

TOWN PLANNING BOARD

Minutes of 606th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 6.7.2018

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Dr F.C. Chan

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Dr C.H. Hau

Mr Stephen L.H. Liu

Mr K.W. Leung

Dr Jeanne C.Y. 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

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

Mr Ivan C.S. Fu

Mr David Y.T. Lui

Dr Lawrence K.C. Li

Miss Winnie W.M. Ng

Mr L.T. Kwok

Mr Ricky W.Y. Yu

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
Mr Harris K.C. Liu

Agenda Item 1

Confirmation of the Draft Minutes of the 605th RNTPC Meeting held on 15.6.2018

[Open Meeting]

1. The draft minutes of the 605th RNTPC meeting held on 15.6.2018 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

- (i) Town Planning Appeal No. 6 of 2015
Proposed Columbarium in “Government, Institution or Community” and “Undetermined” Zones, Lots 879, 880 S.A ss1, 880 S.B ss1, 881 to 885, 889 RP (Part), 891 (Part), 1318, 1326 and 1344 (Part) in D.D. 115 and adjoining Government Land, Au Tau, Nam Sang Wai, Yuen Long (Application No. A/YL-NSW/204)
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2. The Secretary reported that Urbis Limited (Urbis) and Ramboll Environ Hong Kong Limited (Environ) were two of the consultants of the applicant. Mr Ivan C.S. Fu had declared an interest on the item as he had current business dealings with Urbis and Ramboll. The Committee noted that Mr Ivan C.S. Fu had tendered an apology for being unable to attend the meeting.
 3. The Secretary continued to report that the Town Planning Appeal Board (TPAB) handed down the decision to allow the subject appeal with conditions via the letter of 14.11.2017. According to TPAB’s decision, the planning permission should be valid for four years until 14.11.2021. On 27.4.2018, the appellant submitted an application for Class B amendment under section 16A(2) of the Town Planning Ordinance for extension of time (EOT) for compliance with seven time-limited approval conditions from six months to 12 months until 14.11.2018. The application for EOT was approved by the Committee on 4.5.2018.

4. Under approval condition (i), the appellant would have to submit an updated traffic impact assessment (TIA) report to the satisfaction of all relevant government departments and parties affected, including but not limited to the Transport Department, the Hong Kong Police Force, the Planning Department, Poi Oi Hospital, the Hospital Authority and Town Planning Board (the Board). In seeking clarification on the arrangement for discharging the said condition from TPAB, TPAB requested the appellant and the Board for the views on the arrangement. Legal advice on the draft reply had been sought and the draft reply to the TPAB had been tabled at the meeting for Members' reference.

5. The Committee noted the latest development and agreed that the Secretary would act on behalf of the Board in dealing with the follow-up matters.

[Mr W.H. Cheung, Dr F.C. Chan, Mr Stephen L.H. Liu and Dr C.H. Hau arrived to join the meeting at this point.]

Sha Tin, Tai Po and North District

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/ST/39 Application for Amendment to the Approved Sha Tin Outline Zoning Plan No. S/ST/34, To Rezone the Application Site from "Village Type Development" to "Religious Institution", Lots 356 and 357 (Part) in D.D. 185 and Adjoining Government Land, 167 Pai Tau Village, Sha Tin
(RNTPC Paper No. Y/ST/39)

Presentation and Question Sessions

6. The following representative from the Planning Department (PlanD), the applicant and her representatives were invited to the meeting at this point:

Mr Kenny C.H. Lau	- Senior Town Planner/Shan Tin, Tai Po and North (STP/STN), PlanD
Ms Chen Pui Fung	- The Applicant
Mr Cheung Leung]
Mr Tang Sze-kin] Applicant's representatives
Ms Tse Sze-nga]

7. The Chairman extended a welcome and explained the procedure of the meeting. He then invited PlanD's representative to brief Members on the background of the application. With the aid of a PowerPoint presentation, Mr Kenny C.H. Lau, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed rezoning of the site from "Village Type Development" ("V") to "Religious Institution" ("RI"), with 'Religious Institution' and 'Columbarium' as Column 1 uses;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Secretary for Home Affairs (SHA) was unable to provide policy support to the application as Tsing Lin Tsing She (TLTS) was not a charitable organization registered under the Inland Revenue Ordinance. The District Lands Officer/Shan Tin, Lands Department advised that the Government Land Licence (GLL), which had been granted for the garden purpose before, had been cancelled in 2002 and the current occupation of government land and erection of structures were unauthorized. The Commissioner for Transport (C for T) and the Commissioner of Police commented that no traffic impact assessment (TIA) and management plan had been submitted under the application to ascertain the traffic or crowd management impact. The Chief Town Planner/Urban Design and Landscape considered that there was no guarantee that building bulk could be confined to the existing scale should the site be rezoned. Other concerned departments had no objection to or no adverse comment

on the application;

- (d) during the first three weeks of the statutory publication period, four public comments were received from an adjacent lot owner, Indigenous Inhabitant Representatives and villager of Pai Tau Village and individuals, raising objection to the application. Major objecting views were set out in paragraph 10 of the Paper; and

- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. According to the applicant, the structure accommodating the temple under the name of TLTS was in existence since the 1950s. There had been expansion for additional structures within the site in the subsequent 20 years. Other than the structures per se, there was no information to demonstrate when the uses within the structures came into existence. Land within the subject “Village Type Development” (“V”) zone was primarily intended for development of Small Houses (SHs) by indigenous villagers. The total number of outstanding SH applications and 10-year SH demand forecast for the concerned villages were 99 and 1,107 respectively, while land available within the “V” zone could only accommodate about 120 SHs. There was insufficient land within the “V” zone to meet the SH demand. The site was located in an area highly mixed with religious institutions, columbaria and domestic structures. The proposed columbarium use at this locality might result in close juxtaposition of columbarium use and residential use as well as intermixing of grave sweepers and villagers in the location. According to the latest policy initiatives for handling TIA related to pre-cut-off columbaria, the applicant failed to provide TIA and management plan to demonstrate that the 354 unsold niches would not have adverse traffic impact on the surrounding road networks. Having considered the insufficient land within the “V” zone for SH development and the unresolved traffic concerns, approval of the application would set an undesirable precedent for other similar rezoning applications in the area and the cumulative impact would lead to further reduction of land in the “V” zone and a general degradation of the traffic condition in Pai Tau area.

Regarding the public comments, comments of concerned departments and the planning assessments above were relevant.

8. The Chairman then invited the applicant and her representatives to elaborate on the application. With the aid of a PowerPoint presentation, Mr Tang Sze-kin and Mr Cheung Leung, the applicant's representatives, made the following main points:

History of TLTS

- (a) the current rezoning application was intended to regularize the existence of TLTS, which had been established since 1942 according to some documentaries. TLTS had also been recorded in the survey sheet prepared by the Government in 1957 and a structure, where the columbarium had been accommodated, was already shown in the aerial photo taken in 1972;

Columbarium in TLTS

- (b) TLTS was a Buddhist temple originally providing various religious services. The columbarium building was subsequently erected in 1960s in view of the increasing demand of niches for its worshippers and prayers. The niches would only serve its worshippers and prayers, instead of the general public, and the operation of TLTS mainly relied on the donation from worshippers. As at 30.6.2017, among the total number of 1,018 niches, 494 niches were occupied, 170 were sold but yet occupied and 354 were available for sale;

Responses to Departmental Comments

- (c) regarding the recommended rejection reason of reducing the area of the "V" zone for SH development, TLTS had already been in existence before the first Sha Tin Outline Zoning Plan (OZP) was gazetted. The applicant had no intention to sell the site for village house development. Besides, the site only accounted for about 0.08% of the total area of the "V" zone on the OZP, which was insignificant;
- (d) for traffic impact arising from the site, traffic flow was assessed by the relevant departments during Ching Ming Festival this year and there had

been around 200 visitors for the TLTS, which was equivalent to 25 persons/hour. If the 354 unsold niches were occupied, it was expected to generate additional traffic flow of 13 persons/hour, which would not have significant impact on the traffic network. An alternative route branching off Pai Tau Street and via the village footpath of Pai Tau village was also proposed to alleviate the crowdedness of Pai Tau Street;

- (e) the crowd management plan, including pre-visit reservation mechanism, setting up waiting room for visitors and deploying volunteers for crowd and security controls during festival periods, had been submitted to the Private Columbaria Licensing Board (PCLB);
- (f) the suspected unauthorised buildings works on the government land were the shrines and the porch in the garden area, which were erected when the GLL was valid. The applicant would seek GLL again from the relevant authority should the current application be approved. The applicant also indicated that there was no plan to change the existing structures nor to build additional niches. As for fire safety concern, a notice showing the evacuation route had been posted on the notice board; and
- (g) TLTS was a member of the Hong Kong Buddhist Association and operated by a religious practitioner.

