

TOWN PLANNING BOARD

**Minutes of 596th Meeting of the
Rural and New Town Planning Committee held at 2:30 p.m. on 26.1.2018**

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Professor K.C. Chau

Mr Ivan C.S. Fu

Ms Christina M. Lee

Mr H.F. Leung

Dr F.C. Chan

Mr Peter K.T. Yuen

Dr C.H. Hau

Dr Lawrence K.C. Li

Miss Winnie W.M. Ng

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

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

Principal Environmental Protection Officer (Strategic Assessment),
Environmental Protection Department
Mr Johnson M.K. Wong

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

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

Secretary

Absent with Apologies

Ms Janice W.M. Lai

Mr David Y.T. Lui

Mr Philip S.L. Kan

Mr Alex T.H. Lai

Mr Stephen L.H. Liu

In Attendance

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

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

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

Agenda Item 1

Confirmation of the Draft Minutes of the 595th RNTPC Meeting held on 12.1.2018

[Open Meeting]

1. The draft minutes of the 595th RNTPC meeting held on 12.1.2018 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/TP/26

Application for Amendment to the Draft Tai Po Outline Zoning Plan No. S/TP/27, To Rezone the Application Site from “Green Belt” to “Comprehensive Development Area (2)” and “Comprehensive Development Area (3)”, Various Lots in D.D. 12 and D.D. 14 and Adjoining Government Land, Tung Tsz, Tai Po
(RNTPC Paper No. Y/TP/26)

3. The Secretary reported that the application was submitted by Hobman Company Limited, which was a subsidiary of Wheelock Properties (HK) Limited (Wheelock), Llewelyn-Davies Hong Kong Limited (LD), Black and Veatch Hong Kong Limited (B&V), Dennis Lau & Ng Chun Man Architects & Engineers (HK) Limited (DLN) and Ramboll Environ Hong Kong Limited (Environ) were four of the consultants of the applicant. The

following Members had declared interests on this item:

- Mr Ivan C.S. Fu - having current business dealings with Wheelock and Environ;
- Mr Alex T.H. Lai - having current business dealings with Wheelock, and his firm having current business dealings with B&V;
- Ms Janice W.M. Lai - having current business dealings with Environ;
- Mr Stephen L.H. Liu - having past business dealings with Wheelock, LD and DLN;
- Dr C.H. Hau - being the life member of the Conservatory Association (CA) and his wife being the Honorary Secretary of the Board of Directors of CA which had received donation from Wheelock before; and
- Mr H.W. Cheung - owning a flat in Tai Po.

4. The Committee noted that Mr Alex T.H. Lai, Mr Stephen L.H. Liu and Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting and Mr Ivan C.S. Fu had not yet arrived to join the meeting. The Committee noted that the applicant had requested deferment of consideration of the application and agreed that as the interest of Dr C.H. Hau was indirect and the property of Mr H.W. Cheung had no direct view of the site, they could stay in the meeting.

5. The Committee noted that the applicant's representative requested on 8.1.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to respond to address departmental and public comments. It was the second time that the applicant requested deferment of the application. Since last deferment, the applicant had submitted further information including revised development scheme together with various revised technical assessments to address departmental and public comments.

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

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/KTN/1 Application for Amendment to the Approved Kwu Tung North Outline Zoning Plan No. S/KTN/2, To Rezone the Application Site from “Comprehensive Development Area” to “Residential (Group B) 1”, Lots 684 RP (Part), 711 RP (Part), 717 (Part), 718 RP (Part), 719 (Part), 721 RP (Part) and 2158 RP (Part) in D.D. 92 and Adjoining Government Land, Kwu Tung North
(RNTPC Paper No. Y/KTN/1)

7. The Secretary reported that the application site was located in Kwu Tung North. ADI Limited was one of the consultants of the applicant. The following Members had declared interests on this item:

Mr Ivan C.S. Fu	}	having current business dealings with ADI; and
Ms Janice W.M. Lai		
Dr C.H. Hau	-	owning a property in Kwu Tung

8. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting and Mr Ivan C.S. Fu had not yet arrived to join the meeting. The Committee noted that the applicant had requested deferment of consideration of the application and Dr C.H. Hau could stay in the meeting as his property had no direct view of the site.

9. The Committee noted that the applicant's representative requested on 8.1.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

10. 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.

Tuen Mun and Yuen Long West District

Agenda Item 5

Section 12A Application

[Open Meeting – Presentation and Question Sessions Only]

Y/TM/19 Application for Amendment to the Draft Tuen Mun Outline Zoning Plan No. S/TM/34, To Rezone the Application Site from “Open Space”, “Government, Institution or Community” (“G/IC”) to “G/IC”, Lots 491 (Part), 492 (Part), 495 RP (Part), 498 RP, 500, 501 (Part), 502 RP (Part), 503, 717 RP in D.D. 374 and Adjoining Government Land, So Kwun Wat, Tuen Mun

(RNTPC Paper No. Y/TM/19B)

11. The Secretary reported MVA Hong Kong Limited (MVA) was one of the consultants of the applicant. Mr Ivan C.S. Fu had declared an interest on this item as he was having current business dealings with MVA. The Committee noted that Mr Ivan C.S. Fu had not yet arrived to join the meeting.

12. The Chairman invited the Secretary to brief Members about the background of the application. The Secretary reported that a letter from the applicant was received after the Paper was issued to Members, which had been tabled for Members’ reference. The Secretary reported that the applicant had raised objection to the deferment of the consideration of the application by the Planning Department (PlanD). Since it was a section 12A application, the applicant was allowed to attend this meeting to present his views to the Committee.

Presentation and Questions Sessions

13. The following representatives from PlanD and the applicant were invited to the meeting at this point:

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

Mr C.W. Tai
Mr T.C. Sham

} Applicant's Representatives

14. The Chairman extended a welcome and explained the procedure of the meeting. He then invited PlanD's representative to brief Members on the background and the proposed deferment of the consideration of the application.

15. With the aid of a PowerPoint presentation, Mr David C.M. Lam presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) recent amendments to the Approved Tuen Mun Outline Zoning Plan (OZP) No. S/TM/33 involving the application site; and

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

- (c) the proposed deferment of consideration of the application.

16. The Chairman then invited the applicant's representatives to elaborate on his objection to the deferment proposed by PlanD. Mr. C.W. Tai, the applicant's representative, made the following main points with the aid of a Powerpoint presentation:

- (a) the current rezoning application (No. Y/TM/19) for elderly centre development differed from the previous application (No. Y/TM/14) for church development which was partially agreed by the Committee on 23.5.2014 in terms of the design and development parameters;
- (b) should the current application be considered and agreed by the Committee as scheduled on 9.2.2018, the Town Planning Board (the Board)'s decision on the of representations to the amendments (i.e. to facilitate church development on the draft Tuen Mun OZP No. S/TM/34 in relation to the application site would not be pre-empted as another round of public

consultation and representation hearing would be conducted when the OZP was amended to reflect the Committee's decision on the subject rezoning application to facilitate elderly centre development; and

- (c) the major difficulty currently faced by the applicant in this application was that portions of land zoned "Government, Institution or Community" ("G/IC") in the immediate south of the application site had been reserved for planned fire station cum ambulance depot under the relevant Layout Plan. Under the current application, three options had been proposed by the applicant to rearrange the boundary of the planned fire station site. If the application was deferred, he urged the Committee to ask PlanD to further liaise with the concerned departments to facilitate efficient land use planning for benefits of all parties.

17. The Chairman reminded the applicant that this meeting was to consider the proposed deferment of the consideration of the application. The details of the proposal would be considered by the Committee when the application was submitted for consideration.

18. In response to the Chairman's request, Mr David C.M. Lam, DPO/TMYLW, further elaborated the chronology of events in relation to the application site as follows:

- (a) the draft Tuen Mun OZP No. S/TM/32 was gazetted on 2.5.2014;
- (b) the previous section 12A application No. Y/TM/14 submitted by the same applicant to rezone the application site from "Open Space" ("O") to "G/IC" to facilitate a church development was considered and partially agreed by the Committee on 23.5.2014;
- (c) the subject site was subsequently proposed to be rezoned from "O" to "G/IC(1)" to facilitate church use and the amendment was incorporated in the draft Tuen Mun OZP No. S/TM/34 which was gazetted on 3.11.2017; and
- (d) over 4,000 representations were received during the exhibition period of the

above OZP, with about 274 representations relating to the “G/IC(1)” zone. As adverse representations on the subject site were received and had not yet been heard by the Board, the Committee’s decision on the current rezoning application before the representation hearing would pre-empt the decision of the Board.

19. As the presentations of PlanD’s representative and the applicant’s representatives were completed, and there were no questions from Members, the Chairman informed the applicant’s representatives that the hearing session for the proposed deferment of the consideration of the application had been completed and the Committee would deliberate on the request for deferment in their absence and inform the applicant of the Committee’s decision in due course. The Chairman thanked the representatives of PlanD and the applicant for attending the meeting. They left the meeting at this point.

Deliberation Session

20. Some Members enquired whether the applicant would pursue the church development under the approved application No. Y/TM/14. In response to the Members’ question, the Chairman pointed out that PlanD had enquired the applicant before the gazettal of the draft Tuen Mun OZP No. S/TM/34 on whether he would proceed with the previously agreed section 12A application for church development. The applicant replied that he would await the consideration of the subject application for elderly centre development before making a decision. Members noted that about 274 adverse representations on the draft Tuen Mun OZP No. S/TM/34 were related to the “G/IC(1)” zone for the proposed church development.

21. After deliberation, the Committee decided to defer a decision on the application as recommended by PlanD. The application would be submitted to the Committee for consideration after the hearing of the representations/comments on the draft Tuen Mun OZP No. S/TM/34 and before the submission of the draft Tuen Mun OZP with the representations/comments to the Chief Executive in Council for a decision.

Sai Kung and Islands District

[Ms Amy M.Y. Wu and Mr William W.T. Wong, Senior Town Planners/Sai Kung and Islands (STPs/SKIs), were invited to the meeting at this point.]

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

Agenda Items 6 to 8

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/I-TCV/2 Proposed Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years in “Other Specified Uses” annotated “River Park” Zone, Lot 2650 in D.D. 1 TC, Tung Chung Valley, Lantau Island (RNTPC Paper No. A/I-TCV/2)

A/I-TCV/3 Proposed Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years in “Other Specified Uses” annotated “River Park” Zone and an area shown as ‘Road’, Lot 2615 in D.D. 1 TC, Tung Chung Valley, Lantau Island (RNTPC Paper No. A/I-TCV/3)

A/I-TCV/4 Proposed Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years in “Other Specified Uses” annotated “River Park” Zone, Lot 2637 in D.D. 1 TC, Tung Chung Valley, Lantau Island (RNTPC Paper No. A/I-TCV/4)

22. The Committee noted that the three applications for proposed temporary warehouse for storage of construction materials were similar in nature and the application sites were located in close proximity to one another and within the same “Other Specified Uses” annotated “River Park” (“OU (River Park)”) zone, with one of them also partly falling within an area shown as ‘Road’. The Committee agreed that they could be considered together.

