)

152. The Secretary reported that Ramboll Environ Hong Kong Limited (Environ) and Landes Limited (Landes) were two of the consultants of the applicant. The following Members had declared interests on the item:

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

153. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting. The Committee noted that the applicant had requested deferment of consideration of the application and agreed that as Mr Ivan C.S. Fu had no involvement in the application, he could stay in the meeting.

154. The Committee noted that the applicant's representative requested on 7.3.2017 deferment of consideration of the application for a period of two months in order to address departmental comments. It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including traffic issues to address departmental comments.

155. The Secretary reported that the same applicant had previously submitted three s.16 applications (No. A/TM/400, A/TM/419 and A/TM/452) and one s.12A application (No. Y/TM/4) to facilitate columbarium use at the site. Except application No. A/TM/419, the remaining application had been withdrawn by the applicant. In the s.16 application (No. A/TM/419) rejected by the Town Planning Board on review on 1.2.2013, various technical assessments and further information had been submitted in an attempt to resolve technical issues including traffic issues. Moreover, it was noted that the columbarium use found at the site was not covered by any valid planning permission. Under such circumstances, the Planning Department considered that whilst the subject request for deferment might still be acceded to, further deferment should not be granted as the applicant should have had sufficient time to address the technical issues.

156. 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 the Committee had allowed a total of four months including the previous deferment for preparation of submission of further information, this was the last deferment and no further deferment would be granted.

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

Agenda Item 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1069 Renewal of Planning Approval for Temporary “Shop and Services (Real Estate Agency)” for a Period of 3 Years in “Village Type Development” Zone, Lots 1028 S.A (Part) and 1030 S.D in D.D. 125, Sik Kong Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-HT/1069)

157. The Secretary reported that the application site was located in Ha Tsuen and Ms Janice W.M. Lai had declared an interest on the item as her spouse was a shareholder of a company which owned two pieces of land in Ha Tsuen. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

158. 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 shop and services (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the

temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could provide real estate agency service to meet any such demand in the area. The District Lands Officer/Yuen Long, LandsD had advised that no Small House application had been received at the site. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The application was in line with the Town Planning Board Guidelines No. 34B in that there was no change in planning circumstance since the previous temporary approval, there was no adverse planning implication arising from the renewal of the planning approval and the applicant had complied with all the approval conditions of the previous approval. Approval of the subject application was in line with the Committee’s previous decisions on similar applications within the same “V” zone.

159. Members had no question on the application.

Deliberation Session

160. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 22.3.2017 to 21.3.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) the existing trees on the site shall be maintained at all times during the planning approval period;
- (c) the existing drainage facilities shall be maintained at all times during the planning approval period;

- (d) the submission of a condition record of the existing drainage facilities within 3 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.6.2017;
- (e) the submission of a 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 22.9.2017;
- (f) in relation to (e) above, the implementation of the 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 22.12.2017;
- (g) if any of the above planning conditions (a), (b) or (c) 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;
- (h) if any of the above planning conditions (d), (e) or (f) 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
- (i) 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.”

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

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1070 Temporary Open Storage of Construction Material and Metal Ware for a Period of 3 Years in “Comprehensive Development Area” and “Residential (Group D)” Zones, Lots 48 S.A (Part), 48 S.B (Part) and 49 (Part) in D.D. 128 and Adjoining Government Land, Ha Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-HT/1070)

162. The Secretary reported that the application site was located in Ha Tsuen and Ms Janice W.M. Lai had declared an interest on the item as her spouse was a shareholder of a company which owned two pieces of land in Ha Tsuen. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

163. Mr Vincent T.K. Lai, STP/TMYLW, drew Members’ attention that three replacement pages (pages 2 to 4 of Appendix VII) amending the recommended advisory clauses were despatched to Members before the meeting. He presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary open storage of construction materials and metal ware 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 did not support the application as there were sensitive users nearby and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment from Designing Hong Kong Limited was received objecting to the application. Major grounds of objection were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the proposed use was not in line with the planning intention of the “Comprehensive Development Area” (“CDA”) and “Residential (Group D)” zones, there was not yet any programme/known intention to implement the zoned use. Approval of the application on a temporary basis would not jeopardise the long-term development of the area. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell mainly within Category 1 areas where favourable consideration for open storage and port back up uses would normally be given. For the small area which fell within Category 3 areas, it was covered by a previous planning approval. Although DEP did not support the application on the concern of environmental nuisance, there was no substantiated environmental complaint pertaining to the site in the past three years. Six previous applications for similar temporary open storage use at the site and 26 similar applications within the “CDA” zone were previously approved by the Committee. Approval of the application was in line with the Committee's previous decisions. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