9. As the presentation of PlanD's representative and the applicant's representatives were completed, the Chairman invited questions from Members.

10. Some Members raised the following questions:

Land Use Zoning and 'Existing Use'

- (a) the history of land use zoning of the site;
- (b) whether the current religious institution and columbarium uses were regarded as 'Existing Use' which could be tolerated under the current

planning regime;

Traffic Impact Assessment

- (c) noting from the presentation of the applicant's representative that an assessment on traffic flow had been taken during the Ching Ming Festival, whether C for T's comments had taken into account the findings of the assessment; and
- (d) compared to about 130,000 niches in Pai Tau area, whether the impact arising from the subject columbarium was significant;

11. Mr Kenny C.H. Lau, STP/STN, made the following responses:

Land Use Zoning and 'Existing Use'

- (a) the first statutory plan for Sha Tin was gazetted on 28.4.1961 and the site fell within an area zoned for residential use, which reflected the land use of the area at that time. Subsequently, the site and the Pai Tau area were rezoned to "V" zone in 1978. The "V" zoning had remained unchanged since then;
- (b) if a use was in existence before the publication of the first statutory plan and had continued since it was effected, such use could be regarded as 'Existing Use' and would be tolerated under the current planning regime. According to the applicant's information, the structure of main temple was shown on the survey plan in 1957 as well as the aerial photo in 1963. However, the structure for columbarium use was not found in the aerial photo in 1963;

Traffic Impact Assessment

- (c) according to the policy initiative, the Government decided to use an empirical evidence approach as the basis for assessing traffic impacts

arising from a columbarium which operation only involved the number of niches sold before 30.6.2017. The assessment conducted during Ching Ming Festival was to assess the traffic flow generated by those occupied niches, including those at the subject columbarium. Findings of the assessment served as the baseline for evaluating the traffic condition in Pai Tau area. For the 354 unsold niches, C for T considered that a TIA and management plan should be submitted to demonstrate that the traffic impact arising from those unsold niches on the traffic network was acceptable; and

- (d) since no TIA and management plan had been submitted by the applicant and there was quite a number of columbarium developments in Pai Tau area, approval of the subject application would set an undesirable precedent for similar applications.

12. Mr Tang Sze-kin, the applicant's representative, supplemented that TLTS had commenced operation since 1942. The structure for columbarium use was shown on the survey map in 1957 but was blocked by trees in aerial photo taken in 1963.

13. A Member asked PlanD and the applicant to give their views, assuming that the application was limited to the number of sold niches. Mr Kenny C.H. Lau said that the applicant would still be required to submit a management plan covering traffic and crowd control for the 664 sold niches to C for T for consideration. Nevertheless, the Government had adopted a pragmatic and sensitive approach in handling columbaria which were in operation before the cut-off time specified in the Private Columbaria Ordinance, so as to minimise any social disruption. Mr Tang Sze-kin emphasized that there was a total of 1,018 niches in the columbarium building and traffic impact generated by the 354 unsold niches was expected to be insignificant when compared to a total number of 130,000 niches in Pai Tau area. The applicant also confirmed that no additional niches would be built upon full occupation of all existing niches.

Others Aspects

14. A member asked whether the niches would be provided to worshippers and

prayers at a cost or free of charge. In response, Mr Cheung Leung, the applicant's representative, said that worshippers and prayers would need to make donation for using the niches, but the amount of donation was not fixed.

15. In response to a Member's question on the number of occupied niches, Mr Tang Sze-kin said that the 494 occupied niches had been verified by the Food and Environmental Hygiene Department in 2015.

16. The Chairman and a Member asked the following questions:

- (a) how the distribution of columbaria in Pai Tau area was and whether there was any similar application; and
- (b) whether the findings of the traffic assessment and proposed alternative route shown in the applicant's presentation had been submitted to the Board and commented by the relevant departments before the meeting.

17. Mr Kenny C.H. Lau, STP/STN, made the following responses:

- (a) with reference to Plan Z-1 of the Paper, two section 16 planning applications at Po Fook Hill and Sin Tin Tao Home For the Aged had been received by the Board. The planning application submitted by the former proposed to develop 18,000 niches in addition to the existing about 90,000 niches (about), while the application submitted by the latter was for regularisation of the 3,000 unsold niches. Both applications were deferred for consideration at the request by the applicants; and
- (b) the applicant had not submitted those information on the findings of the traffic assessment and proposed alternative route to the Board before the meeting. Therefore, the Transport Department (TD) did not have the opportunity to examine and comment on those information.

18. Mr Tang Sze-kin clarified that the findings of the traffic assessment was only available after Ching Ming Festival, which was after the submission of the rezoning

application, but it had been submitted to the PCLB. Besides, C for T's comments was only conveyed to the applicant a week before the meeting and they did not have sufficient time to submit any TIA or responses to departmental comments before the meeting.

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

Deliberation Session

20. The Chairman recapitulated that the application was a section 12A application to rezone the site from "V" to "RI" with 'Religious Institution' and 'Columbarium' as Column 1 uses. Regarding the claim of 'Existing Use', the Committee noted that the applicant had the responsibility to prove a use which was in existence before the publication of the first statutory plan and had continued since it was effected. Nevertheless, the Government had adopted a pragmatic and sensitive approach to avoid massive displacement of interred ashes in the community.

Traffic Impact Assessment

21. In response to Members' enquires on how to ensure that cumulative traffic impact arising from the columbaria in Pai Tau area had been adequately assessed in the TIA submitted by individual columbarium operators and the assessment criteria for evaluating traffic conditions during festival periods, Mr Ricky W.K. Ho, Chief Traffic Engineer/New Territories East, TD (CTE/NTW, TD), explained that the Government was of the view that the traffic level in the Pai Tau area with a number of columbaria located together was still at an acceptable level during festival periods, on the basis that only niches sold as at 30.6.2017 of pre-cut-off columbaria were counted. Under the current policy initiatives, a management plan would still be required from those pre-cut-off columbaria to demonstrate the proposed traffic and crowd management measures were appropriate and adequate. However,

columbarium operator would be required to submit TIA and management plan if the application involved niches yet to be sold. Generally, TD would require the TIA to assess not only the traffic flow generated by the subject columbarium itself, but also take into account planned developments in the vicinity with reference to information available from other departments.

22. Regarding the findings of the traffic assessment and proposed alternative route presented by the applicant at the meeting, Mr Ricky W.K. Ho commented that the assessment did not meet TD's requirements for TIA as it had not taken into account the overall traffic condition in the Pai Tau area. A Member concurred that the TIA was not a comprehensive TIA, nor meeting the required standards. Another Member questioned whether there was any requirement for TIA to be conducted by traffic consultants or other professionals, and the procedures for its submission. Mr Ricky W.K. Ho said that the TIA would be examined based on its comprehensiveness and reliability. The Secretary explained that the applicant could submit the TIA in form of further information (FI) to the Committee for consideration in accordance with the Town Planning Board Guidelines No. 32. Once the FI was accepted by the Secretary, PlanD would consult the relevant departments on the FI received. However, as the findings of the traffic assessment was presented only at the meeting, TD did not have the chance to provide comment for consideration by the Committee.

23. A Member was concerned about the consequence of the subject columbarium if the current application was rejected. The Chairman said that if the applicant was able to prove the subject columbarium was an 'Existing Use', it could be tolerated under the planning regime. The Secretary further explained that, under Private Columbaria Ordinance, operators could apply for an exemption provided that the pre-cut-off columbarium commenced operation before 1.1.1990 and no interment right had been sold after the cut-off time.

24. The Vice-chairman and some Members did not support the application on the following considerations:

- (a) the findings of TIA had not yet been examined by the relevant departments and had not taken into account the overall traffic conditions of the surrounding areas;

- (b) given that there was quite a number of columbaria in the vicinity and no TIA had been submitted by the applicant, approval of the application would set an undesirable precedent for similar applications which would worsen the traffic conditions in the Pai Tau area;
- (c) the applicant failed to demonstrate that the columbarium building had been in existence before first gazette of the statutory plan of Sha Tin; and
- (d) although the site only accounted for a small percentage of land area in the “V” zone, approval of the application would set a precedent for other columbarium developments within the same “V” zone resulting in further reduction the area of the “V” zone.

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

- “(a) the current “Village Type Development” (“V”) zone is considered appropriate to provide land for Small House development by indigenous villagers. Rezoning of the site for columbarium use will further reduce the area of “V” zone for Small House development. The site comprises a large portion of government land. There is no strong justification to include the government land portion in the site;
- (b) the applicant fails to demonstrate that the columbarium use would not pose adverse traffic impact on the surrounding areas; and
- (c) the approval of the application would set an undesirable precedent for other similar rezoning applications for the development of columbarium use. The cumulative effect of approving such similar applications would lead to general degradation of the traffic condition of the area.”