Presentation and Question Sessions

23. Ms Amy M.Y. Wu, STP/SKIs, presented the applications and covered the following aspects as detailed in the Paper:

- (a) background to the applications;
- (b) the proposed temporary warehouses for storage of construction materials on each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 in each of the Papers. The Head of the Sustainable Lantau Office, Civil Engineering and Development Department (CEDD) and District Lands Officer/Islands, Lands Department did not support the three applications as the proposed developments would affect the land resumption for the construction of the proposed River Park. The Director of Agriculture, Fisheries and Conservation had reservations on the applications as the proposed entrances to the warehouses would affect the natural vegetation, and the construction and operation impact of the proposed warehouses to the Tung Chung Ecologically Important Stream (EIS) was of concern. It was particularly pointed out that the site of application No. A/I-TCV/3 encroached upon the “OU (River Park)” zone, which was intended to serve as a buffer to separate the Tung Chung EIS from the adverse effect of development. The Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) had reservations on the applications as there were no information in the submissions to demonstrate that the proposals would not cause adverse ecological, landscape and visual impacts on the surrounding areas. Other concerned departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of the statutory publication period, 14 public comments were received objecting to application No. A/I-TCV/2; eleven objecting to application No. A/I-TCV/3 and twelve objecting to application

No. A/I-TCV/4 from Kadoorie Farm & Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited, Save Lantau Alliance, Green Power and individuals. Major objection grounds were set out in paragraph 10 of the respective Papers; and

- (e) PlanD's views – PlanD did not support the applications based on the assessments set out in paragraph 11 of the respective Papers. The three application sites were located, or partly located in an area zoned “OU(River Park)”. The proposed use on each of the three application sites was not in line with the general planning intention of Tung Chung Valley area, which was to conserve the ecologically sensitive areas, to protect the rural and natural character and to maintain the unique landscape character and cultural heritage of the area. The proposed developments would affect the land resumption for the construction of the proposed River Park. The proposed temporary warehouse use was not compatible with the surrounding areas which were predominantly rural in nature. The applicant failed to demonstrate that the developments would not cause adverse ecological, landscape and visual impacts on the surrounding areas. The approval of the three applications, even on a temporary basis, would set an undesirable precedent and encourage other applications for similar warehouse and open storage uses. Regarding the public comments received, the planning assessments and considerations above were relevant.

24. In response to a Member's enquiry about the development programme of the proposed River Park, Ms Amy M.Y. Wu, STP/SKIs, said that according to CEDD, the construction work of the River Park would commence in the first quarter of 2021 and land resumption would be taken place before that.

25. Members had no further question on the applications.

Deliberation Session

26. After deliberation, the Committee decided to reject the applications. The reasons for each of the applications were:

For Applications No. A/I-TCV/2 and 4

- “(a) the proposed development will frustrate the planning intention of “Other Specified Uses” annotated “River Park” zone. There is no strong planning justification in the submission to support the departure from the planning intention, even on a temporary basis;
- (b) the applicant fails to demonstrate that the proposed development will not have adverse ecological, landscape and visual impacts on the surrounding areas; and
- (c) the approval of the application, even on a temporary basis, would set an undesirable precedent and encourage other applications for similar developments in the surrounding area. The cumulative effect of approving such applications would result in a general degradation of the rural environment and landscape character of the area.”

For Application No. A/I-TCV/3

- “(a) the proposed development will frustrate the planning intentions of the site for road use and “Other Specified Uses” annotated “River Park” zone. There is no strong planning justification in the submission to support the departure from the planning intentions, even on a temporary basis;
- (b) the applicant fails to demonstrate that the proposed development will not have adverse ecological, landscape and visual impacts on the surrounding areas; and
- (c) the approval of the application, even on a temporary basis, would set an undesirable precedent and encourage other applications for similar developments in the surrounding area. The cumulative effect of approving such applications would result in a general degradation of the rural environment and landscape character of the area.”

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/I-TCV/5 Proposed Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years in “Residential (Group C) 2” Zone and an area shown as ‘Road’, Lot 1890 in D.D. 1 TC, Tung Chung Valley, Lantau Island

(RNTPC Paper No. A/I-TCV/5)

Presentation and Question Sessions

27. Ms Amy M.Y. Wu, STP/SKIs, 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 materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Head of the Sustainable Lantau Office, Civil Engineering and Development Department and District Lands Officer/Islands, Lands Department did not support the application as the proposed development would affect the land resumption for the construction of the proposed road. The Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) had reservations on the application as there was no information in the submissions to demonstrate that the proposals would not cause adverse ecological, landscape and visual impacts on the surrounding areas. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, 10 public comments were received from Kadoorie Farm & Botanic Garden

Corporation, Save Lantau Alliance, Green Power and individuals. Major objection grounds were set out in paragraph 10 of the Paper;

- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed use on the application site was not in line with the general planning intention of Tung Chung Valley area, which was to conserve the ecologically sensitive areas, to protect the rural and natural character and to maintain the unique landscape character and cultural heritage of the area. The proposed development would affect the land resumption for the construction of the proposed road. The proposed temporary warehouse use was not compatible with the surrounding areas which were predominantly rural in nature. The applicant failed to demonstrate that the development would not cause adverse landscape and visual impacts on the surrounding areas. Including the subject application, there were seven applications for temporary warehouse/ open storage of construction materials in the area, with one previously rejected by the Committee, and two tentatively scheduled for consideration on 9.2.2018. The approval of the application, even on a temporary basis, would set an undesirable precedent and encourage other applications for similar warehouse and open storage uses. Regarding the public comments received, the planning assessments and considerations above were relevant.

28. Members had no question on the application.

Deliberation Session

29. 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 “Residential (Group C)2” zone and will frustrate the planning intention of the area for road use. There is no strong planning justification in the submission to support the departure from the planning intentions, even on

a temporary basis;

- (b) the applicant fails to demonstrate that the proposed development will not have adverse landscape and visual impacts on the surrounding areas; and
- (c) the approval of the application, even on a temporary basis, would set an undesirable precedent and encourage other applications for similar developments in the surrounding area. The cumulative effect of approving such applications would result in a general degradation of the rural environment and landscape character of the area.”

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SLC/148 Proposed Filling of Land (1.2m) for Permitted Agricultural Use in
“Coastal Protection Area” Zone, Lot 2366 in D.D. 316L, Pui O, Lantau
Island

(RNTPC Paper No. A/SLC/148)

Presentation and Question Sessions

30. Ms Amy M.Y. Wu, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed filling of land for permitted agricultural use;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Head of Sustainable Lantau Office, Civil Engineering and Development Department (Head(SLO) of CEDD) pointed out that according to the Sustainable Lantau Blueprint (the ‘Blueprint’)

promulgated in June 2017, the wetland in Pui O should be protected and any proposal at or in the proximity of Pui O wetland had to ensure that it should not result in adverse impact on the wetland habitat. The application site (the Site) had been gradually filled up and fenced off with brick wall, which would cause negative impact on the wetland habitat. The Director of Agriculture, Fisheries and Conservation (DFAC) had reservations on the application as land filling at the Site was undesirable in view of the impact on the wild fauna as well as the feral buffaloes, and construction and demolition wastes were deposited on the Site apart from soil. The Chief Town Planner/ Urban Design & Landscape, Planning Department (PlanD) had reservations on the application as it was anticipated that significant and irreversible impacts/changes to the current physical landform/ topography as well as the overall landscape quality of the site and its surrounding would be resulted. Approval of the application would cause a ripple effect for other applications for the area zoned as “Coastal Protection Area” (“CPA”) adjacent to the Site, resulting in the overall irreversible landform/topography and gradual degradation of the natural landscape character of the Site. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, a total of 63 comments objecting to the application were received from Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Natural Hong Kong, Living Islands Movement, Hong Kong Bird Watching Society, Designing Hong Kong Limited, Alliance for a Beautiful Hong Kong, Save Lantau Alliance and individuals. Major objection grounds were set out in paragraph 9 of the Paper; and
- (e) PlanD’s views – PlanD did not support the application based on the assessment set out in paragraph 10 of the Paper. There was insufficient information in the submission to justify the need for 1.2m land filling for permitted agricultural use. The applicant failed to demonstrate that the proposed filling of land would not have adverse ecological and landscape impacts on the surrounding areas. The approval of the application would

set an undesirable precedent for similar applications within the “CPA” zone and the cumulative effect of approving such applications would lead to a general degradation of the natural environment of the area. Regarding the public comments received, the comments of government departments and the assessments above were relevant.

31. In response to a Member’s enquiry, Ms Amy M.Y. Wu, STP/SKIs, confirmed that the Site was not located in an area previously covered by a Development Permission Area (DPA) plan and no enforcement action under the Town Planning Ordinance could be taken.

Deliberation Session

32. A Member did not support the application as agricultural activities at the Site which was in the vicinity of “CPA” were not desirable. The Member also expressed that contrary to the argument submitted by the applicant, land filling would indeed lead to more serious soil loss.

33. Another Member was concerned that even if the application was not approved, whether any action could be taken to stop the deposition of construction waste at the Site. The Chairman said that while no enforcement action could be taken by PlanD, relevant departments and authorities were taking necessary actions under their regimes to monitor and control those activities.

34. Mr Johnson M.K. Wong, Principal Environmental Protection Officer (Strategic Assessment), Environmental Protection Department (EPD), supplemented that the applicant had obtained an acknowledgement notification from EPD under the Waste Disposal Ordinance. However, investigation was being conducted to ascertain if any illegal deposition of waste was carried out prior to obtaining EPD’s notification.

35. Members noted that an Inter-departmental meeting on dumping issue in Lantau was held in January among CEDD, Agricultural, Fisheries and Conservation Department, EPD, PlanD, Transport Department, Hong Kong Police Force and Lands Department to explore short, medium and long-term actions and measures to tackle the issue on deposition of construction waste in Lantau Island.

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

- “(a) there is insufficient information in the submission to justify the need for 1.2m land filling for permitted agricultural use;
- (b) the applicant fails to demonstrate that the proposed filling of land will not have adverse ecological and landscape impacts on the surrounding areas; and
- (c) approval of the application would set an undesirable precedent for similar applications within the “Coastal Protection Area” zone and the cumulative effect of approving such applications would lead to a general degradation of the natural environment of the area.”