164. Members had no question on the application.

Deliberation Session

165. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.3.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle exceeding 24 tonnes, including container trailer/tractor, as defined in the Roads (Traffic) Ordinance, as proposed by the applicant, is allowed to enter/exit or to be parked/stored on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) 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 17.9.2017;
- (f) in relation to (e) above, the implementation of the accepted 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 17.12.2017;
- (g) in relation to (f) above, the implemented drainage facilities on site shall be maintained at all times during the planning approval period;
- (h) 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 17.9.2017;
- (i) in relation to (h) 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 17.12.2017;

- (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 17.9.2017;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.12.2017;
- (l) the provision of boundary 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 17.9.2017;
- (m) if any of the above planning conditions (a), (b), (c), (d) 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 (e), (f), (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.”

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

Agenda Item 44

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1071 Proposed Temporary Recyclable Collection Centre (Including Plastics, Paper, Metals and Used Batteries with Electronic Appliances) with Ancillary Workshop and Site Offices for a Period of 3 Years in “Undetermined” Zone, Lots 1842 (Part), 1844 (Part), 1845 (Part) and 1846 (Part) in D.D. 125, Ha Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-HT/1071)

167. The Secretary reported that the application site was located in Ha Tsuen and Ms Janice W.M. Lai had declared an interest on the item as her spouse was a shareholder of a company which owned two pieces of land in Ha Tsuen. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

168. Mr Vincent T.K. Lai, STP/TMYLW, drew Members’ attention that one replacement page (page 13 of the Paper) rectifying a typographical error was tabled at meeting for Members’ information. He then presented the application and covered the following aspects as detailed in the Paper:

[Miss Winnie W.M. Ng arrived to join the meeting at this point.]

- (a) background to the application;
- (b) the proposed temporary recyclable collection centre (including plastics, paper, metals and used batteries with electronic appliances) with ancillary workshop and site offices 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 users nearby

and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment from a District Council member was received offering views on the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the site fell within an area within the Hung Shui Kiu New Development Area, approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The proposed use was not incompatible with the surrounding areas predominantly occupied by various open storage and logistic centre uses. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up uses and favourable consideration would normally be given to applications within those areas. Although DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years. Approval of the application was in line with the Committee's previous decisions on similar applications in the area. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

169. Noting that the applied use under the subject application involved handling of used batteries with electronic appliances which were not included in the previous approved application (No. A/YL-HT/965), the Chairman asked whether there were any environmental concerns arising from that change. In response, Mr Vincent T.K. Lai, STP/TMYLW, said that DEP had no specific comment on this aspect, noting that the application site was hard paved and the storage of used batteries with electronic appliances would be confined to a covered structure. Relevant approval conditions in paragraph 13.2(c) and (d) of the Paper prohibiting the handling of cathode-ray tubes (CRT), CRT computer monitors/television sets

and CRT equipment on the site and used batteries/electronic appliances outside the concrete-paved and covered structures were suggested to minimise possible environmental impacts to the area.

170. Mr K.F. Tang, Assistant Director (Environmental Assessment), Environmental Protection Department (EPD), said that the applicant should be reminded to comply with the requirements under relevant environmental legislation/regulations when operating the proposed use.

171. Members had no further question on the application.

Deliberation Session

172. In response to Mr K.F. Tang's comment, the Chairman drew Members' attention to paragraph (e) of the recommended advisory clauses in Appendix VI of the Paper. Mr K.F. Tang suggested and Members agreed that the advisory clause be amended to remind the applicant to comply with the requirements under relevant environmental legislation/regulations in addition to the 'Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses' issued by EPD.

173. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.3.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 8:00 p.m. to 8:00 a.m. on Mondays to Saturdays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no handling (including loading, unloading and storage) of cathode-ray tubes (CRT), CRT computer monitors/television sets and CRT equipment is allowed on the Site, as proposed by the applicant, during the planning

approval period;

- (d) no handling (including loading, unloading and storage) of used batteries/electronic appliances outside the concrete-paved and covered structures, as proposed by the applicant, is allowed at any time during the planning approval period;
- (e) no container vehicle/tractor, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to enter/exit or to be parked/stored on the Site at any time during the planning approval period;
- (f) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (g) no vehicle is allowed to queue back to public road or reverse onto/from the 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 a condition record of the existing drainage facilities on site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.6.2017;
- (j) the implementation of the tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.9.2017;
- (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 17.9.2017;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the

satisfaction of the Director of Fire Services or of the TPB by 17.12.2017;

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

174. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Paper with revisions to clause (e) as follows:

“(e) to comply with the requirements under the relevant environmental legislation/regulations and follow the relevant mitigation measures and requirements in the latest ‘Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses’ issued by the Environmental Protection Department.”

Agenda Item 45

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1072 Temporary Logistics Centre and Ancillary Parking of Vehicle for a Period of 3 Years in “Comprehensive Development Area” Zone, Lots 3150 RP (Part), 3151 RP (Part), 3152 RP (Part), 3162 RP, 3163 RP (Part), 3164 (Part), 3165, 3166, 3167 S.A (Part), 3168 (Part), 3169 (Part), 3177 (Part), 3178 (Part), 3179 (Part), 3180, 3181 S.A (Part), 3181 RP (Part), 3182, 3183 (Part), 3184 (Part), 3187 RP (Part) and 3188 RP in D.D. 129 and Adjoining Government Land, Ha Tusen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-HT/1072)

175. The Secretary reported that the application site was located in Ha Tsuen and Ms Janice W.M. Lai had declared an interest on the item as her spouse was a shareholder of a company which owned two pieces of land in Ha Tsuen. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

176. Mr Vincent T.K. Lai, STP/TMYLW, drew Members’ attention that one replacement page (page 6 of the Paper) relating the revised comments of the Lands Department was despatched to Members before the meeting. He then presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary logistics centre and ancillary parking of vehicle 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 in

the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comments on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the proposed use was not in line with the planning intention of the “Comprehensive Development Area” zone, there was not yet any programme/known intention to implement the zoned use. Whilst the site fell within an area within the Hung Shui Kiu New Development Area, approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The proposed use was not incompatible with the surrounding areas predominantly occupied by open storage, logistics centre and vehicle repair workshop uses. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up uses and favourable consideration would normally be given to applications within those areas. Although DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years. Approval of the subject application was in line with the Committee's previous decisions on similar applications in the area.

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 17.3.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the Site during the approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no workshop activity, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of existing drainage facilities within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 17.6.2017;
- (h) the submission of a run in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 17.9.2017;
- (i) in relation to (h) above, the implementation of the run in/out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 17.12.2017;
- (j) the submission of a tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.9.2017;

- (k) in relation to (j) above, the implementation of the tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.12.2017;
- (l) the submission of a fire service installations (FSIs) proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 17.9.2017;
- (m) in relation to (l) above, the implementation of the FSIs proposal within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 17.12.2017;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (o) if any of the above planning conditions (g), (h), (i), (j), (k), (l) or (m) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (p) upon 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 V of the Paper.

Agenda Item 46

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1073 Proposed Temporary Warehouse for Storage of Miscellaneous Goods for a Period of 3 Years in “Government, Institution or Community” Zone, Lots 515 RP (Part), 516 (Part), 517 (Part), 518 (Part), 519 (Part) and 520 (Part) in D.D. 125, Ha Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-HT/1073)

180. The Secretary reported that the application site was located in Ha Tsuen and Ms Janice W.M. Lai had declared an interest on the item as her spouse was a shareholder of a company which owned two pieces of land in Ha Tsuen. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary warehouse for storage of miscellaneous goods 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) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the

assessments set out in paragraph 11 of the Paper. Although the site was not in line with the planning intention of the “Government, Institution or Community” (“G/IC”) zone, there was no programme/known intention to implement the zoned use on the site. Whilst the site fell within the Hung Shui Kiu New Development Area, approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The applied use was not incompatible with the surrounding areas which were predominantly occupied for open storage uses. Approval of the application was in line with the Committee’s previous decisions on similar applications for the site.