Sai Kung and Islands District

Agenda Item 4

Section 16 Application

[Open Meeting]

A/SK-CWBN/48 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/48)

26. The Secretary reported that the application was submitted by Clear Water Bay Land Company Limited (CWBL), Double One Limited and Coastline International Limited (CIL). Ronald Lu & Partners (Hong Kong) Limited (RLP), AECOM Asia Company Limited (AECOM), LWK Conservation Limited (LWK) and MVA Hong Kong Limited (MVA) were four of the consultants of the applicants. The following Members had declared interests on the item:

- Mr K.K. Cheung - his firm having current business dealings with CWBL and CIL;
- Mr Ivan C.S. Fu - being a shareholder and director of LWK and having current business dealings with AECOM and MVA;
- Dr C.H. Hau - having current business dealings with AECOM; and
- Mr Stephen L.H. Liu - having past business dealings with RLP and LWK.

27. The Committee noted that Mr Ivan C.S. Fu had tendered an apology for being unable to attend the meeting and the applicant had requested deferment of consideration of

the application. Since the interest of Mr Stephen L.H. Liu was indirect, and Mr K.K. Cheung and Dr C.H. Hau had no involvement in the application, the Committee agreed that they could stay in the meeting.

28. The Committee noted that the applicants' representative requested on 15.6.2018 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.

29. 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 5

Section 16 Application

[Open Meeting]

A/SK-CWBS/28 Proposed Public Utility Installation (Pole with Transformer and Underground Cable) and Excavation of Land in "Conservation Area" Zone, Government Land in D.D. 230, Siu Hang Hau, Sai Kung
(RNTPC Paper No. A/SK-CWBS/28A)

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

- Dr Jeanne C.Y. Ng - being a Director of CLP;
- Mr K.K. Cheung - his firm having current business dealings with KS and past business dealings with CLP; and
- Mr Stephen L.H. Liu - having past business dealings with CLP.

31. The Committee noted that the applicant had requested deferment of consideration of the application. The Committee agreed that Dr Jeanne C.Y. Ng could stay in the meeting but should refrain from participating in the discussion as her interest was direct, and Mr Stephen L.H. Liu and Mr K.K. Cheung could stay in the meeting as their interests were indirect.

32. The Committee noted that the applicant's representative requested on 28.6.2018 deferment of the consideration of the application for one month so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information, including tree survey report, to address departmental comments.

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

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

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/291 Proposed Public Utility Installation (Underground Cables and Pole with Transformer) and Excavation and Filling of Land in “Conservation Area” Zone, Government Land in D.D. 247 and D.D. 249, Wang Che, Sai Kung
(RNTPC Paper No. A/SK-HC/291)

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

Dr Jeanne C.Y. Ng - being a Director of CLP;

Mr K.K. Cheung - his firm having current business dealings with KS and past business dealings with CLP; and

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

35. The Committee agreed that Dr Jeanne C.Y. Ng should leave the meeting temporarily for the item as her interest was direct, and Mr Stephen L.H. Liu and Mr K.K. Cheung could stay in the meeting as their interests were indirect.

[Dr Jeanne C.Y. Ng left the meeting temporarily at this point.]

Presentation and Question Sessions

36. 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) proposed public utility installation (underground cables and pole with transformer) and excavation and filling of land;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received and suggested local consents should be obtained; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. Although there was a general presumption against development within the “Conservation Area” zone, the proposed installation and associated works were essential utility for residents of Wang Che. In view of the small scale of the proposed development, no adverse impact on surrounding areas was anticipated and concerned departments had no objection to or no adverse comment on the application.

37. Members had no question on the application.

Deliberation Session

38. 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 6.7.2022, 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.

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

[Mr Philip S.L. Kan left the meeting and Dr Jeanne C.Y. Ng return to join the meeting at this point.]

Agenda Items 7 and 8

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/293 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 445 S.A in D.D. 244, Ho Chung, Sai Kung

A/SK-HC/294 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 445 S.B in D.D. 244, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/293 and 294)

40. The Committee noted that the two section 16 applications were similar in nature and the sites were located in proximity to each other and falling within the same “Agriculture” (“AGR”) zone, and agreed that they could be considered together.

Presentation and Question Sessions

41. 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) proposed house (New Territories Exempted House (NTEH) - Small House) at each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the applications as the sites had potential for agricultural rehabilitation. 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, two objecting public comments were received from Designing Hong Kong Limited and an individual on each of the applications. Major objecting grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objections to the applications based on the assessments set out in paragraph 11 of the Paper. Although the applications were not in line with the planning intention of the “AGR” zone and DAFC did not support the applications, the proposed developments were not incompatible with the surrounding land uses and landscape character. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, land available within the “Village Type Development” zone of Ho Chung Village could not fully meet the future Small House development. Besides, the vicinity of the sites was occupied by Small Houses with planning approvals. Adverse impact on the surrounding areas was not anticipated. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

42. In response to a Member's question, Mr William W.T. Wong, STP/SKIs, said that buildings under construction as shown in Plan A-4a of the Paper were Small House developments with planning approval.

Deliberation Session

43. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 6.7.2022, 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. Each of the permissions was subject to the following condition :

“the provision of septic tank, as proposed by the applicant, at location to the satisfaction of the Director of Lands or of the TPB.”

44. The Committee also agreed to advise each of the applicants to note the advisory clauses as set out at Appendix VI of the Paper.

Agenda Item 9

Section 16 Application

[Open Meeting]

A/SK-SKT/20 Temporary Minor Relaxation of Gross Floor Area Restrictions for a Period of 3 Years to Enable the Permitted Shop and Services Use in “Other Specified Uses” annotated “Commercial Development (with Multi-storey Vehicle Park)” Zone, 1A Chui Tong Road, Sai Kung
(RNTPC Paper No. A/SK-SKT/20)

45. The Secretary reported that Townland Consultants Limited (Townland) was one of the consultants of the applicant and Mr K.K. Cheung had declared an interest on the item as his firm was having current business dealings with Townland.

46. The Committee noted that the applicant had requested deferment of consideration of the application and agreed that Mr K.K. Cheung could stay in the meeting as he had no involvement in the application.

47. The Committee noted that the applicant’s representative requested on 8.6.2018 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.

48. 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 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SLC/150 Proposed School (Reception Classes) in "Village Type Development" and "Green Belt" Zones, Government Land in D.D. 332L, Cheung Sha Upper Village, Lantau Island (Former Cheung Sha School)
(RNTPC Paper No. A/SLC/150)

Presentation and Question Sessions

49. 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) proposed school (reception classes);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one comment from an individual was received, raising concern the potential landscape impact generated by the proposed development; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper.

The site largely fell within the “Village Type Development” zone with minor portion within the “Green Belt” zone, and it was currently occupied by vacant school structures. The proposed school would not affect the provision of land for Small House development and could better utilise the vacant school premises. The application was also in line with the Town Planning Board Guidelines No. 10 in that the proposed school use was considered not incompatible with the surrounding area and no adverse impact on the surrounding environment was anticipated. Regarding the concern on potential landscape impact, concerned departments had no adverse comment on the application and the planning assessments above were relevant.

50. Members had no question on the application.

Deliberation Session

51. 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 6.7.2022, 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 condition :

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

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

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

Sha Tin, Tai Po and North District

[Mr Kenny C.H. Lau, Ms Kathy C.L. Chan and Mr Tim T.Y. Fung, Senior Town Planners/Sha Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/957 Shop and Services (Retail Shop) in “Industrial” Zone, Unit K (Portion),
G/F, On Wah Industrial Building, 41-43 Au Pui Wan Street, Fo Tan
(RNTPC Paper No. A/ST/957)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) shop and services (retail shop);
- (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 statutory publication period;
and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was small in scale and not incompatible with the industrial and industrial-related uses in the subject industrial building and the surrounding

developments. Similar applications had been approved for other units on the ground floor of the subject industrial building and its vicinity. If the application was approved, the aggregate commercial floor area on ground floor would be 15m², which was still within the maximum permissible limit. The application generally complied with the Town Planning Board Guidelines No. 25D in that concerned departments had no adverse comment on the application and the applied use would not generate adverse impact. A temporary planning approval for a period of three years was recommended in order not to jeopardise the long term planning intention of industrial use for the application premises and to allow the Committee to monitor the supply and demand of industrial floor space in the area.

54. Members had no question on the application.

Deliberation Session

55. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.7.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission and implementation of the fire safety measures within 6 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 6.1.2019; 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.”