Agenda Item 11

Section 16 Application

[Open Meeting]

A/SK-CWBN/42 Proposed Comprehensive Development for Residential, Commercial (Hotel, Kindergarten, Eating Place and Shop and Services) and Residential Institution Uses with Minor Relaxation of Plot Ratio, Gross Floor Area and Building Height Restrictions in “Comprehensive Development Area (2)” Zone, Lots 214 RP, 219, 220 S.A, 220 S.B, 220 RP, 224 and 226 in D.D. 229 and Adjoining Government Land, Clear Water Bay, Sai Kung
(RNTPC Paper No. A/SK-CWBN/42B)

37. The Secretary reported that the application site was located in Clear Water Bay. Clear Water Bay Land Co. Limited (CWBL) and Coastline International Limited (CIL) were two of the applicants. ADI Limited (ADI), Ronald Lu & Partners (Hong Kong) Limited (RLP), AECOM Asia Co. Limited (AECOM), LWK Conservation Limited (LWK), MVA Hong Kong Limited (MVA) and Wong & Ouyang (HK) Limited (WOL) were six of the consultants of the applicants. The following Members had declared interests on this item:

- Mr Alex T.H. Lai - his firm having current business dealings with CWBL and CIL;
- Mr Ivan C.S. Fu - being the director and a shareholder of LWK, and having current business dealings with ADI, AECOM and MVA;
- Ms Janice W.M. Lai - having current business dealings with ADI and AECOM;
- Dr. C.H. Hau - having current business dealings with AECOM;
- Mr Stephen L.H. Liu - having past business dealings with RLP and LWK; and
- Mr David Y.T. Lui - co-owning two properties in Clearwater Bay with his spouse.

38. The Committee noted that Mr Alex H.T. Lai, Ms Janice W.M. Lai, Mr Stephen L.H. Liu and Mr David Y.T. Lui 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 Mr Ivan C.S. Fu could stay in the meeting but should refrain from participating in the discussion as his interest was direct. The Committee also agreed that Dr C.H. Hau could stay in the meeting as he had no involvement in the application.

39. The Committee noted that the applicant's representative requested on 12.1.2018 deferment of the consideration of the application for two months so as to allow time to liaise with relevant government departments including the Commissioner for Heritage's Office (CHO) and the Antiquities and Monuments Office (AMO) to refine the Master Layout Plan (MLP). It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had been liaising with CHO and AMO on the MLP and conservation proposal to substantiate the application.

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

[Mr H.W. Cheung arrived to join the meeting at this point.]

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HH/73 Temporary School (Kindergarten) for a Period of 3 Years in "Other Specified Uses" annotated "Residential Cum Marina Development" Zone, Shop D and Yard, Ground Floor, Marina Cove Shopping Centre, Sai Kung
(RNTPC Paper No. A/SK-HH/73)

Presentation and Question Sessions

41. Mr William W.T. Wong, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary school (kindergarten) for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, 39 public comments were received, with 38 supporting and one opposing the application. Major views were set out in paragraph 9 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 10 of the Paper. Approval of the kindergarten use on a temporary basis would not frustrate the planning intention of the “Other Specified Uses” annotated “Residential cum Marina Development” zone. The kindergarten use was considered not incompatible with the existing uses such as tutorial schools and shops within the same and surrounding commercial and clubhouse buildings in the Marina Cover development. While the previous planning permission was revoked due to non-compliance with the approval condition on implementation of fire service installations (FSIs) and provision of water supplies for fire fighting by the specific date, the applicant had in this application stated that the school and entire building were fitted with the required FSIs. The Director of Fire Services had no specific comments in this regard. The applicant had also implemented the recommendations in the traffic report to the satisfaction of the Commissioner for Transport. Regarding the public comment received, the comments of government departments and the assessment above were relevant.

42. Members had no question on the application.

Deliberation Session

43. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.1.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) to implement and maintain the traffic arrangements as proposed by the applicant during the approval period to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) to maintain the fire service installations at the Premises in efficient working order during the approval period to the satisfaction of the Director of Fire Services or of the TPB; and
- (c) if any of the above planning conditions (a) or (b) 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.”

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

Agenda Items 13 and 14

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-PK/240 Proposed House (New Territories Exempted House - Small House) in “Green Belt” Zone, Lot 470 S.B RP in D.D. 222, Pak Kong, Sai Kung

A/SK-PK/241 Proposed House (New Territories Exempted House - Small House) in “Green Belt” Zone, Lot 470 S.B ss.3 in D.D. 222, Pak Kong, Sai Kung
(RNTPC Paper No. A/SK-PK/240C and 241C)

45. The Committee noted that the two section 16 applications for proposed houses were similar in nature and the application sites were located in close proximity to one another and within the same “Green Belt” (“GB”) zone and agreed that they could be considered together.

Presentation and Question Sessions

46. Mr William W.T. Wong, STP/SKIs, presented the applications and covered the following aspects as detailed in the Paper:

- (a) background to the applications;
- (b) the proposed house (New Territories Exempted Houses (NTEHs) – Small Houses) on each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The Chief Town Planner/ Urban Design & Landscape, Planning Department, (CTP/UD&L, PlanD) had reservations on the applications. Although the proposed Small Houses were not incompatible with the surrounding rural landscape character, the proposed stormwater works of the sites might have impact on the existing trees to the west of the sites in consideration of the alignment of drainage channels. The landscape impact would likely be extended beyond the sites. The approval of the proposed Small Houses would encourage spreading of village houses into the “GB” zone leading to cumulative deterioration of landscape character of the “GB” zone. The Director of Environmental Protection objected to the applications as part of the sites encroached into the Safety Buffer Zone of Pak Kong Water Treatment Works (PKWTW), which was an area with high chlorine risk. Other concerned departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of the statutory publication period, three and eight public comments were received in respect of applications No. A/SK-PK/240 and 241 respectively. Designing Hong Kong Limited and two individuals object to the two applications and five other individuals supported application No. A/SK-PK/241. Major views were set out in paragraph 11; and
- (e) PlanD’s views – PlanD did not support the applications based on the assessments set out in paragraph 12 of the Paper. The proposed Small

House developments were not in line with the planning intention of the “GB” zone and there was a general presumption against development within the “GB” zone. Although there was insufficient land to fully meet the future Small House demand of the village in the long run, there was still land currently available within the “Village Type Development” (“V”) zone to meet the outstanding demand of 21 Small Houses. According to the Town Planning Board Guidelines No. 10 (TPB PG-No.10), applications for new development in the “GB” zone would only be considered in exceptional circumstances and must be justified with very strong planning grounds. However, there were no exceptional circumstances or strong grounds to justify the applications. No information had been provided in the submission to demonstrate the proposed developments would be acceptable in view of the high chlorine risk. The Sites were the subject of previous applications rejected by the Committee or the Board on review, and there was no change in planning circumstances after the rejection of the applications. As for the other applications mentioned by the applicants, they were not located in the same local area. Regarding the public comments received, the comments of government departments and planning assessment above were relevant.

47. Members had no question on the application.

Deliberation Session

48. After deliberation, the Committee decided to reject the applications. The reasons for each of the applications were:

- “(a) the proposed Small House developments are not in line with the planning intention of the “Green Belt” (“GB”) zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There are no exceptional circumstances or strong planning grounds in the submissions for a departure from the planning intention;

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

Agenda Item 15

Section 16 Application

[Open Meeting]

A/SK-SKT/19 Proposed Wholesale Conversion of Existing Industrial Building for Private School in “Residential (Group E)1” Zone, 1 Hong Ting Road, Sai Kung
(RNTPC Paper No. A/SK-SKT/19)

49. The Secretary reported that the application site was located in Sai Kung Town. Associated Architects Limited (AAL) and Landes Limited (Landes) were two of the consultants of the applicant. The following Members had declared interests on this item:

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

- Ms Janice W.M. Lai - having current business dealings with Landes and her spouse owning a shop in Sai Kung Town; and
- Mr Alex T.H. Lai - his firm having current business dealings with AAL.

50. 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 Mr Ivan C.S. Fu could stay in the meeting as he had no involvement in the application.

51. The Committee noted that the applicant's representative requested on 9.1.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

[The Chairman thanked Ms Amy M.Y. Wu and Mr William W.T. Wong, STPs/SKIs, for their attendance to answer Members' enquiries. Ms Wu and Mr Wong left the meeting at this point.]

Sha Tin, Tai Po and North District

[Mr. Tim T.Y. Fung, Senior Town Planner/Shu Tin, Tai Po and North (STP/STN), and Mr P.Y. Yung, Senior Town Planners(Atg.)/Shu Tin, Tai Po and North (STP(Atg.)/STN) were invited to the meeting at this point.]

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/644 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1584 S.C in D.D. 76, Kan Tau Tsuen, Fanling
(RNTPC Paper No. A/NE-LYT/644)

Presentation and Question Sessions

53. Mr. Tim T.Y. Fung, STP/STN, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation did not support the application from agriculture point of view as agricultural infrastructure such as road access and water supply were available and the site possessed potential for agricultural rehabilitation. 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, four public

comments were received. The Chairmen of Fanling District Rural Committee and Sheung Shui District Rural Committee stated no comments on the application, while Designing Hong Kong Limited and an individual raised objection to the application. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment set out in paragraph 11 of the Paper. With regard to the Interim Criteria, more than 50% of the footprint of the proposed Small House fell within the village 'environs' ('VE') of Kan Tau Tsuen. While land was still available within the "Village Type Development" ("V") zone to meet the outstanding 75 Small House applications, the proposed Small House was in close proximity to the "V" zone of Kan Tau Tsuen and there were already a number of Small House applications approved at different stages of development nearby, the implementation of which were forming new village clusters in the locality. Similar applications in the vicinity had been approved between 2002 and 2017 mainly on the considerations that they complied with the Interim Criteria. There had not been major change in planning circumstances of the area since the approval of these similar applications. Regarding the public comments received, the comments of government departments and planning assessments above about were relevant.

54. Members had no question on the application.

Deliberation Session

55. 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 26.1.2022, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the 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 proposal to the satisfaction of the Director of Drainage Services 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.

Agenda Item 17

Section 16 Application

[Open Meeting]

A/NE-TKL/581 Proposed Temporary Open Storage of Construction Equipment and Machineries for a Period of 3 Years in “Agriculture” Zone, Lot 11 RP in D.D. 46, Sha Tau Kok Road - Ma Mei Ha
(RNTPC Paper No. A/NE-TKL/581)

57. The Secretary reported that the application site was located at Ta Kwu Ling. Mr Alex T.H. Lai had declared an interest in the item as his father co-owned two pieces of land in Ping Che, Ta Kwu Ling. The Committee noted that Mr Lai had tendered apology for being unable to attend the meeting.