182. Some Members raised the following questions:

- (a) noting the total floor area of the proposed use was doubled when compared with the last approved application, construction works were being carried out on site, and the Buildings Department (BD) had advised that there was no record of approval by the Building Authority for the structures existing at the site, whether enforcement actions would be taken by relevant authorities; and
- (b) noting that the site was the subject of a previous planning application (No. A/YL-HT/992) approved by the Committee in 2016, the current status of the application and the interface between the two planning applications should the subject application be approved.

183. Mr Vincent T.K. Lai, STP/TMYLW, made the following responses:

- (a) BD had advised that no building plan submissions were received regarding the structure being constructed at the site. If the existing structures on site were erected without the approval of BD, it would be regarded as unauthorised building works (UBW) and enforcement action might be taken by BD as and when necessary. There was no information at present whether enforcement action against the UBW was being undertaken by BD; and

- (b) Ha Tsuen was currently undergoing transformation with a trend to transform open storage uses to high value-added uses such as logistics centre. Although previous planning approvals were granted for some of the sites, it was not uncommon for the landowners or tenants to apply for planning permission for different uses on the same site. The previous approved planning application at the site (No. A/YL-HT/992) submitted by a different applicant was still valid. Should the structure being constructed at the site was not in accordance with the approved application No. A/YL-HT/992, it would be regarded as unauthorised development (UD) and enforcement action could be carried out by the Planning Authority (PA). Should the subject planning application be approved, relevant approval conditions would be imposed. If they were not complied with, the development at the site would also be regarded as UD.

184. Members had no further question on the application.

Deliberation Session

185. In response to Members' enquiry, the Chairman said that planning permission ran with the land and an application site could have more than one planning permissions at any one time but only one planning permission could be implemented. For the last approved application at the site (No. A/YL-HT/992) for temporary warehouse for storage of vehicles and open storage of vehicles, it was approved by the Committee in 2016 for a period of three years. The subject application was submitted by a different applicant for a different use. The applicant was not the current land owner of the site as stated in paragraph 3 of the Paper.

186. The Chairman went on to say that the proposed development should also comply with the Buildings Ordinance and lease conditions. Failing which, the Building Authority (BA) and the Lands Department (LandsD) could carry out enforcement action. In this regard, Members noted that LandsD advised that the site comprised Old Schedule Agricultural Lots held under Block Government Lease. Mr John K.T. Lai, Assistant Director/Regional 3, LandsD, supplemented that no Short Term Waiver (STW) application was received for the structures erected at the site. Should the application be approved, the

applicant would need to submit a STW application to LandsD.

187. In response to Members' enquiries, the Chairman said that the approval of the subject planning application would not replace the previous approved application as a site could have multiple planning permissions. Should the subject application be rejected, the proposed use under the last approved application (No. A/YL-HT/992) could still be carried out as it was still valid.

188. A Member did not support the application. Noting that the structure shown on Plan A-3 was not up-to-date and that a massive structure was being erected on site, this Member opined that although the site area of the subject application was similar to the previous approved application, the total floor area of the proposed temporary warehouse had increased substantially and its scale was massive. Should the application be approved, it might create more brownfield problems. As BD had advised that there was no record of approval by the BA of the structures on site, there was also concern from building safety point of view. Besides, it was noted that the applicant quoted the Town Planning Board Guidelines No. 13E (TPB PG-No. 13E) and justified the current proposal by referring to a previous planning approval. As the subject application was for warehouse use, TPB PG-No. 13E was not applicable to the application.

189. Noting that the use of proposed temporary warehouse was intended for storage of miscellaneous goods including food, apparel footwear and electronic goods, a Member doubted whether there were any value-added activities on the site other than warehouse use.

190. A Member opined that for building safety issues, it would be subject to control under the Buildings Ordinance (BO). The concern on the subject application was more on the construction of structures prior to applying for planning permission.

191. A Member enquired whether there were any development restrictions for temporary warehouse use. In response, the Chairman said that there was no development restrictions imposed at the site under the "G/IC" zone on the OZP and each application would be considered based on its own merits.

192. The Chairman summarised that Members in general had concerns on the scale of

the proposed structure which was quite massive and the building works on site might pose issues on building safety. Besides, there was insufficient information on what uses and operation would be involved in the proposed development.

193. After deliberation, the Committee decided to defer a decision on the application pending submission of further information from the applicant on: (i) details on the use and operation involved in the proposed development; and (ii) more information on the structures being erected at the site to address the concern on building safety.