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

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed high potential for agricultural rehabilitation. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, two public comments were received from an individual raising objection to the application. Major objecting 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 assessments set out in paragraph 11 of the Paper. Although the proposed development was not in line with the planning

intention of the “Agriculture” zone and DAFC did not support the application, it was not incompatible with the surrounding areas predominated by village houses, agricultural land and tree groups. The site fell within the upper indirect water gathering grounds and was able to connect to the public sewerage system in the area. A sewerage connection proposal had been submitted by the applicant and concerned departments had no adverse comment on the proposal. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, land was still available within the “Village Type Development” zone of Tai Mong Che to meet the outstanding Small House demand. Nevertheless, the site was the subject of a previously approved application No. A/NE-LT/38 submitted by the same applicant, and the building licence was under preparation. Hence, special consideration could be given to the application. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

58. Members had no question on the application.

Deliberation Session

59. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 6.7.2022, 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 landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) the connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Water Supplies or of the TPB;

- (d) the provision of protective measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or of the TPB; and
- (e) the submission of a natural terrain hazard study and the implementation of the mitigation measures identified therein to the satisfaction of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department or of the TPB.”

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

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/637 Temporary Private Car Park for a Period of 3 Years in “Village Type Development” Zone, Lot 1055 RP in D.D. 23, Po Sam Pai Village, Tai Po

(RNTPC Paper No. A/NE-TK/637)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary private car park for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or

no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, eight public comments were received from local villagers and individuals raising objections to the application. Major objecting views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 10 of the Paper. There was no Small House application being processed at the site and the application for provision of two parking spaces for private car was not incompatible with the surrounding land uses. Having considered its nature and small scale, approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “Village Type Development” zone. Relevant approval conditions were also recommended to minimise possible environmental nuisance. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

62. Members had no question on the application.

Deliberation Session

63. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.7.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicles without valid licences issued under the Road Traffic (Regulation and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site at any time during the planning approval period;
- (b) 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;

- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out at the site at any time during the planning approval period; and
- (d) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/650 Proposed 2 Houses (New Territories Exempted Houses - Small Houses) in “Green Belt” Zone, Lots 353 S.A, 353 S.B, 370 and 371 in D.D. 32 and Adjoining Government land, Ha Wong Yi Au Village, Tai Po

(RNTPC Paper No. A/TP/650)

65. The Secretary reported that the application site was located in Ha Wong Yi Au Village, Tai Po. Mr H.W. Cheung had declared an interest on the item as he owned a flat in Tai Po Market. Since Mr Cheung’s property did not have a direct view of the site, the Committee agreed that he could stay in the meeting

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed two houses (New Territories Exempted Houses (NTEH) - Small Houses);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The District Lands Officer/Tai Po (DLO/TP) did not support the application as the site and footprint of the proposed Small Houses fell entirely outside the village ‘environs’ (‘VE’). The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as vegetation had been cleared within the site in 2014 prior to submission of the application. Approval of the application would encourage unauthorised removal of vegetation in the “Green Belt” (“GB”) zone. 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, eight public comments were received from Designing Hong Kong Limited, World Wide Fund for Nature - Hong Kong, Kadoorie Farm and Botanic Garden Corporation, Land Justice League, The Hong Kong Bird Watching Society and individuals. Among which, six comments objected to the application and two comments raised concerns. Major objecting views and concerns were set out in paragraph 11 of the Paper; and
- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The application was not in line with the planning intention of the “GB” zone, which had a general presumption against development within this zone. Also, DLO/TP and CTP/UD&L, PlanD did not support and had reservation on application respectively. The application did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that the site and the footprint of proposed Small Houses fell entirely outside

the 'VE' and the "V" zone and land was still available within the "V" zone to meeting outstanding Small House applications. It was more appropriate to concentrate the proposed Small House developments within the "V" zone for more orderly development pattern, efficient use of land and provision of infrastructures and services. In addition, the application did not comply with the Town Planning Board Guidelines No. 10 as the site had involved clearance of existing natural vegetation which affected the natural landscape and slope stability. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

67. In response to a Member's enquiry whether the site was wrongly excluded from the 'VE' as claimed by the applicant, Ms Kathy C.L. Chan, STP/STN, said that as stated in paragraph 1(e) of Appendix V, DLO/TP confirmed the locations of the application sites were situated outside the 'VE'.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the application does not comply with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development will affect the existing natural landscape and adversely affect slope stability;

- (c) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that over 50% of the proposed Small House footprints are located outside the village ‘environs’ / “Village Type Development” (“V”) zone of a recognized village, and would cause adverse landscape and geotechnical impacts on the surrounding areas;
- (d) land is still available within the “V” zone of Ha Wong Yi Au 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; and
- (e) the approval of the application would set an undesirable precedent for similar applications within the “GB” zone. The cumulative effect of approving such applications would result in a general degradation of the natural environment in the area.”

Agenda Item 15

Section 16 Application

[Open Meeting]

A/NE-LYT/665 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1603 S.A in D.D. 76, Kan Tau Tsuen, Fanling
(RNTPC Paper No. A/NE-LYT/665)

69. The Committee noted that the applicant’s representative requested on 28.6.2018 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.

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

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

Agenda Items 16 and 17

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/666 Proposed House (New Territories Exempted House - Small House) in "Agriculture" Zone, Lot 1603 S.B in D.D. 76, Kan Tau Tsuen, Fanling

A/NE-LYT/667 Proposed House (New Territories Exempted House - Small House) in "Agriculture" Zone, Lot 1603 S.C in D.D. 76, Kan Tau Tsuen, Fanling (RNTPC Paper No. A/NE-LYT/666 and 667)

71. The Committee noted that the two section 16 applications were similar in nature and the sites were located in proximity to each other and falling within the same "Agriculture" ("AGR") zone and agreed that they could be considered together.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) proposed house (New Territories Exempted House (NTEH) - Small House) at each of the sites;

- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the applications as the sites possessed potential for agricultural rehabilitation. 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, five comments on each of the applications were received from a North District Council (NDC) member, the Chairmen of Sheung Shui District Rural Committee (SSDRC) and Fanling District Rural Committee (FDRC), Designing Hong King Limited and an individual. The NDC member as well as the Chairmen of SSDRC and FDRC had no comment on the applications, while the remaining two commenters objected to the applications. 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 applications based on the assessments set out in paragraph 11 of the Paper. Although the proposed Small House developments were not in line with the planning intention of the “AGR” zone and DAFC did not support the applications, they were not incompatible with the surrounding areas predominated by agricultural land, village houses and temporary structure. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, land available within the “Village Type Development” zone of Kan Tau Tsuen was still capable to meet the outstanding Small House applications. Nevertheless, the sites were the subject of a previously approved application No. A/NE-LYT/545 and two of the applicants were the same as the current applications. Hence, sympathetic consideration could be given to the current applications. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

73. Members had no question on the applications.

Deliberation Session

74. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 6.7.2022, 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. Each of the permissions was subject to the following conditions :

Application No. A/NE-LYT/666

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

Application No. A/NE-LYT/667

- “(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.”

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

Agenda Item 18

Section 16 Application

[Open Meeting]

A/NE-MUP/135 Temporary Vehicle Park for Container Trailers for a Period of 3 Years
in “Agriculture” Zone, Lots 171 RP and 174 S.B RP in D.D. 38, Man
Uk Pin, Sha Tau Kok

(RNTPC Paper No. A/NE-MUP/135)

76. The Committee noted that the applicant’s representative requested on 19.6.2018 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.

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

Agenda Items 19 to 22

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/591 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 658 S.A in D.D. 82, Lei Uk Tsuen, Ta Kwu
Ling

A/NE-TKL/592	Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 658 S.B in D.D. 82, Lei Uk Tsuen, Ta Kwu Ling
A/NE-TKL/593	Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 658 S.C in D.D. 82, Lei Uk Tsuen, Ta Kwu Ling
A/NE-TKL/594	Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 658 S.D in D.D. 82, Lei Uk Tsuen, Ta Kwu Ling (RNTPC Paper No. A/NE-TKL/591 to 594)

78. The Committee noted that the four section 16 applications were similar in nature and the sites were located in proximity to one another and falling within the same “Agriculture” (“AGR”) zone and agreed that they could be considered together.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) proposed house (New Territories Exempted House (NTEH) - Small House) at each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the applications as the sites possessed potential for agricultural rehabilitation. 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, six public

comments on each of the applications were received from a North District Council (NDC) member, the Chairman of Sheung Shui District Rural Committee (SSDRC), Kadoorie Farm and Botanic Garden Corporation, Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual. The NDC member supported and the Chairman of SSDRC had no comment on the applications, but the remaining commenters objected to the applications. Major views were set out in paragraph 10 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 11 of the Paper. The proposed Small House developments were not in line with the planning intention of the “AGR” zone and DAFC did not support the applications. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, land available in the “Village Type Development” (“V”) zone of Chow Tin Tsuen, Fung Wong Wu and Lei Uk was still capable to meeting the outstanding Small House applications. It was more appropriate to concentrate the proposed Small House developments within the “V” zone for orderly development pattern, efficient use of land and provision of infrastructures and services. Since the adoption of the cautious approach, two similar applications were rejected by the Committee or the Town Planning Board on review in 2016. The planning circumstances of the current applications were similar to those rejected similar applications. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

80. In response to a Member's enquiry on Footnote 2 of the Paper, Mr Tim T.Y. Fung, STP/STN, said that the 76 outstanding Small House applications received by the Lands Department also included 52 applications which straddled or fell outside the “V” zone.