58. The Committee noted that the applicant’s representative requested on 10.1.2018 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

59. 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 (Presentation and Question Sessions Only)]

A/NE-LT/619 Proposed House (New Territories Exempted House - Small House) in
"Village Type Development" and "Agriculture" Zones, Lot 261 S.F in
D.D. 8 and Adjoining Government Land, Tai Yeung Che Village, Lam
Tsuen, Tai Po

(RNTPC Paper No. A/NE-LT/619)

Presentation and Question Sessions

60. Mr. P.Y. Yung, STP/STN, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservations on the application from the landscape planning point of view as construction of the proposed Small House involved slope cutting/filling which would affect the root system of the existing trees adjoining the site. However, information regarding tree treatment and compensation was missing in the application. Other

concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication periods, six comments were received from individuals objecting to the application. Major objecting grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” zone which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It was also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There was no strong planning justification in the current submission for a departure from the planning intention. The proposed development did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that it would cause adverse landscape impact on the surrounding areas. Land was still available within the “Village Type Development” (“V”) zone of Tai Mong Che. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

61. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the

“Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is 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 NTEH/Small House in New Territories in that it would cause adverse landscape impact on the surrounding areas; and
- (c) land is still available within the “Village Type Development” (“V”) zone of Tai Mong Che which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 19

Section 16 Application

[Open Meeting]

A/NE-SSH/110 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm and Tent Camping Ground) for a Period of 3 Years in “Coastal Protection Area” Zone, Lots 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590 and 591 in D.D. 209, Kei Ling Ha Lo Wai, Sai Kung
(RNTPC Paper No. A/NE-SSH/110)

63. The Committee noted that the applicant’s representative requested on 10.1.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since last deferment, the applicant had submitted further information including responses to departmental comments and a revised site layout plan as well as a new drainage proposal.

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

Agenda Item 20

Section 16 Application

[Open Meeting]

A/NE-TK/628 Temporary Barbecue Site for a Period of 3 Years in "Agriculture" Zone, Lots 358, 359, 361, 374 (Part), 376, 377 (Part), 379 (Part), 380, 381 (Part), 388 (Part), 389, 390, 391 (Part), 403 (Part), 404, 493 (Part), 499, 500, 501, 502 (Part), 503 (Part), 504 (Part), 505 (Part), 506 (Part), 507 (Part), 508 (Part), 509 (Part), 510 (Part), 511, 512 S.A, 512 S.B, 513, 514, 515, 528, 529, 530, 531, 532, 533, 534, 535, 536 and Adjoining Government Land in D.D. 17, Ting Kok Village, Tai Po
(RNTPC Paper No. A/NE-TK/628)

65. The Committee noted that the applicant's representative requested on 3.1.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information in support of the application. It was the first time that the applicant requested deferment of the application.

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

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

[The Chairman thanked Mr. Tim T.Y. Fung, STP/STN, and Mr P.Y. Yung, STP(Atg.)/STN, for their attendance to answer Members' enquiries. Mr Fung and Mr Yung left the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

[Ms Maggie M.Y. Chin, District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FSYLE), Ms Emily P.W. Tong, Ms S.H. Lam and Ms Ivy C.W. Wong, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/503 Further consideration of application No. A/YL-ST/503 - Proposed Eating Place, Place of Entertainment, Shops and Services, and Minor Relaxation of Building Height Restriction and Excavation of Land in "Other Specified Uses" annotated "Service Stations" Zone, Lots 661 S.C RP, 669 RP, 674 RP (Part) and 733 RP (Part) in D.D. 99 and Adjoining Government Land, San Tin, Yuen Long

(RNTPC Paper No. A/YL-ST/503B)

67. The Secretary reported that the application was submitted by Topcycle Development Limited, which was a joint venture of Henderson Land Development Company Limited (HLD) and Sun Hung Kai Properties Limited (SHK). Masterplan Limited (Masterplan), AECOM Asia Co. Limited (AECOM), Ramboll Environ Hong Kong Limited (Environ) and Environmental Resources Management (ERM) were four of the consultants of the applicant. The following Members had declared interests on this item:

- Mr Ivan C.S. Fu - having current business dealings with HLD, SHK, Masterplan, AECOM and Environ;
- Ms Janice W.M. Lai - having current business dealings with HLD, SHK, AECOM and Environ;
- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Co. (1933) Limited and SHK was one of the shareholders.
- Mr Alex T.H. Lai - his firm having current business dealings with SHK and Towngas, which was a subsidiary of HLD; as well as past business dealings with ERM;
- Mr Stephen L.H. Liu - having past business dealings with HLD and SHK;
- Professor K.C. Chau - being an employee of the Chinese University of Hong Kong, which had received a donation from a family member of the Chairman of HLD before;
- Mr H.F. Leung - being an employee of the University of Hong Kong (HKU), which had received a donation from a family member of the Chairman of HLD before;

- Dr C.H. Hau - having current business dealings with AECOM and being an employee of HKU, which had received a donation from a family member of the Chairman of HLD before;
- Dr Lawrence K.C. Li - being the treasurer of the Hong Kong Polytechnic University, which had obtained sponsorship from HLD before;
- Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association, which had obtained sponsorship from HLD and SHK before; and
- Mr Peter K.T. Yuen - being a member of the Board of Governors of the Hong Kong Arts Centre, which had received a donation from an Executive Director of HLD before.

68. The Committee noted that Mr Alex T.H. Lai, Mr Stephen L.H. Liu and Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting. The Committee agreed that Mr Ivan C.S. Fu and Miss Winnie W.M. Ng should leave the meeting temporarily for the item as their interests were direct. The Committee also noted that as the interests of Mr H.F. Leung, Mr Peter K.T. Yuen, Professor K.C. Chau, Dr C.H. Hau, Dr Lawrence K.C. Li and Ms Christina M. Lee were indirect, they could stay in the meeting.

[Mr Ivan C.S. Fu and Ms Winnie W.M. Ng left the meeting temporarily at this point]

69. The Committee noted that further information (FI) from the applicant's representative was received after issue of the Paper confirming the applicant's intention to extend the tenancy agreement for the temporary shopping centre at the application site for two years. The FI was tabled for Members' consideration.

Presentation and Question Sessions

70. With the aid of a PowerPoint presentation, Ms Maggie M.Y. Chin, DPO/FSYLE,

presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed commercial development (eating place, place of entertainment, shop and services) with minor relaxation of building height restriction and excavation of land;
- (c) FIs submitted by the applicant on mode of operation of the proposed commercial development, interface of the temporary and permanent development, scale of development and its cumulative impacts;
- (d) departmental comments – departmental comments were set out in paragraph 3 and Appendix F-I of the Paper. The Commissioner for Transport (C for T) had no in-principle objection to the application and no comment on the FI but recommended approval conditions requiring the applicant to submit a comprehensive public transport service proposal for both cross-boundary and local visitors, as well as implementation of road improvement works and provision of pedestrian footbridge linking the San Tin Public Transport Interchange (PTI) with the development. The Commissioner of Customs and Excise and the Director of Immigration had concerns on the cumulative traffic impact and the possible impact on Lok Ma Chau Control Point and Lok Ma Chau Spur Line Control Point, and an approval condition requiring the provision of a comprehensive public transport service proposal was recommended. Other concerned government departments had no objection to or no adverse comment on the application;
- (e) during the statutory public inspection periods for the FIs submitted, six public comments were received from San Tin Rural Committee, the Village Representative (VR) of Yan Sau Wai and two individuals objecting to the application. Major objection grounds were set out in paragraph 4 of the Paper; and

- (f) the Planning Department (PlanD)'s views – PlanD maintained its view of having no objection to the application based on the assessments set out in paragraph 5 of the Paper as well as paragraph 12 of the RNTPC Paper at Appendix F-I. To address the Committee's concerns, the applicant had submitted FIs with information on the interface arrangement of the approved temporary commercial development, the mode of operation of the proposed development and cumulative traffic and ecological impacts. Concerned departments had no objection to or no adverse comment on the application and the submitted FIs. Approval conditions were recommended to address the technical concerns of relevant departments. Regarding the public comments received, comments of concerned departments and the assessments as set out in paragraph 12 of the RNTPC Paper at Appendix F-I were relevant.

71. A Member enquired about the existing number of cross-border shopping centres and its relation with the long-term development of the cross-boundary area. In response, Ms Maggie M.Y. Chin, DPO/FSYLE, stated that three applications for cross-boundary shopping centre had been received, including the approved temporary cross-boundary shopping centre and the current application at the subject site and a proposed temporary cross-boundary shopping centre (i.e. application No. A/YL-ST/498) opposite the site across San Sam Road which was recently withdrawn by the applicant. She supplemented that the proposed development was in line with the planning intention of the current zoning, and fell within the San Tin/Lok Ma Chau Development Node which was intended mainly for commercial development as identified in the "Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030" ("Hong Kong 2030+") study.

72. In response to the enquiry from the same Member, Ms Maggie M.Y. Chin clarified that submission of both the revised Ecological Impact Assessment (EcoIA) and Environmental Assessment (EA) were required as recommended under the approval conditions. Since the development was not a designated project under Environmental Impact Assessment Ordinance (EIAO), submission of EIA was not required for the proposed commercial development.

Deliberation Session

73. The Chairman recapitulated that the application was previously considered by the Committee on 22.9.2017 and some Members were concerned about the interface arrangement on the implementation of the temporary and permanent developments at the Site; and the mode of operation of the proposed commercial development to justify the proposed scale of development. The Committee hence decided to defer consideration of the application pending submission of FI by the applicant in addressing the above concerns.

74. Members noted that the structures of the temporary shopping centre would be demolished in the future to make way for the permanent development as proposed under the current application.

75. Regarding the development parameters and the design of the proposed shopping centre, Members noted that the current building height (BH) and site coverage (SC) restrictions for the zone where the application site was located were 4 storeys (15m) and 100% respectively. The proposed minor relaxation of BH from four storeys to seven storeys including three basement levels would not constitute an increase in number of storeys above ground. Iconic structures that were relatively taller were located near the San Tin PTI with stepped height gradually descending to the west facing the nearby villages. Since the general BH of the development above ground was about 16m with a few structures up to 21.2m, the proposed BH was considered compatible with the surrounding context.

76. Some Members generally agreed that the application had planning merits including reduction of building bulk, increasing permeability and provision of greening to enhance visual permeability and enhancing air ventilation of the development.

77. While it was noted that the proposed BH would induce some visual impact when viewed at medium range, Members in general considered that the reduced SC and provision of building setbacks would help minimize the perceived building bulk of the proposal when viewed at close range. In comparison with a development of 15m in BH and 100% in SC as permitted under the OZP, the Vice-chairman expressed that the proposed scheme was considered more desirable in terms of design, variation in BH and visual permeability. Some Members also agreed that the overall visual impact of the proposed development would not be unacceptable.