Agenda Item 47

Section 16 Application

[Open Meeting]

A/YL/225 Proposed Shop and Services and Eating Place in “Other Specified Uses” annotated “Public Car Park and Petrol Filling Station with Ground Floor Retail Shops” Zone, 10/F and 11/F (New floor) Transport Plaza, Yuen Long Town Lot 348, Yuen Long, New Territories
(RNTPC Paper No. A/YL/225A)

194. The Secretary reported that Llewelyn-Davies Hong Kong Limited (LD), MVA Hong Kong Limited (MVA) and Ramboll Environ Hong Kong Limited (Environ) were three of the consultants of the applicant. The following Members had declared interests on the item:

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

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

Mr Stephen L.H. Liu - having current business dealings with LD.

195. The Committee noted that Ms Janice W.M. Lai and Mr Stephen L.H. Liu had

tendered apologies for being unable to attend the meeting. The Committee also noted that the applicant had requested deferment of consideration of the application and agreed that as Mr Ivan C.S. Fu had no involvement in the application, he could stay in the meeting.

196. The Committee noted that the applicant's representative requested on 27.2.2017 deferment of consideration of the application for a period of two months to allow time to prepare further information to address the comments of the Transport Department. It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including revised technical assessments to address departmental comments.

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

Agenda Item 48

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/399 Proposed Temporary Eating Place (Restaurant) for a Period of 3 Years
in "Residential (Group D)" Zone, Ground Floor (Portion), No. 158 Tai
Tong Road, Tai Tong, Yuen Long, New Territories
(RNTPC Paper No. A/YL-TT/399)

Presentation and Question Sessions

198. Mr Alan Y.L. Au, STP/TMYLW, drew Members' attention that five replacement pages (pages 2, 5 and 11 of the Paper) relating to the inclusion of a new appendix, revision to the comments of the Lands Department, and a new appendix (Appendix Ie of the Paper) relating to further information submitted by the applicant was despatched to Members' before the meeting. He then presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary eating place (restaurant) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) had reservation on the application as no proper means of escape was shown or provided for between the proposed use on G/F and the domestic use on 1/F of the subject building. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from individuals raising concern on the application. Major views of the application were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not in line with the planning intention of the “Residential (Group D)” zone, it could provide eating facility to serve any such demand in the area. Approval of the application on a temporary basis would not jeopardise the long-term development of the site. The proposed development was considered not incompatible with the surrounding environment which was predominantly a residential neighbourhood.

Although CBS/NTW, BD had reservation on the application, the proposed use required compliance with building safety and other relevant requirements imposed by relevant government departments should the application be approved. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

199. Members had no question on the application.

Deliberation Session

200. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.3.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed in the Premises during the planning approval period;
- (b) the submission of proposals for water supplies for fire fighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.9.2017;
- (c) in relation to (b) above, the provision of water supplies for fire fighting and fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.12.2017;
- (d) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (e) if any of the above planning 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.”

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

Agenda Item 49

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/829 Proposed Temporary Warehouse for Storage of Construction Material for a Period of 3 Years in “Undetermined” Zone, Lot 1198 S.A and S.C-G (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-TYST/829)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary warehouse for storage of construction material for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection did not support the application as there were sensitive receivers in the vicinity and 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, one public comment from an individual was received objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” zone which was generally intended to cater for the continuing demand for open storage which could not be accommodated in conventional godown premises. Approval of the application on a temporary basis would not frustrate the long-term development of the area. The proposed use was not incompatible with the surrounding areas mainly occupied by warehouse/storages, open storage yards and vehicle repair workshop. Although DEP did not support the application, there had been no substantiated environmental complaint concerning the site in the past three years and relevant approval conditions were recommended to address the concerns on the possible environmental nuisances. There were similar approved applications in the vicinity of the site. Approval of the application was in line with the Committee's previous decisions. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

203. Members had no question on the application.

Deliberation Session

204. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.3.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 4:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no open storage, as proposed by the applicant, is allowed on the Site at any

time during the planning approval period;

- (d) no repairing, dismantling, cleaning or other workshop activities, as proposed by the applicant, 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 tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period ;
- (g) the provision of boundary fence on the Site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.9.2017;
- (h) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.9.2017;
- (i) in relation to (h) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.12.2017;
- (j) in relation to (i) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (k) the submission of a landscape 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 17.9.2017;