Deliberation Session

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

reasons for each of the applications were :

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and 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; and
- (b) land is still available within the “Village Type Development” zone of Lei Uk Tsuen where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructures and services.”

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/595 Renewal of Planning Approval for Temporary Open Storage of Metals and Tools and Containers (for Office and Storage of Tools) for a Period of 3 Years in “Agriculture” Zone, Lot 1403 RP (Part) in D.D. 77, Ping Che, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/595)

Presentation and Question Sessions

82. 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) renewal of planning approval for temporary open storage of metals and

tools and containers (for office and storage of tools) 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 domestic structures in the vicinity of the site. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from a North District Council (NDC) member, the Chairman of Sheung Shui District Rural Committee (SSDRC) and a concern group. The NDC member supported and the Chairman of SSDRC had no comment on the application, but the concern group objected to the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the temporary use was not in line with the planning intention of “Agriculture” zone, concerned departments, except DEP, had no objection to the application and it was not incompatible with the surrounding land uses intermixed with warehouses, open storage yards and temporary structures. The application generally complied with the Town Planning Board Guidelines No. 13E (TPB PG-No. 13E) and 34B in that the site, falling within Category 3 areas under TPB PG-No. 13E, was the subject of four previously approved applications for the same use and all approval conditions under the previous planning permission had been complied with. Despite DEP’s objection, there was no environmental complaint against the site in the past three years and relevant approval conditions were recommended to address DEP’s concerns. Regarding the adverse public comment, the comments of concerned departments and the planning assessments above were relevant.

83. Members had no question on the application.

Deliberation Session

84. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 8.9.2018 to 7.9.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 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 vehicles entering and exiting the site, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) the peripheral fencing and paving of the site should be maintained at all times during the planning approval period;
- (e) the existing trees on site shall be properly maintained at all times during the planning approval period;
- (f) the existing drainage facilities shall be properly maintained at all times during the planning approval period and rectified if they are found inadequate/ineffective during operation;
- (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 8.12.2018;

- (h) the provision of fire extinguisher(s) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.10.2018;
- (i) the submission of proposal for fire service installations and water supplies for firefighting 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 8.3.2019;
- (j) in relation to (i) above, the implementation of proposal for fire service installations and water supplies for firefighting 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 8.6.2019;
- (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 Director of Planning or of the TPB.”

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

[The Chairman thanked Mr Kenny C.H. Lau, Ms Kathy C.L. Chan and Mr Tim T.Y. Fung, STPs/STN, for their attendance to answer Members’ enquiries. Mr Lau, Ms Chan and Mr Fung left the meeting at this point.]

Agenda Item 24

Section 16 Application

A/NE-TKL/596 Proposed Temporary Animal Boarding Establishment for a Period of 3 Years in “Agriculture” Zone, Lots 520 (Part) and 522 RP (Part) in D.D. 77, Ping Che, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/596)

[Withdrawn]

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

Fanling, Sheung Shui and Yuen Long East District

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

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/45 Proposed Temporary Warehouse for Storage of Electronic Goods for a Period of 3 Years in “Other Specified Uses” annotated “Amenity Area” and “Other Specified Uses” annotated “Business and Technology Park” Zones and an area shown as ‘Road’, Lots 879 S.A RP, 879 S.B RP (Part) and 880 S.C RP in D.D. 92 and Adjoining Government Land, Yin Kong, Sheung Shui
(RNTPC Paper No. A/KTN/45)

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

Presentation and Question Sessions

87. 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) proposed temporary warehouse for storage of electronic goods for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as traffic of heavy vehicles was expected and there were domestic structures in the vicinity of the site. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from a North District Council Member was received, raising objection to the application. The District Officer/North also conveyed objections received from the Chairman of Sheung Shui District Rural Committee and Resident Representative of Kwu Tung (South). Major objecting views were set out in paragraphs 10 and 9.1.9 respectively; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not in line with the planning intention of “Other Specified Uses” annotated “Amenity Area” and “Business and Technology Park” zones, relevant departments had no objection to the application in relation to the implementation of Kwu Tung North New Development Area and approval of the application on a temporary basis would not jeopardize the long-term development of the site. Also, the temporary use was not incompatible with the surrounding land uses comprising workshops,

logistic centres, and car trading shops etc.. Concerned departments had no objection to the application, expect DEP. Nevertheless, no environmental complaint against the site was received in the past three years and relevant approval conditions were recommended to address DEP's concerns. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

88. Members had no question on the application.

Deliberation Session

89. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.7.2021, 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 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no workshop and open storage uses, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) the existing drainage facilities on the site should be properly maintained at all times and rectified if found inadequate/ineffective during the planning approval period;
- (e) the submission of a condition record of the existing drainage facilities on site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.10.2018;
- (f) the paving of the vehicular access area of the site, as proposed by the applicant, within 6 months from the date of planning approval to the

satisfaction of the Director of Planning or of the TPB by 6.1.2019;

- (g) the submission of proposal for fire service installations and water supplies for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.1.2019;
- (h) in relation to (g) above, the implementation of proposal for fire service installations and water supplies for fire-fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.4.2019;
- (i) the submission of a tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (j) in relation to (i) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.4.2019;
- (k) if any of the above planning conditions (a), (b), (c) or (d) is not complied with during the planning approval period, the approved hereby given shall cease to have effect and shall be revoked without further notice; and
- (l) if any of the above planning conditions (e), (f), (g), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/608 Proposed Public Utility Installation (Package Substation) in “Other Specified Uses” annotated “Railway Reserve” Zone, Government Land in D.D. 107, Mo Fan Heung, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/608)

91. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP). The following Members had declared interests on the item:

Dr Jeanne C.Y. Ng - being a Director of CLP;

Mr K.K. Cheung - his firm having past business dealings with CLP; and

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

92. The Committee agreed that Dr Jeanne C.Y. Ng should leave the meeting temporarily for the item as her interest was direct, and Mr Stephen L.H. Liu and Mr K.K. Cheung could stay in the meeting as their interests were indirect.

[Dr Jeanne C.Y. Ng left the meeting temporarily at this point.]

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 public utility installation (package substation);

(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 had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not in line with the planning intention of the “Other Specified Uses” annotated “Railway Reserve” zone, it was required to enhance the reliability of electricity supply in the vicinity and not incompatible with the surrounding area. The applicant stated that relocation of the proposed structures would be arranged as per the requirement of the Government, if necessary. Given its small scale, adverse impact was not anticipated and concerned departments had no objection to the application.

94. Members had no question on the application.

Deliberation Session

95. 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 6.7.2022, 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 condition :

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

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

[Dr Jeanne C.Y. Ng returned to join the meeting at this point.]

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/778 Proposed Religious Institution (Mosque with Ancillary Facilities) and School in “Agriculture” Zone, Lot 1542 RP (Part) in D.D. 106, Yuen Kong San Tsuen, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/778A)

97. The Committee noted that two replacement pages (pages 2 and 15 of the Paper) rectifying typographical errors had been tabled for Members’ reference. The Committee also noted that the applicant and its representative had submitted two letters on 4.7.2018 and 5.7.2018 enclosing signatures of a number of individuals and claiming they were in support of the application and a table of response to comments to address the Transport Department’s comments respectively. The two pieces of further information had been tabled for Members’ reference.