78. In view of some Members' concerns on whether there were mechanisms to ensure there would be no subsequent revision to the proposed BH profile, the Secretary pointed out that an approval condition could be imposed to restrict the height of the buildings of the proposed development to not more than the level proposed under the current development scheme in this regard.

79. Members in general had no objection to the application and agreed to impose an approval condition to restrict the height of buildings of the proposed development to that proposed by the applicant.

80. 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 26.1.2022, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the submission and implementation of a revised layout plan to take into account conditions (b) to (k) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the proposed development should not exceed the height of the buildings as proposed by the applicant;
- (c) the submission and implementation of a revised Landscape Master Plan including tree preservation proposal to the satisfaction of the Director of Planning or of the TPB;
- (d) the submission of a revised Ecological Impact Assessment and implementation of the mitigation measures identified therein to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;
- (e) the submission of a revised Sewerage Impact Assessment and implementation of sewage treatment and disposal measures identified

therein to the satisfaction of the Director of Environmental Protection or of the TPB;

- (f) the submission of a revised Environmental Assessment and implementation of mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (g) the submission of a revised Drainage Impact Assessment and the provision and maintenance of the drainage mitigation measures identified therein to the satisfaction of the Director of Drainage Services or of the TPB;
- (h) the provision of a comprehensive public transport service proposal for both cross-boundary and local visitors to the satisfaction of the Commissioner for Transport or of the TPB;
- (i) the implementation of road improvement works and provision of the pedestrian footbridge linking the San Tin Public Transport Interchange with the development, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (j) the design and provision of vehicular access, parking facilities, loading/unloading spaces and lay-bys for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB; and
- (k) the design and provision of emergency vehicular access, water supplies for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

[Mr Ivan C.S. Fu and Ms Winnie W.M. Ng returned to meeting at this point.]

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

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/40 Renewal of Planning Approval for Temporary Vehicle Repair Workshop (including Container Vehicle Repair Yard) for a Period of 3 Years in “Residential (Group A) 1”, “Residential (Group A) 3” and “Other Specified Uses” annotated “Business and Technology Park” Zones and an area shown as ‘Road’, Lots 759 S.A, 759 RP (Part), 761 S.A, 761 S.C (Part), 762 S.A and 762 S.C (Part) in D.D. 95 and Adjoining Government Land, Ho Sheung Heung Road, Kwu Tung, Sheung Shui

(RNTPC Paper No. A/KTN/40A)

82. The Secretary reported that the application site was located in Kwu Tung. Dr C.H. Hau had declared an interest on the item as he owned a property in Ho Sheung Heung, Kwu Tung North. The Committee agreed that as the property of Dr C.H. Hau did not have a direct view of the application site, he could stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) renewal of planning approval for temporary vehicle repair workshop (including container vehicle repair yard) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Commissioner for Transport (C for T) did not support the application from traffic management viewpoint. In view of the recent traffic condition on road in the North District, as the applicant did not provide a Traffic Impact Assessment (TIA), it was not possible for

C for T to advise whether the applicant's proposed mitigation measures were feasible. The Director of Environmental Protection did not support the application as there were sensitive uses in the vicinity of the site. Environmental nuisances to nearby residents were anticipated;

- (d) during the first three weeks of statutory public inspection period, one objecting public comment from an individual was received. According to the District Officer/North, Home Affairs Department, the Resident Representatives of Kwu Tung (North) and Kwu Tung (South) had no comment on the application. The North District Council member of the subject constituency objected to the application. Major objection grounds were set out in paragraphs 10.1 and 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intention of the “Residential (Group A)1”, “Residential (Group A)3” and “Other Specified Uses” annotated “Business and Technology Park” zones, but approval of the application on a temporary basis would not jeopardize the long-term development of the concerned zonings on the OZP. However, C for T did not support the application from traffic management viewpoint, as the applicant failed to demonstrate that renewing the planning approval would not cause adverse traffic impact. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

84. Members had no question on the application.

Deliberation Session

85. A Member was doubtful whether the traffic mitigation measures proposed by the applicant were viable. Members noted that those mitigation measures were merely an elaboration by the applicant without the support of a TIA.

86. In response to a Member's concern, the Chairman said that in view of the recent traffic condition in the North District during peak hours, C for T could not offer support to the application. The planning circumstance of the subject application had changed since previous applications were approved.

87. A Member said that normally sympathetic consideration would be given to renewal application. However, since there was a change in planning circumstance in the traffic conditions and the applicant failed to demonstrate that the traffic impact arising from renewing the planning approval was acceptable, the application should not be approved.

88. Mr Ricky W.K. Ho, Chief Traffic Engineer/New Territories East, Transport Department (CTE/NTE, TD) added that the traffic problem and change in circumstances were acknowledged by the applicant. The applicant's proposed alternative route had been reviewed but TD considered that insufficient information was given in the renewal application to substantiate whether the alternative route could alleviate the traffic congestion problem. While a complicated and extensive TIA was not required, the applicant should submit relevant information and relevant data to support the application.

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

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

Agenda Item 23

Section 16 Application

[Open Meeting]

A/YL-KTN/564 Temporary Shop and Services and Eating Place (Outside Seating Accommodation of a Restaurant) with Ancillary Parking Spaces for a Period of 3 Years in “Village Type Development” Zone, Lots 216 S.S ss.2 RP, 216 S.S RP, 237 S.B RP, 237 S.B ss.3 RP, 237 S.B ss.3 S.A, 237 S.B ss.4 S.A, 237 S.B ss.4 S.B, 237 S.B ss.4 RP, 237 S.B ss.5 RP (Part), 237 S.B ss.12 RP, 237 S.B ss.13 RP and 237 S.B ss.14 RP in D.D. 103 and Adjoining Government Land, Ko Po Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/564B)

90. The Committee noted that the applicant’s representative requested on 11.1.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information including a new proposal on ingress/egress arrangement to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including parking provision and location of ingress/egress of the site to address departmental comments.

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

Agenda Item 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/577 Proposed Temporary Animal Boarding Establishment for a Period of 3
Years in “Agriculture” Zone, Lot 4 (Part) in D.D. 110, Tai Kong Po,
Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/577A)

92. The Committee noted that a replacement page (Plan A-2 of the Paper) rectifying editorial errors had been tabled at the meeting.

Presentation and Question Sessions

93. 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) proposed temporary animal boarding establishment for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as active agricultural activities could be found in its vicinity and the site possessed potential for agricultural uses such as plant nursery or greenhouse. The Chief Town Planning/ Urban Design and Landscape Section, Planning Department (CTP/UD&L, PlanD) had reservations on the application as the approval of the application would set an undesirable precedent for site modification prior to application, thus leading to further degradation of existing landscape environment. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the public inspection period, a total of ten comments were received. Kadoorie Farm & Botanic Garden Corporation and six individuals objected to the application and Lifelong Animal Protection Charity, Doggie House and Rescue Centre for Abandoned Pets Limited supported the application. Major views were set out in paragraph 11 of the Paper; and

- (e) 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 “Agriculture” (“AGR”) zone and DAFC did not support the application, the approval of the application on temporary basis for a period of three years would not jeopardize the long-term planning intention of the “AGR” zone. The proposed development was considered not incompatible with the surrounding areas which were mixed with residential dwellings/structures, cattery and hobby farm, open storage and vacant/unused land. The applicant advised that all animals would be kept inside the enclosed kennel and cattery after the operation hours and acoustic materials and installation of exhaust fans would be installed for the kennel and cattery to minimize any noise impact. It was also stated that only 5-6 dogs/cats would be allowed at this area at one time and no amplification system of any form would be used at the site. In view of the concerns from CTP/UD&L, PlanD and other departments, relevant approval conditions had been recommended. There were 13 similar applications for animal boarding establishment use within the same “AGR” zone on the OZP and all were approved by the Committee from 2005 to 2017 mainly on similar considerations that temporary use of the developments would not frustrate the long-term planning intention of the “AGR” zone. Regarding the public comments received, the comments of government departments and the assessments above were relevant.

94. A Member enquired if there were residential uses located near the application site. In response, Ms Ivy C.W. Wong, STP/FSYLE, with the aid of Plan A-2 of the Paper, stated that there were some residential uses mainly located to the west and southwest of the site.

Deliberation Session

95. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.1.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. and 10:00 a.m. (except overnight kennel and cattery), as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Wednesday (except overnight kennel and cattery), as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) all animals shall be kept inside the enclosed kennel and cattery between 6:00 pm and 10:00 a.m. on the site, as proposed by the applicant, during the planning approval period;
- (d) no public announcement system, whistle blowing, portable amplification system, or any form of audio amplification system, as proposed by the applicant, is allowed on the site during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of landscape proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 26.7.2018;
- (g) in relation to (f) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 26.10.2018;
- (h) the submission of drainage proposal within 6 months from the date of

planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.7.2018;

- (i) in relation to (h) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.10.2018;
- (j) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.7.2018;
- (k) in relation to (j) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.10.2018;
- (l) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked without further notice;
- (m) if any of the above planning conditions (f), (g), (h), (i), (j) or (k) is not complied with by the specific date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/580 Temporary Open Storage of Vehicles (Lorries, Vans and Private Cars) for Sale for a Period of 3 Years in “Residential (Group D)” Zone, Lots 666 S.B (Part) and 667 (Part) in D.D. 110, Kam Tin Road, Yuen Long (RNTPC Paper No. A/YL-KTN/580A)

Presentation and Question Sessions

97. 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) temporary open storage of vehicles (lorries, vans & private cars) for sale for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application because there were sensitive users nearby and along the access road and environmental nuisances were expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the temporary open storage of vehicles (lorries, vans and private cars) for sale use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”)

zone, there was no known development for this part of the “R(D)” zone, thus approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone. The applied open storage use was not incompatible with the surrounding areas and the application was considered generally in line with the Town Planning Board Guidelines No. 13E in that there were previous planning approvals for similar open storage use approved by the Committee, and the applicant had complied with all the approval conditions under the last planning approval. Concerned government departments except DEP had no adverse comments on the application. While DEP did not support the application, there was no environmental complaint received by DEP in the past three years. Appropriate approval conditions were recommended to address DEP’s concern regarding the potential environmental nuisances and the technical requirements of other concerned departments.