- (l) in relation to (k) 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 17.12.2017;
- (m) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.9.2017;
- (n) in relation to (m) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.12.2017;
- (o) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (p) if any of the above planning conditions (g), (h), (i), (k), (l), (m) or (n) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (q) upon the expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 50

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/830 Temporary Vehicle Repair Workshop and Open Storage of Scrap Metal, Construction Machinery and Building/Recycling Materials with Ancillary Packaging Activities for a Period of 3 Years in “Undetermined” Zone, Lots 1447 S.A&B (Part), 1448 (Part), 1454 (Part), 1455 to 1457, 1458 (Part), 1459 (Part), 1460 to 1462, 1463 S.A, 1463 S.B RP, 1463 S.B ss.1, 1464 to 1466, 1468, 1471 (Part), 1472 S.B, 1477 RP, 1478 (Part), 1479 (Part) and 1480 in D.D. 119, Lots 1682 (Part), 1683 (Part) and 1684 (Part) in D.D. 121 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long, New Territories (RNTPC Paper No. A/YL-TYST/830)

Presentation and Question Sessions

206. Mr Alan Y.L. Au, STP/TMYLW, drew Members’ attention that there was a typographical error in paragraph 10.1.1(e) of the Paper and the paragraph should be revised to “the site does not fall within Shek Kong Airfield Height Restriction Area”. He then presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary vehicle repair workshop and open storage of scrap metal, construction machinery and building/recycling materials with ancillary packaging activities 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 did not support the application as there were sensitive receivers in the vicinity and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received raising concern on the application. Major views of the application were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone which was generally intended for open storage use but was so zoned due to concerns on the capacity of Kung Um Road. Approval of the application on a temporary basis would not frustrate the long-term development of the area. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up use and the technical concerns of relevant government departments could be addressed through implementation of approval conditions. Although DEP did not support the application, there had been no environmental complaint concerning the site in the past three years and relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances. There were similar approved open storage and vehicle repair workshop uses applications within the same “U” zone. Approval of the application was in line with the Committee's previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

207. Members had no question on the application.

Deliberation Session

208. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.3.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no storage or handling (including loading and unloading) of electrical appliances, electronic or computer wastes, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no container and container trailer repairing activities, as proposed by the applicant, are allowed at the Site at any time during the planning approval period;
- (e) no paint-spraying, except within Structures No. 2 and 7, as proposed by the applicant, shall be carried out on the Site at any time during the planning approval period;
- (f) free public access to the existing footpath within the Site shall be allowed 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) all existing trees and landscape plantings within the Site shall be maintained at all times during the planning approval period;
- (i) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (j) the submission of a record of existing drainage facilities on the Site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.6.2017;

- (k) the submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 17.9.2017;
- (l) in relation to (k) above, the provision of run-in/out within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 17.12.2017;
- (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 28.4.2017;
- (n) 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 17.9.2017;
- (o) in relation to (n) 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 17.12.2017;
- (p) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (q) if any of the above planning conditions (j), (k), (l), (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.”

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

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

Agenda Item 51

Any Other Business

Section 16A Application

[Open Meeting]

A/NE-LT/581-1 Application for Extension of Time for Compliance with Planning Conditions, Government land adjoining Lot 2443 in D.D. 19, Fong Ma Po, Tai Po, New Territories

210. The Secretary reported that the application was approved with conditions by the Committee on 14.9.2016. The deadline for compliance with approval condition (c) on the submission of drainage proposal and approval condition (e) on the submission of sewerage connection proposal was 14.3.2017 (i.e. within 6 months of the date of approval). On 2.3.2017, an application for extension of time (EOT) for compliance with approval conditions (c) and (e) for an additional 3 months (i.e. from 6 months to 9 months) until 14.6.2017 was received, which was 9 working days before the expiry of specified time limit for approval conditions (c) and (e). It was recommended not to consider the application as the deadline for compliance with approval conditions (c) and (e) had already expired on 14.3.2017, and the planning approval for the subject application had ceased to have effect and on the same date been revoked.

211. After deliberation, the Committee agreed that the section 16A application could not be considered as the planning permission was no longer valid at the time of consideration.

212. There being no other business, the meeting closed at 5:40 p.m..