Presentation and Question Sessions

98. With the aid of a PowerPoint presentation, 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 religious institution (mosque with ancillary facilities) and school;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site had potential for agricultural rehabilitation. The Director of Environmental Protection (DEP) did not support the application as the applicant failed to ascertain the environmental acceptability and demonstrate how potential noise impact could be adequately avoided or mitigated. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L,

PlanD) had reservation on the application in that the feasibility of the proposed landscape was in doubt. The Commissioner for Transport had no further comment upon the further information received on 5.7.2018. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication periods, a total of 118 public comments were received. 23 public comments received from Pat Heung Rural Committee (PHRC), owners/villagers and residents of Yuen Kong San Tsuen, a Yuen Long District Council (YLDC) member, the Incorporated Owners of Yuen Kong Wai Yee Hong Garden, Village Representatives of Yuen Kong San Tsuen, Yuen Kong Tsuen and Tai Wo Tsuen with 557 signatures of villagers, Kam Sheung Road Development Concern Group (KSRDCG)/Shui Lau Tin Village Representative and individuals raising objection to the application. The remaining 95 comments received from Incorporate Trustees of the Islamic Community Fund of Hong Kong, an individual enclosing a petition letter with 844 signatures, and other individuals supported the application. The District Officer (Yuen Long) (DO(YL)) also conveyed objections received from PHRC, a YLDC member, and KSRDCG. Major views of public comments and objections conveyed by DO(YL) were set out in paragraphs 10 and 9.4 of the Paper respectively; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application. Besides, DEP and CTP/UD&L, PlanD had adverse comments on the application on noise and landscape aspects. There was no sufficient information in the application to demonstrate that the proposed development would not generate adverse landscape impact on the surrounding areas and as well as be subject to adverse environmental impact. No strong planning justification was provided in the submission for a departure from the planning intention and approval of the application

would set an undesirable precedent and encourage similar development in the “AGR” zone. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

99. In response to a Member’s question on the current situation of the “AGR” zone, Ms Ivy C.W. Wong, STP/FSYLE, with reference to Plan A-2 of the Paper, said that a plant nursery and some cultivated agricultural land were located to the west and south of the sites respectively. DAFC also commented that agricultural activities could be found in the vicinity of the site and the site had potential for agricultural rehabilitation.

Deliberation Session

100. The Committee noted that the warehouse use to the immediate east of the site might be an unauthorised development which would be subject to enforcement action undertaken by the Planning Authority, while the open storage use to the further east might be an existing use as shown in land use survey conducted in 1992.

101. The Committee also noted that the proposed religious institution and school uses were both noise sensitive receivers. However the applicant did not provide adequate technical assessment in the submission to demonstrate that the potential noise impacts from nearby traffic and other noise sources would be acceptable to the proposed development. Separately, a Member said that while the applicant had indicated that the public announcement system would not be used for the proposed uses, activities associated with the proposed uses early in the morning might still generate noise nuisance to the surrounding areas.

102. Members generally considered that despite a number of public comments objecting to the application for reasons of cultural and religious differences, the focus of the Committee was on the land use compatibility and technical concerns of the proposed development. Moreover, the applicant failed to demonstrate that the proposed uses would not be subject to environmental noise impact from surrounding areas.

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” (“AGR”) zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. 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) the applicant fails to demonstrate that the proposed development would not generate adverse landscape impact on, nor be subject to environmental noise impact from, the surrounding areas; and
- (c) approval of the application would set an undesirable precedent for other similar uses to proliferate into the “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area.”

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/785 Renewal of Planning Approval for Temporary Site Office for a Period of 3 Years in “Village Type Development” Zone, Lot 1663 RP (Part) in D.D. 111, Leung Uk Tsuen, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/785)

Presentation and Question Sessions

104. 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) renewal of planning approval for temporary site office 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) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the temporary use was not entirely in line with the planning intention of the “Village Type Development” zone, there was no Small House application at the site and the temporary use was not incompatible with the surrounding areas. Having considered its nature, the temporary use would unlikely induce adverse environmental impact. The application was in line with the Town Planning Board Guidelines No. 34B in that there was no significant change in planning circumstances since the last approval and all approval conditions under the previous planning permission had been complied with. Relevant approval conditions were recommended to address technical requirements of relevant departments.

105. Members had no question on the application.

Deliberation Session

106. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 21.7.2018 until 20.7.2021, 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 9:00 a.m., as proposed by the applicant, is allowed at 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 site shall only be used as office and no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out at the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes as defined in the Road Traffic Ordinance or container trailers/tractors are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) the existing trees and vegetation on the site shall be maintained satisfactorily at all times during the planning approval period;
- (f) the existing drainage facilities implemented on the site shall be maintained at all times during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (h) the submission of condition records of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.10.2018;
- (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 21.1.2019;
- (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 21.4.2019;

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

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

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/272 Proposed Temporary Field Study Centre and Organic Farm for a Period of 3 Years in “Village Type Development” Zone, Government Land in D.D.104, Ha Chuk Yuen Tsuen, San Tin, Yuen Long (Former Chuk Hing Public School)

(RNTPC Paper No. A/YL-MP/272)

108. The Secretary reported that the site was located in Ha Chuk Yuen, Yuen Long. Mr K.W. Leung had declared an interest on the item as he owned a property in Mai Po area. Since Mr Leung’s property did not have a direct view of the site, the Committee agreed that

he could stay in the meeting.

Presentation and Question Sessions

109. 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) proposed temporary field study centre and organic farm 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 publication period, four public comments were received from a Yuen Long District Council member, the village representatives of Chuk Yuen Tsuen, the villagers of Ha Chuk Yuen Tsuen and an individual raising objection to the application. Major objecting views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the application was not entirely in line with the planning intention of the “Village Type Development” zone, it was not incompatible with the surrounding land uses. The applicant proposed to use an existing vacant school building for the applied use on a temporary basis. As such, it would unlikely cause adverse impacts on environmental, drainage and traffic aspects. The site fell within the wetland buffer area of the Town Planning Board Guidelines No.12C and the Director of Agriculture, Fisheries and Conservation had no comment on the application. The site was also the subject of two previously approved applications for recreation

centre and school uses. Regarding the adverse public comments, comments of concerned departments and the planning assessment 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 6.7.2021, 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., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Mondays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- (d) the maintenance of the existing drainage facilities on the site at all times during the planning approval period;
- (e) the submission of condition records of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.10.2018;
- (f) the submission of water supplies for firefighting 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 6.1.2019;
- (g) in relation to (f) above, the provision of water supplies for firefighting 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 6.4.2019;

- (h) the submission of a tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (i) in relation to (h) above, the implementation of the tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.4.2019;
- (j) if the above planning condition (a), (b), (c) or (d) is not complied with, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if the above planning condition (e), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/369 Proposed Temporary Shop and Services (Sales of Building Materials) for a Period of 3 Years in “Residential (Group C)” Zone, Lots 1400 and 1401 in D.D. 105, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/369)

113. The Secretary reported that the application was submitted by Melody Gain

Limited, which was related to New World Development Company Limited (NWD). The following Members have declared interests on the item:

- Mr Ivan C.S. Fu - having current business dealings with NWD;
- Mr K.K. Cheung - his firm having past business dealings with a subsidiary of NWD;
- Mr Stephen L.H. Liu - having past business dealings with NWD;
- Dr C.H. Hau - being a principal lecturer and programme director of the University of Hong Kong (HKU), which had obtained sponsorship for student learning projects in HKU from a subsidiary of NWD before; and
- Mr Ricky W.Y. Yu - being a director of Light Be, which had obtained sponsorship from a charity foundation related to NWD before.

114. The Committee noted that Mr Ivan C.S. Fu and Mr Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting. Since the interest of Dr C.H. Hau was indirect and Mr K.K. Cheung and Mr Stephen L.H. Liu had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

115. 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) proposed temporary shop and services (sales of building materials) for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, five comments from San Tin Rural Committee, Village Representative of Mai Po Tsuen and three residents supported the application and one comments from an individual objected to the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was not in line with the planning intention of the “Residential (Group C)” zone, however there was no immediate permanent development proposal for the site. Approval of the application on a temporary basis would not frustrate the long-term planning intention. Also, it was not incompatible with the surrounding land uses and relevant approval conditions were recommended to address technical requirements of concerned departments. Regarding the adverse public comment, comments of concerned departments and the planning assessments above were relevant.

116. Members had no question on the application.

Deliberation Session

117. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.7.2021, 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 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant,

is allowed on the site during the planning approval period;

- (c) only private cars and light goods vehicles not exceeding 5.5 tones as defined in the Road Traffic Ordinance are allowed to park on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reserve onto/from the site at any time during the planning approval period
- (e) the provision of boundary fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (f) the submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 6.1.2019;
- (g) in relation to (f) above, the provision of a run-in/out within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 6.4.2019;
- (h) 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 6.1.2019;
- (i) in relation to (h) 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 6.4.2019;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.1.2019;
- (k) in relation to (j) above, the implementation of the fire service installations

proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.4.2019;

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

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

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/370 Proposed Temporary Vehicle Repair Workshop with Ancillary Vehicle Stripping Yard for a Period of 3 Years in “Open Storage” Zone, Lots 434 and 444 in D.D. 102 and Adjoining Government Land, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/370)

Presentation and Question Sessions

119. 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) proposed temporary vehicle repair workshop with ancillary vehicle stripping yard 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 the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was in line with the planning intention of the “Open Storage” zone and not incompatible with the surrounding land uses. In view of its small scale and being enclosed, it would not have significant impact on the surrounding areas. The site was the subject of a previously approved application No. A/YL-NTM/323 submitted by the same applicant for the same use. However, the application was subsequently revoked on 7.9.2017 due to non-compliance with approval conditions on the submission and implementation of drainage proposal. Shorter compliance periods were therefore recommended for closely monitoring of the progress on compliance with approval conditions.