98. Members had no question on the application.

Deliberation Session

99. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.1.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 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 dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including

container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (e) no vehicle is allowed to queue back to or reverse onto/ from public road at any time during the planning approval period;
- (f) the existing drainage facilities on the site should be maintained at all times during the planning approval period;
- (g) the submission of the record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.4.2018;
- (h) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.3.2018;
- (i) the submission of fire services 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 26.7.2018;
- (j) in relation to (i) above, the provision of fire services installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.10.2018;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning conditions (g), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

- (m) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/582 Proposed Temporary Shop and Services (Vehicle Parts) and Ancillary Storage and Office for a Period of 3 Years in “Industrial (Group D)” Zone, Lot 565 S.A (Part), 640 (Part), 796 (Part), 797 (Part), 798 (Part) in D.D. 107 and Adjoining Government Land, Fu Kat Heung, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/582)

Presentation and Question Sessions

101. 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) proposed temporary shop and services (vehicle parts) and ancillary storage and office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments consulted 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 period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed shop and services use was not entirely in line with the planning intention of the “Industrial (Group D)” (“I(D)”) zone, the temporary approval for a period of three years would not frustrate the long-term planning intention of the “I(D)”) zone. The proposed use was considered not incompatible with the surrounding areas and according to the applicant, the proposed shop and services would serve the locals in the area. A similar application in the vicinity for retail shop use was previously approved by the Committee. Concerned departments consulted had no objection to or no adverse comment on the application.

102. Members had no question on the application.

Deliberation Session

103. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.1.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

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

- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.7.2018;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.10.2018;
- (g) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.7.2018;
- (h) in relation to (g) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.10.2018;
- (i) if the above planning condition (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning conditions (e), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/583 School (Nursery/Kindergarten) in “Village Type Development” (“V”) Zone, 1/F, Kam Tin Centre, Lot 1684 in D.D. 109, Kam Tin Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/583)

Presentation and Question Sessions

105. 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) school (nursery/ kindergarten);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments consulted 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 assessments set out in paragraph 11 of the Paper. While the planning intention of the “Village Type Development” (“V”) zone was primarily intended for development of Small Houses by indigenous villagers, the District Lands Officer/Yuen Long, Lands Department advised that no Small House application had been approved or under processing at the site where the premises were located. The applied school use within the Kam Tin Centre was not incompatible with the surrounding areas. In view of the scale and nature of the use, the applied

school (nursery / kindergarten) development would unlikely cause any significant traffic, drainage, and environmental impacts on the surrounding areas. Relevant government departments consulted had no objection to or no adverse comments on the application. While the previous approved planning application for the same use submitted by the same applicant was revoked due to non-compliance of approval condition in relation to the submission of proposals for fire services installations (FSIs) and water supplies for fire fighting, the applicant had submitted information in this application showing the provision of FSIs at the premises. In this regard, shorter compliance periods were recommended to monitor the progress on compliance with approval conditions.

106. Members had no question on the application.

Deliberation Session

107. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission was subject to the following conditions:

- “(a) the submission of proposals for fire service installations and water supplies for fire fighting within 3 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 26.4.2018;
- (b) in relation to (a) above, the provision of fire service installations and water supplies 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 26.7.2018; and
- (c) if any of 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.”

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

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/754 Temporary Site Office and Service Depot for Drainage and Sewerage Works for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” Zone, Lot 455 RP (Part) in D.D. 106, Kam Sheung Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/754A)

Presentation and Question Sessions

109. 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) temporary site office and service depot for drainage and sewerage works for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environment Protection (DEP) did not support the application as there were sensitive receivers in the vicinity of the site and there were four substantiated environmental complaints on waste nuisance in the past three years. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection period, one public comment from an individual was received objecting to the application. The major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the

assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Other Specified Uses” annotated “Rural Use” (“OU(RU)”) zone, there was no known development programme for the long-term development at the site. The approval of the application for a temporary period of three years would not jeopardize the long-term planning intention of the “OU(RU)”) zone. The applied use was considered not incompatible with the surrounding land uses. Concerned government departments except DEP had no adverse comments on the application. While DEP did not support the application, the site could be accessed to Kam Sheung Road via a local track without passing through the residential dwelling. In addition, the applicant had also stated that no cleaning or workshop activities would be carried out on the site. The concern of DEP on possible environmental nuisance to surrounding areas could be addressed through the incorporation of approval conditions. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

110. Members had no question on the application.

Deliberation Session

111. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.1.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

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

- (d) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the Site during the planning approval period;
- (e) the maintenance of the existing boundary fencing on the Site at all times during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the submission of landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 26.7.2018;
- (h) in relation to (g) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 26.10.2018;
- (i) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.7.2018;
- (j) in relation to (i), the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.10.2018;
- (k) in relation to (j) above, the implemented drainage proposal on the Site shall be maintained at all times during the planning approval period;
- (l) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.7.2018;

- (m) in relation to (l) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.10.2018;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (k) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (o) if any of the above planning conditions (g), (h), (i), (j), (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.”

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

Agenda Items 29 to 39

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/765 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 188 S.A in D.D. 113, Cheung Po, Kam Tin, Yuen Long

A/YL-KTS/766 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 188 S.B in D.D. 113, Cheung Po, Kam Tin, Yuen Long

- A/YL-KTS/767 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 188 S.C in D.D. 113, Cheung Po, Kam Tin, Yuen Long
- A/YL-KTS/768 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 188 S.D and 189 S.A in D.D. 113, Cheung Po, Kam Tin, Yuen Long
- A/YL-KTS/769 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 188 S.F in D.D. 113, Cheung Po, Kam Tin, Yuen Long
- A/YL-KTS/770 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 189 S.B and 190 S.A in D.D. 113, Cheung Po, Kam Tin, Yuen Long
- A/YL-KTS/771 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 189 S.C and 190 S.B in D.D. 113, Cheung Po, Kam Tin, Yuen Long
- A/YL-KTS/772 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 188 S.G in D.D. 113, Cheung Po, Kam Tin, Yuen Long
- A/YL-KTS/773 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 189 S.G in D.D. 113 Cheung Po, Kam Tin, Yuen Long
- A/YL-KTS/774 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 190 S.C in D.D. 113, Cheung Po, Kam Tin, Yuen Long
- A/YL-KTS/775 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 190 S.D in D.D. 113, Cheung Po, Kam Tin, Yuen Long
-
- (RNTPC Paper No. A/YL-KTS/765 to A/YL-KTS/775)

113. The Committee noted that the eleven applications for proposed houses (New Territories Exempted Houses (NTEH) - Small Houses) were similar in nature and the application sites were located in close proximity to one another and within the same “Agriculture” (“AGR”) zone. The Committee agreed that they could be considered together.

Presentation and Question Sessions

114. Ms Ivy C.W. Wong, STP/FSYLE, drew the Members’ attention that a replacement page (page 13 of the Paper) rectifying editorial errors were dispatched 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) proposed houses (New Territories Exempted Houses (NTEH) - Small Houses) on each of the application sites;
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the applications as active agricultural activities could be found in the vicinity of the sites and the sites possessed potential for agricultural rehabilitation. As the sites were located adjacent to the West Rail Pat Heung Maintenance Centre, within the protection boundary of the existing West Rail Line and the Area of Influence (“AOI”) for the proposed Northern Link which was subject to review, the Director of Environmental Protection (DEP) and the Chief Highway Engineer/ NT West, Highways Department (CHE/NTW, HyD) commented that the applicants should propose adequate noise mitigation measures to ensure compliance with the relevant planning standards and statutory requirements. Other concerned departments had no objection to or no adverse comment on the applications;

- (d) during the first three weeks of the statutory public inspection period, 14 public comments had been received for applications No. A/YL-KTS/765, 766 and 768 to 775 and ten for application No. A/YL-KTS/767 from Kadoorie Farm & Botanic Garden Corporation, Designing Hong Kong Limited, World Wide Fund for Nature (WWF) Hong Kong, residents of Cheung Po and individuals objecting to the applications. The MTR Corporation Limited (MTRCL) had also raised concern about the applications. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the applications based on the assessments set out in paragraph 12 of the Paper. The proposed Small House developments were not in line with the planning intention of “AGR” zone and there were no strong planning justifications in the submissions for a departure from the planning intention of the “AGR” zone. There was still land available within the “Village Type Development” (“V”) zone of Cheung Po and Tai Wo. It was considered more appropriate to concentrate the proposed Small House developments close to the existing village cluster for more orderly development pattern, efficient use of land and provision of infrastructures and services. While there were concerns from government departments that the sites might be subject to railway noise, no information regarding the proposed noise mitigation measures were provided by the applicants to ensure compliance with the relevant planning standards and statutory requirements. Similar applications in the vicinity of the sites were recently rejected by the Committee and rejecting the current applications was in line with the Committee's previous decision. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

115. Members had no question on the application.

Deliberation Session

116. After deliberation, the Committee decided to reject the applications. The

reasons for each of the applications were:

- “(a) the proposed Small House developments are not in line with the planning intention of the “Agriculture” zone which is to retain and safeguard good quality agricultural land for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) land is still available within the “Village Type Development” zone of Cheung Po and Tai Wo which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for more orderly development pattern, efficient use of land and provision of infrastructures and services; and
- (c) there is insufficient information in the submission to demonstrate that the proposed developments would not be subject to noise impact.”

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

117. 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) proposed temporary shop and services (motor vehicles showroom) 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 reservations on the application as the approval of the application would set an undesirable precedent for site modification prior to application. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection period, no public comment was received; and
- (e) PlanD’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessment set out in paragraph 11 of the Paper. Since there was currently no Small House application approved or under processing at the site, it was considered that approval of the application on a temporary basis for a period of three years would not jeopardize the long-term planning intention of the “Village Type Development” zone. The proposed development was considered not incompatible with the surrounding areas. As the site was abutting Kam Tin Road, it was unlikely that the proposed development would generate significant environmental nuisance on the surrounding area. The concern of CTP/UD&L of PlanD could be addressed through the incorporation of approval conditions.

118. Members had no question on the application.

Deliberation Session

119. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.1.2021, on the terms of the application as

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

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out at the site during the planning approval period;
- (c) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (d) the existing boundary fencing at the site shall be maintained at all times during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of 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 26.7.2018;
- (g) in relation to (f) above, the implementation of tree preservation proposal within 9 months from the date of planning approval to the satisfaction of Director of Planning or of the TPB by 26.10.2018;
- (h) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.7.2018;
- (i) in relation to (h) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the

Director of Drainage Services or of the TPB by 26.10.2018;

- (j) in relation to (i) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (k) the submission of fire services 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 26.7.2018;
- (l) in relation to (k) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.10.2018;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e) 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;
- (n) if any of the above planning conditions (f), (g), (h), (i), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
and
- (o) upon 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.”

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

Agenda Item 41

Section 16 Application

[Open Meeting]

A/YL-NTM/358 Proposed Temporary Public Vehicle Park (Private Cars and Container Vehicles), Vehicle Repair Workshop, Open Storage of Construction Material and Ancillary Offices for a Period of 3 Years in “Open Storage” Zone, Lots 826 RP (Part), 827, 828 and 829 in D.D. 102, Lots 296, 297 RP, 298 RP, 396 RP (Part) and 397 (Part) in D.D. 105 and Adjoining Government Land, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/358)

121. The Committee noted that the applicant’s representative requested on 17.1.2018 deferment of the consideration of the application for two months so as to allow time for the applicant to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 42

Section 16 Application

[Open Meeting]

A/YL-ST/520 Proposed Filling of Pond for Permitted Agricultural Use (Fish Pond Culture) in “Conservation Area” Zone, Lots 1753 S.A and 1753 RP in D.D. 96, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/520)

123. The Committee noted that the applicants’ representative had requested on 6.1.2018 deferment of the consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicants requested deferment of the application.