120. Members had no question on the application.

Deliberation Session

121. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.7.2021, 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 operations on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) only private cars and light goods vehicles not exceeding 5.5 tones as defined in the Road Traffic Ordinance are allowed to park on the site at any time during the planning approval period;
- (d) only hand tools will be used for vehicle stripping, and no stripping or compaction machine shall be used on site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- (f) 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 6.10.2018;
- (g) the submission of a landscape proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.10.2018;
- (h) in relation to (g) above, the implementation of the landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (i) the submission of a 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 6.10.2018;

- (j) in relation of (i) above, the implementation of the 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 6.1.2019;
- (k) 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 6.10.2018;
- (l) in relation of (k) above, the provision of fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.1.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (f), (g), (h), (i), (j), (k) or (l) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 32

Section 16 Application

[Open Meeting]

A/YL-ST/525 Temporary Cargo Handling and Forwarding Facilities with Ancillary Tyre Repair Workshop for a Period of 3 Years in “Residential (Group D)” Zone, Lots 204 RP (Part), 205, 206 RP (Part), 207 to 209, 210 (Part), 211 (Part), 212(Part), 213 RP, 214 RP (Part), 215 RP (Part), 353 (Part), 354 (Part), 355, 356(Part), 357 (Part), 358 (Part), 359 (Part) and 360 in D.D.105 and Adjoining Government Land, San Tin, Yuen Long (RNTPC Paper No. A/YL-ST/525)

123. The Committee noted that the applicant’s representative requested on 26.6.2018 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.

124. 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 S.H. Lam, Ms Ivy C.W. Wong and Ms Emily P.W. Tong, STPs/FSYLE, for their attendance to answer Members’ enquiries. Ms Lam, Ms Wong and Ms Tong left the meeting at this point.]

[Mr Stephen L.H. Liu left the meeting at this point.]

Tuen Mun and Yuen Long West District

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

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/900 Proposed Temporary Place of Recreation and Sports (Martial Arts Training Venue) for a Period of 5 Years in “Residential (Group B) 1” Zone, Lot 1034 S.A RP (Part) in D.D. 121 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/900)

Presentation and Question Sessions

125. Ms Bonnie K.C. Lee, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary place of recreation and sports (martial arts training venue) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received raising concern on and objecting to the application respectively. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of five years based on the assessments set out in paragraph 11 of the Paper. The proposed use was not entirely in line with the planning intention of the “Residential (Group B)1” zone, however it was not incompatible with the surrounding land uses and no adverse impact on traffic, environmental, landscape, drainage, fire safety and environmental hygiene aspects was expected. Approval of the application on a temporary basis would not jeopardize the long-term planning intention. Relevant approval conditions were also recommended to address technical requirements of concerned departments. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

126. Members had no question on the application.

Deliberation Session

127. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 6.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 10:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the provision of boundary fence on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (c) the submission of a landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (d) in relation to (c) above, the implementation of the landscape proposal within 9 months from the date of planning approval to the satisfaction of

the Director of Planning or of the TPB by 6.4.2019;

- (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 6.1.2019;
- (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 6.4.2019;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.1.2019;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.4.2019;
- (j) if any of the above planning conditions (a) 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;
- (k) if any of the above planning conditions (b), (c), (d), (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; 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.”

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

Agenda Item 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/901 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Village Type Development” Zone, Lots 2460 S.A, 2460 S.C, 2460 S.D (Part), 2461 (Part), 2462 RP (Part) and 2464 RP in D.D. 120, Lam Hau Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/901)

Presentation and Question Sessions

129. Ms Bonnie K.C. Lee, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary place of recreation, sports or culture (hobby farm) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from individuals either raising concerns/suggestions or objecting to the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the

temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Village Type Development” zone, there was no Small House application approved/under processing at the site. Also, it was not incompatible with the surrounding land uses. Approval of the application on a temporary basis would not frustrate the long-term planning intention. No significant nuisance to the surrounding areas was anticipated and relevant approval conditions were recommended to minimise possible environmental nuisance and to address technical requirements of concerned departments. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

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 6.7.2021, 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 loud speaker, public announcement system and whistle blowing, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (c) no barbecue 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 public road at any time during the planning approval period;

- (e) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to be parked/stored on or enter/exit the site, at any time during the planning approval period;
- (f) the provision of boundary fence on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (g) the existing trees and landscape planting on the site shall be maintained at all times during the approval period;
- (h) 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 6.1.2019;
- (i) in relation to (h) 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 6.4.2019;
- (j) in relation to (i) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (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 6.1.2019;
- (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 6.4.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (g) 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), (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.”

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

Agenda Item 35

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/246 Proposed Temporary Shop and Services (Real Estate Agency and Convenient Store) for a Period of 6 Years in “Residential (Group B)” Zone, Lot 2497 RP (Part) in D.D. 120, Shap Pat Heung Road, Yuen Long
(RNTPC Paper No. A/YL/246)

Presentation and Question Sessions

133. Ms Bonnie K.C. Lee, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary shop and services (real estate agency and convenient store) for a period of six years;

- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, nine public comments were received from individuals expressing concerns on or raising objection to 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 six years based on the assessments set out in paragraph 10 of the Paper. The proposed use was not entirely in line with the planning intention of the “Residential (Group B)” zone, but the proposed use and development scale was not incompatible with the surrounding uses and no adverse impact was anticipated. Approval of the application on a temporary basis would not jeopardize the long-term planning intention. Relevant approval conditions were also recommended to address technical requirements of concerned departments. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

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 6 years until 6.7.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage

Services or of the TPB by 6.1.2019;

- (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 6.4.2019;
- (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 revised 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 6.1.2019;
- (f) in relation to (e) above, the implementation of the tree preservation and 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 6.4.2019;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.1.2019;
- (h) in relation to (g) 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 6.4.2019;
- (i) 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;
- (j) if any of the above planning conditions (b), (c), (e), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
and

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

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

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/60 Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) with Ancillary Car Beauty Services and Office for a Period of 3 Years in “Village Type Development” Zone, Lots 1804 (Part), 1805 (Part), 1808 RP, 1809 RP (Part) and 1817 (Part) in D.D. 124, San Lee Uk Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/60A)

Presentation and Question Sessions

137. 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) proposed temporary public vehicle park (private cars and light goods vehicles) with ancillary car beauty services and office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, two public comments raising objection to the application were received from an individual and a group of villagers of Lee Uk Tsuen. Major objecting views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was not in line with the planning intention of the “Village Type Development” zone, but there was no Small House application being processed at the site. The applied use was not incompatible with the surrounding land uses and it might serve some of the parking needs of the local residents. Approval of the application on a temporary basis would not jeopardise the long-term planning intention. The site was the subject of two previously approved applications No. A/YL-PS/320 and 442, which were both subsequently revoked due to non-compliance with approval conditions. Since the site was currently vacant and the applicant had undertaken that the proposed development would be managed by a different operator with a different parking layout, sympathetic consideration might be given to the current application. Regarding the adverse public comments, 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 6.7.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 12:00 a.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle repair, dismantling, paint spraying or workshop activity, as

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

- (c) no vehicle without valid license issued under the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on the site at any time during the planning approval period;
- (d) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) a notice shall be posted at a prominent location of the site at all times to indicate that only private cars and light goods vehicles not exceeding 5.5 tonnes as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter/be parked on the site during the planning approval period;
- (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 the condition 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 6.10.2018;
- (h) in relation to (g) above, the existing drainage facilities shall be maintained at all times during the planning approval period;
- (i) all screen planting including trees and shrubs within the site shall be maintained in good condition at all times during the planning approval period;
- (j) 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 6.1.2019;

- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.4.2019;
- (l) the provision of boundary fencing within 6 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (m) in relation to (l) above, the boundary fencing shall be maintained at all times during the planning approval period;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (h), (i) or (m) 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), (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
- (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.”