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

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/521 Temporary Shop and Services (Retail Shops, Laundry, Pharmacy and Convenient Store) for a Period of 3 Years in “Village Type Development” Zone, Lots 3048 S.B, 3048 RP, 3049 RP (Part) and 3050 RP (Part) in D.D. 102 and Adjoining Government Land, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/521)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary shop and services (retail shops, laundry, pharmacy and convenience store) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection period, five objecting public comments were received from a Heung Yee Kuk Special Councillor/village representative of Wing Ping Tsuen and four villagers. The major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. While the applied use was not entirely in line with the planning intention of the “Village Type

Development” (“V”) zone and the fact that there were two Small House applications received/under processing within the site, the applicant indicated that he had reached an agreement with those land owners that once the small house applications were approved by Lands Department, the applicant would vacate the site to make way for the implementation of the small house developments. The applicant had also submitted consent letters from the Small House applicants. The development was considered not incompatible with the surrounding land uses and it could meet some of the local demand on shop and services use in the vicinity. While the last approval at the site was revoked due to non-compliance with approval conditions, it was considered that the subject application might be given sympathetic consideration by allowing a shorter compliance period so as to closely monitor the progress on compliance with the approval conditions. The Committee had previously approved two applications for similar shop and services use within the same “V” zone based on similar considerations. Approval of the current application was in line with the previous decisions of the Committee. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

126. Members had no question on the application.

Deliberation Session

127. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.1.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium/heavy goods vehicles exceeding 5.5 tonnes as defined in the Road Traffic Ordinance or container trailers/tractors are allowed to enter, park or operate on the site at any time during the planning approval period;

- (c) no vehicle queuing is allowed back to the public road and no vehicle reversing into/from the public road is allowed at any time during the planning approval period;
- (d) the provision of boundary fencing on the site within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 26.4.2018;
- (e) the submission of fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.4.2018;
- (f) in relation to (e) above, the implementation of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.7.2018;
- (g) the submission of drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.4.2018;
- (h) in relation to (g) above, the implementation of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.7.2018;
- (i) in relation to (h) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (j) the submission of landscape and tree preservation proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 26.4.2018;
- (k) in relation to (j) above, the implementation of landscape and tree preservation proposal within 6 months from the date of planning approval

to the satisfaction of the Director of Planning or of the TPB by 26.7.2018;

- (l) if any of the above planning condition (a), (b), (c) 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; and

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

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

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

Tuen Mun and Yuen Long West District

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

Agenda Item 44

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/40 Temporary Logistics Centre and Ancillary Parking of Vehicle for a Period of 3 Years in “Government, Institution or Community” Zone and an area shown as ‘Road’, 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

(RNTPC Paper No. A/HSK/40)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary 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 nuisances were expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the development was not in line with the planning intention of the “Government, Institution or Community” (“G/IC”) zone, the implementation programme for this part of New Development Area was still being formulated. As such, approval of the application on a temporary basis of three years would not jeopardize the long-term development of the site. The applied use was not incompatible with the surrounding land uses. The application was generally in line with 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. The concern on environmental aspect could be addressed through the incorporation of approval conditions. While the previous application submitted by the same applicant for the same use was revoked due to non-compliance with the time-limit approval conditions, the applicant had submitted the as-built drainage plan and tree preservation and landscape proposal in the current application. In this connection, shorter compliance periods were recommended to monitor the progress on compliance with approval conditions.

130. Members had no question on the application.

Deliberation Session

131. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.1.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the 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 Site shall be maintained at all times during the planning approval period;
- (f) 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 26.4.2018;
- (g) the existing 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 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 26.4.2018;
- (i) in relation to (h) above 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 26.7.2018;
- (j) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.4.2018;
- (k) in relation to (j) above, the implementation of the 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 26.7.2018;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e) 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;

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

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

Agenda Item 45

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/42 Temporary Vehicle Service Centre for a Period of 3 Years in “Open Space” Zone, Lot 826 S.B RP (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/42)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary vehicle service centre for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or

no adverse 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 applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. While the development was not in line with the planning intention of the “Open Space” (“O”) zone, the implementation programme for this part of New Development Area was still being formulated. Hence, approval of the application on a temporary basis of three years would not jeopardize the long-term development of the site. The applied use was not incompatible with the surrounding uses. The application was generally in line with 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. The Committee had previously approved two previous applications for the same use at the site and two similar applications within the subject “O” zone. Approval of this application was in line with the Committee's previous decisions.

134. Members had no question on the application.

Deliberation Session

135. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.1.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 8:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) the existing fencing on the site shall be maintained at all times during the planning approval period;
- (d) no vehicle spraying activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (e) no vehicle queuing back to or reverse onto/from the public road is allowed at any time during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.4.2018;
- (h) the existing landscape planting on the site shall be maintained at all time during the planning approval period;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.7.2018;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.10.2018;
- (k) if the above planning conditions (a), (b), (c), (d), (e), (f) or (h) is not complied with at any time during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning conditions (g), (i) or (j) is not complied with

by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

- (m) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

136. 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-LFS/305 Temporary Place of Recreation, Sports and Culture (Venue for Villager Ceremony) for a Period of 3 Years in “Village Type Development” Zone, Lots 2570 (Part), 2571 (Part), 2572 (Part), 2573 (Part), 2574 (Part), 2575 (Part), 2576 S.A (Part), 2576 S.B (Part), 2577 (Part), 2578 (Part) and 2579 RP (Part) in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/305)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary place of recreation, sports and culture (venue for villager ceremony) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or

no adverse comment on the application;

- (d) during the first three weeks of the statutory public inspection period, one public comment was received objecting the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. While the applied use was considered not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, as there was no Small House approved or under processing within the site, approval of the development on a temporary basis would not frustrate the long-term planning intention of the “V” zone. The applied development was considered not incompatible with the surrounding uses within the “V” zone. Moreover, it might help serve the need for community and recreational facilities of the villagers. Concerned departments had no objection to or no adverse comment on the application. Regarding the public comment received, comments of concerned departments and the planning assessments above were relevant.

138. Members had no question on the application.

Deliberation Session

139. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.1.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicles as defined in the Road Traffic Ordinance are allowed to be parked/stored at the site at any time 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 26.7.2018;

- (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 26.10.2018;
- (d) in relation to (c) above, the implemented drainage facilities on the site 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 26.7.2018;
- (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 26.10.2018;
- (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.”

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

Agenda Item 47

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/511 Social Welfare Facility (Residential Home for People with Disabilities)
in “Village Type Development” Zone, 300 Tsz Tin Tsuen, Tuen Mun
(RNTPC Paper No. A/TM/511A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) social welfare facility (residential home for people with disabilities);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Director of Environmental Protection (DEP) did not support the application. While the applicant had commenced his application for a license under the Water Pollution Control Ordinance (WPCO) for the septic tank and soakaway system, DEP noted that not all wastewater and sewage from the premises were properly disposed of. Since the planned sewerage improvement works could not be completed until early 2019, DEP was unable to support the application at this stage in view of his concern about potential discharge of wastewater into the nearby stream course. Other concerned departments had no objection to or no adverse comments on the application;
- (d) during the three weeks of the statutory public inspection period, one public comment expressing concerns was received. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the

application based on the assessment set out in paragraph 10 of the Paper. While the development was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the applied development could nevertheless provide residential care home services to persons with disabilities. The applied development was considered not incompatible with the existing uses in the surrounding areas and the planned use in the “V” zone. In view of DEP’s concern over the potential discharge of wastewater into the nearby stream course, the applicant would be advised to rectify the improper wastewater discharge and fulfil the requirements of WPCO. Regarding the public comment received, comments of concerned departments and the planning assessments above were relevant.

142. A Member asked for clarification regarding the nature of the application. Ms Jessica Y.C. Ho responded that the application was submitted for permanent development instead of a temporary approval.

Deliberation Session

143. 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 was subject to the following conditions:

- “(a) the submission and implementation of fire service installations proposal within 6 months to the satisfaction of the Director of Fire Services or of the TPB by 26.7.2018; and
- (b) if the above planning condition 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.”

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

Agenda Item 48

Section 16 Application

[Open Meeting]

A/TM/513 Proposed Minor Relaxation of Building Height Restriction for Permitted Training Centre use in “Government, Institution or Community” Zone, 27 Tuen Fu Road, Fu Tei, Tuen Mun
(RNTPC Paper No. A/TM/513)

145. The Committee noted that the applicant’s representative requested on 16.1.2018 deferment of the consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 49

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/39 Temporary Public Vehicle Park (Private Cars, Light Goods Vehicles and Coaches) for a Period of 3 Years in “Residential (Group A) 4” Zone, Lot 2429 RP in D.D. 124 and Adjoining Government Land, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/HSK/39)

Presentation and Question Sessions

147. Ms Stella Y. Ng, STP/TMYLW, drew the Members’ attention that two replacement pages (page 7 of the Paper and Appendix V) with revision to paragraph 9.1.1 (g) and advisory clause (e) had been tabled for Members’ reference. She then presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) temporary public vehicle park (private cars, light goods vehicles and coaches) 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 concern on the application and considered that approval of the application might set an undesirable precedent which would likely encourage other applicants to clear and form the site prior to obtaining planning permission. The cumulative impact of which would lead to the general degradation of the urban fringe landscape character. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection period, four objecting public comments from Customer Service Office of Park Nara and

individuals were received. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) the 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. While the development was not entirely in line with the planning intention of the “Residential (Group A) 4” (“R(A)4”) zone, it could provide parking spaces to meet any such demand in the area, and since the implementation programme for this part of the Hung Shui Kiu New Development Area was still being formulated, approval of the application on a temporary basis of three years would not jeopardise the long term planning of the area. The applied use was not incompatible with the surrounding land uses. Relevant departments did not have objection or adverse comments on this application. Appropriate approval conditions were recommended to address concerns from CTP/UD&L, PlanD and other concerned departments. Seven previous approved applications covering the site for similar temporary vehicle park use were approved since 2007. Within the same “R(A)4” zone, there were three approved applications for similar temporary public vehicle park use. Although the last application was revoked due to non-compliance with approval conditions, the subject application was submitted by a different applicant on a smaller site with different parking layout. Sympathetic consideration might be given to the current application. Regarding the public comments received, the comments of departments and planning assessments above were relevant.

148. Members had no question on the application.

Deliberation Session

149. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.1.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (e) no vehicle washing, vehicle repairing, dismantling, paint spraying or other workshop activity is allowed on the site, as proposed by the applicant, at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of condition record of the existing drainage facilities within 3 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.4.2018;
- (i) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire

Services or of the TPB by 26.7.2018;

- (j) in relation to (i) 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 26.10.2018;
- (k) the provision of boundary fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 26.7.2018;
- (l) the submission of a landscape proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 26.7.2018;
- (m) in relation to (l) above, the implementation of the landscape proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 26.10.2018;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (o) if any of the above planning conditions (h), (i), (j), (k), (l) or (m) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (p) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 50

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/41 Temporary Dangerous Goods Godown (Cat. 5 Dangerous Goods) for a Period of 3 Years in “Government, Institution or Community” (“G/IC”) Zone, Lots 856 RP, 857 RP, 858 RP, 859 RP and 860 RP in D.D. 124, Lots 238, 239 and 367 in D.D. 127, Hung Tin Road, Ping Shan, Yuen Long
(RNTPC Paper No. A/HSK/41)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary dangerous goods godown (Cat. 5 dangerous goods) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. While the development was not entirely in line with the planning intention of the “Government, Institution or Community” (“G/IC”) zone, the implementation programme for this part of the Hung Shui Kiu New Development Area was still being

formulated and approval of the application on a temporary basis of three years would not jeopardise the long term planning of the area. The proposed development was not incompatible with the surrounding uses. The applied use would unlikely create significant adverse traffic, environmental and drainage impacts on the surrounding areas. Concerns and technical requirements of relevant government departments could be addressed through the incorporation of approval conditions. There were previous approved applications covering the site for the same temporary dangerous goods godown use for a period of 5 years when the site was zoned “Industrial (Group D)” on the previous Ping Shan Outline Zoning Plan (OZP). As the site now fell within a “G/IC” zone on the Hung Shui Kiu and Ha Tsuen OZP which had no provision for dangerous goods godown, the applicant had applied for a temporary approval for a period of three years.

152. Members had no question on the application.

Deliberation Session

153. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.1.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no open storage of dangerous goods are allowed on the site at any time during the planning approval period;
- (c) the 100mm thick concrete box to enclose the underground tanks shall be maintained at all times during the planning approval period to the satisfaction of the Director of Environmental Protection or of the TPB;
- (d) the 100mm bund wall around the distribution area of 4mx4m above each of

underground tank with a peripheral channel shall be maintained at all times during the planning approval period to the satisfaction of the Director of Environmental Protection or of the TPB;

- (e) the underground sump tank equipped with an oil/grease trap shall be maintained at all times during the planning approval period to the satisfaction of the Director of Environmental Protection or of the TPB;
- (f) all screen plantings within the site shall be maintained at all times during the planning approval period;
- (g) the existing boundary fencing on site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on site shall be maintained at all times during the planning approval period;
- (i) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.4.2018;
- (k) the submission of the design of emergency vehicular access, water supplies for fire-fighting and 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 26.7.2018;
- (l) in relation to (k) above, the implementation of emergency vehicular access, 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 26.10.2018;

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

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

Agenda Item 51

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/549 Temporary Public Vehicle Park (Private Car and Light Goods Vehicle)
for a Period of 3 Years in “Village Type Development” Zone, Lot 425
(Part) in D.D. 122 and Adjoining Government Land, Sheung Cheung
Wai, Yuen Long
(RNTPC Paper No. A/YL-PS/549)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary public vehicle park (private car and light goods vehicle) for a

period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory public inspection period, one objecting public comment was received from an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11. While the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could provide vehicle parking spaces to meet any such parking demand in the area. As advised by the District Lands Officer/Yuen Long, Lands Department, there was no approved or outstanding Small House application at the site, hence approval of the application on a temporary basis would not frustrate the planning intention of the “V” zone. The proposed use was not incompatible with the surrounding land uses. The applied use would unlikely create significant adverse traffic, environmental and drainage impacts on the surrounding areas. The Committee had approved a previous application for the same use at the site and 25 other similar applications in the same “V” zone. Approval of the current application was in line with the previous decisions of the Committee. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

156. Members had no question on the application.

Deliberation Session

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

temporary basis for a period of 3 years until 26.1.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site to indicate that no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle repairing, dismantling, car washing and workshop use is allowed on the site, as proposed by the applicant, at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing trees and landscape planting on the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;

- (i) the existing fencing of the site should be maintained at all times during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.4.2018;
- (k) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.7.2018;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.10.2018;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (j), (k) or (l) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 52

Section 16 Application

[Open Meeting]

A/YL-PS/550 Proposed Filling of Land (about 1m) for 4 Permitted Houses (New Territories Exempted Houses - Small Houses) in “Village Type Development” Zone, Lots 182 S.A RP, 182 S.B, 182 S.C, 182 S.D RP and 182 RP (Part) in D.D. 123, near Shing Uk Tsuen, Tai Tseng Wai, Ng Uk Tsuen, Ping Shan Heung, Yuen Long
(RNTPC Paper No. A/YL-PS/550)

159. The Committee noted that the applicant’s representative requested on 18.1.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicants requested deferment of the application.

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

Agenda Item 53

Section 16 Application

[Open Meeting]

A/YL-TT/406 Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years in “Village Type Development” Zone, Lots 1603 (Part), 1609 (Part) and 1610 (Part) in D.D. 119, Kiu Hing Road, Yuen Long
(RNTPC Paper No. A/YL-TT/406B)

161. The Committee noted that the applicant’s representative requested on 3.1.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the third time that the applicant had requested deferment of the application. Since last deferment, the applicant had submitted further information to address comments from the Transport Department.

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

Agenda Item 54

Section 16 Application

[Open Meeting]

A/YL-TT/419 Temporary Public Vehicle Park (Excluding Container Vehicle) for a
Period of 5 Years in “Village Type Development” Zone, In Keen
Garden Phase II, Kiu Hing Road, Yuen Long
(RNTPC Paper No. A/YL-TT/419)

163. The Committee noted that the applicant requested on 17.1.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 55

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/420 Renewal of Planning Approval for Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years in “Village Type Development” Zone, Lot 3563 S.C RP (Part) in D.D. 116, Tong Tau Po Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TT/420)

Presentation and Question Sessions

165. Ms Floria Y.T. Tsang, STP/TMYLW, 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 for private car and light goods vehicle for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory public inspection period, one objecting public comment was received from an individual. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12. While the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could provide vehicle parking spaces to meet any such parking demand in the area. As advised by the District Lands

Officer/Yuen Long, Lands Department, there was no approved or outstanding Small House application at the site, hence approval of the application on a temporary basis would not frustrate the planning intention of the “V” zone. The proposed use was not incompatible with the surrounding land uses. The application was generally in line with Town Planning Board Guidelines No. 34B in that there had been no material change in planning circumstances since the granting of the previous approval. The approval conditions had been complied with and the 3-year approval period sought was of the same timeframe as the previous approval. The Committee had approved four applications for similar uses covering the same site and one other similar application in the subject “V” zone. Approval of the renewal application was in line with the Committee’s previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

166. Members had no question on the application.

Deliberation Session

167. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 28.3.2018 to 27.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicle without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations, as proposed by the applicant, is allowed to be parked/stored on site at any time during the planning approval period;
- (b) no medium or heavy goods vehicle 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;

- (c) a notice shall be posted at a prominent location of the site at all times to indicate that no medium or heavy good vehicle 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 during the planning approval period;
- (d) no vehicle dismantling, car beauty, car washing, and other workshop activities, as proposed by the applicant, is allowed to be carried out on the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing trees and landscape planting on the site shall be maintained at all time during the approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 28.6.2018;
- (i) 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 28.9.2018;
- (j) in relation to (i) 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 28.12.2018;

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

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

Agenda Item 56

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/872 Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Undetermined” Zone, Lot 2849 RP in D.D. 120, Kung Um Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/872)

Presentation and Question Sessions

169. Ms Floria Y.T. Tsang, STP/TMYLW, 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 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. The Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD) had no objection to the temporary uses at the site but did not support the approval period for 3 years. The site partly fell within an area designated for proposed new road on the Recommended Outline Development Plan (RODP) of Yuen Long South (YLS) Development. The proposed new road was required to support the public housing sites under YLS Development – Stage 1 and the current target was to have the first population intake by 2027/28. Nonetheless, PM(W), CEDD did not envisage adverse impacts to the YLS Development project if the application was approved for a temporary period of 30 months. The District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) stated that the programme of land resumption would follow the project office's programme notwithstanding the validity period of the planning permission to be granted. Other concerned 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 period of three years based on the assessments set out in paragraph 12. Whilst the applied use was not entirely in line with the planning intention of the “Undetermined” (“U”) zone, the applicant claimed that it could provide real estate agency service to the nearby land owners and operators. While CEDD considered a shorter approval period of 30 months, instead of three years sought, should be granted, DLO/YL, LandsD advised that the programme of land resumption would follow the project programme. As such, approval of the application on a temporary basis would not jeopardize the long-term development of the area. The applicant should be advised that the site

might be subject to land resumption for the implementation of YLS which might take place at any time before the expiry of the temporary planning permission. The applied development was not incompatible with the surrounding uses. The application was generally in line with Town Planning Board Guidelines No. 34B in that there had been no material change in planning circumstances since the granting of the previous approval. The approval conditions had been complied with and the 3-year approval period sought is of the same timeframe as the previous approval. The Committee had approved an application for similar uses covering the same site and two other similar applications in the subject “U” zone. Approval of the renewal application was also in line with the Committee’s previous decisions.

170. Members had no question on the application.

Deliberation Session

171. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 14.3.2018 to 13.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing fencing on the site shall be maintained at all times during the planning approval period;

- (e) the existing trees and landscape planting on the site shall be maintained at all time during the approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities 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 14.6.2018;
- (h) 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 14.9.2018;
- (i) in relation to (h) 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 14.12.2018;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

172. The Committee also agreed to advise the applicant to note the advisory clauses as

set out at Appendix V of the Paper.

Agenda Item 57

Section 16 Application

[Open Meeting]

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

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

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

174. The Committee noted that Mr Alex T.H. Lai and 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 the interest of Mr Ivan C.S. Fu was indirect, he could stay in the meeting.

175. The Committee noted that the applicant’s representative requested on 16.1.2018 deferment of the consideration of the application for two months so as to allow time for liaison with concerned departments on their further comments. It was the third time that the

applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including technical assessments and revised landscape plans to address departmental comments.

176. 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 four months had been allowed for preparation and of further information, no further deferment would be granted unless under very special circumstances.

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

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Any Other Business

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