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

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/353 Temporary Shop and Services (Retail Shop and Ancillary Storage Use) for a Period of 3 Years in “Other Specified Uses” annotated “Petrol Filling Station” Zone and an area shown as ‘Road’, Lot 2792 RP (Part) in D.D.130 and Adjoining Government Land, No. 121 Castle Peak Road - Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/353)

Presentation and Question Sessions

141. 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 shop and services (retail shop and ancillary storage use) 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. Whilst the temporary use was not entirely in line with the planning intention of the “Other Specified Uses” annotated “Petrol Filling Station” zone, it could serve the demand from drivers visiting the petrol filling station. Approval of the

application on a temporary basis would not frustrate the planning intention. Besides, the development was not incompatible with the surrounding uses and approval conditions were recommended to address technical requirements of concerned departments.

142. Members had no question on the application.

Deliberation Session

143. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.7.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) 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 6.1.2019;
- (b) in relation to (a) 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 6.4.2019; and
- (c) if any of the above planning conditions (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.”

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 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/558 Proposed Temporary Public Vehicle Park (excluding Container Vehicle) for a Period of 3 Years in “Comprehensive Development Area” Zone, Lot 894 RP in D.D. 122, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/558A)

145. The Secretary reported that the application was submitted by Busy Firm Investment Limited, which was a subsidiary of New World Development Company Limited (NWD). Ove Arup & Partners Hong Kong Limited (Arup) was one of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Ivan C.S. Fu - having current business dealings with NWD and Arup;
- Mr K.K. Cheung - his firm having current business dealings with Arup and past business dealings with a subsidiary of NWD;
- Mr Stephen L.H. Liu - having past business dealings with NWD;
- Dr C.H. Hau - being a principal lecturer and programme director of the University of Hong Kong (HKU), which had obtained sponsorship for student learning projects in HKU from a subsidiary of NWD before; and
- Mr Ricky W.Y. Yu - being a director of Light Be, which had obtained sponsorship from a charity foundation related to NWD before.

146. The Committee noted that Mr Ivan C.S. Fu and Mr Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting, and Mr Stephen L.H. Liu had already left the meeting. Since the interest of Dr C.H. Hau was indirect and Mr K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

147. 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) proposed temporary public vehicle park (excluding container vehicle) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, five public comments raising objection to the application were received from villagers/residents of Wing Ning Tsuen and an individual. Major objecting views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed development was not in line with the planning intention of the “Comprehensive Development Area” zone, there was no known development proposal to implement the zoned use. Besides, the proposed use was not incompatible with and would unlikely create significant adverse impact on the surrounding areas. Approval of the application on a temporary basis would not jeopardise the long-term planning intention. Also, relevant approval conditions were recommended to minimize any potential environmental nuisances and to address technical requirements of concerned departments. Regarding the adverse public comments, comments of concerned departments and the 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 6.7.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) only private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site, as proposed by the applicant, at all times during the planning approval period;
- (b) a notice shall be posted at a prominent location of the site at all times to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site to remind drivers on pedestrian safety on the access road to the site, as proposed by the applicant, at all times during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (e) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the site at any time during the planning approval period;
- (f) no vehicle is allowed to park, queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the submission of a drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services

or of the TPB by 6.1.2019;

- (h) in relation to (g) 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 6.4.2019;
- (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 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 6.1.2019;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.4.2019;
- (l) the submission of a landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (m) in relation to (l) above, the implementation of the landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.4.2019;
- (n) 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 6.1.2019;
- (o) if any of the above planning conditions (a), (b), (c), (d), (e), (f) 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;

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

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 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/561 Temporary Public Vehicle Park for Private Cars for a Period of 3 Years in “Village Type Development” Zone, Lots 357 (Part) and 360 (Part) in D.D. 122 and Adjoining Government Land, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/561)

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 public vehicle park for private cars for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual raising objection to the application. Major objecting views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessment set out in paragraph 11 of the Paper. Though the temporary use was not entirely in line with the planning intention of the “Village Type Development” zone, there was no Small House application being processed at the site and it could meet any such parking demand in the area. Also, the temporary use was not incompatible with and would unlikely create significant impact on the surrounding areas. Approval of the application would not frustrate the planning intention. Besides, relevant approval conditions were recommended to address technical requirements of concerned departments. Regarding the adverse public comment, comments of concerned departments and the planning assessments above were relevant.

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 6.7.2021, 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. is allowed on the site, as proposed by the applicant, during the planning approval period;
- (b) only private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site, as proposed by the applicant, at all times during the planning approval period;

- (c) a notice shall be posted at a prominent location of the site at all times to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site 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 washing, vehicle repairing, dismantling, car beauty or other workshop use is allowed on the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.1.2019;
- (h) in relation to (g) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.4.2019;
- (i) in relation to (h) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.1.2019;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.4.2019;

- (l) the provision of boundary fencing, as proposed by the applicant, within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), 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 (g), (h), (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.”

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

Agenda Item 40

Section 16 Application

[Open Meeting]

A/TM/524 Proposed Temporary Eating Place for a Period of 6 Years in “Village Type Development” Zone, Lots 307 RP (Part), 308 RP (Part), 309 (Part), 310 and 311 (Part) in D.D.375, So Kwun Wat, Tuen Mun
(RNTPC Paper No. A/TM/524)

155. The Committee noted that the applicant’s representative requested on 8.6.2018 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.

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

Agenda Item 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/51 Proposed Temporary Shop and Services (Fresh Provision Shop) for a Period of 3 Years in "Open Space" Zone, Lot 1315 RP (Part) in D.D. 124 and Adjoining Government Land, San Sang San Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/51A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary shop and services (fresh provision shop) for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received expressing concern on the application. Major concerns were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Though the proposed use was not entirely in line with the planning intention of the “Open Space” zone, the implementation programme was still being formulated and the proposed use was not incompatible with the surrounding areas. Approval of the application on a temporary basis would not jeopardize the long-term development of the site. Relevant approval conditions were also recommended to address technical requirements of concerned departments. Regarding the public comment, comments of concerned departments and the planning assessments above were relevant.

158. Members had no question on the application.

Deliberation Session

159. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.7.2021, 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 queue back to or reverse onto/from public road at

any time during the planning approval period;

- (c) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.1.2019;
- (d) in relation to (c) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.4.2019;
- (e) in relation to (d) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) 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 6.1.2019;
- (g) in relation to (f) 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 6.4.2019;
- (h) if any of the above planning conditions (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (i) if any of the above planning conditions (c), (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (j) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

set out at Appendix III of the Paper.

Agenda Item 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/55 Proposed Temporary Shop and Services (Retail Shop for Pet Goods) and Dog Breeding Centre for a Period of 3 Years in “Open Space” Zone, Lot 1315 RP (Part) in D.D. 124 and Adjoining Government Land, San Sang San Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/55A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary shop and services (retail shop for pet goods) and dog breeding centre for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received raising objection to the application. Major objecting views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the temporary use could be tolerated for a period of three years based on the

assessment set out in paragraph 11 of the Paper. Though the proposed use was not entirely in line with the planning intention of the “Open Space” zone, the implementation programme was still being formulated and the proposed use was not incompatible with the surrounding areas. Approval of the application on a temporary basis would not jeopardize the long-term development of the site. Relevant approval conditions were also recommended to address technical requirements of concerned departments. Regarding the adverse public comment, comments of concerned departments and the planning assessments above were relevant.

162. Members had no question on the application.

Deliberation Session

163. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.7.2021, 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. for the retail shop, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the dogs shall be kept inside the enclosed structures for dog breeding, as proposed by the applicant, at all times during the planning approval period;
- (d) no public announcement system, whistle blowing, portable loudspeaker or any form of audio amplification system is allowed to be used at the site at any time during the planning approval period;
- (e) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage

Services or of the TPB by 6.1.2019;

- (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 6.4.2019;
 - (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
 - (h) the submission of a 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 6.1.2019;
 - (i) in relation to (h) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.4.2019;
 - (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.1.2019;
 - (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.4.2019;
 - (l) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
 - (m) if any of the above planning conditions (e), (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 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.”

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

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/75 Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years in “Open Space” and “Other Specified Uses” annotated “Parking and Operational Facilities for Environmentally Friendly Transport Services” and “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses” Zones and an area shown as ‘Road’, Lots 44 S.B (Part), 50 (Part), 51 (Part), 167 (Part), 168 (Part), 169 (Part), 171 (Part), 172 (Part), 173 (Part), 174 (Part), 175 (Part), 176 (Part), 177, 178, 179, 180 S.A, 180 S.B, 181 (Part), 182, 183 (Part), 184 (Part), 257 (Part), 258 (Part) and 259 (Part) in D.D. 125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/75)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary open storage of construction materials for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive residential uses in the vicinity of the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, four public comments were received from village representative, villagers and individuals raising objection to the application. Major objecting views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessment set out in paragraph 12 of the Paper. The proposed development straddled “Open Space”(“O”) and “Other Specified Uses” annotated “Parking and Operational Facilities for Environmentally Friendly Transport Services” (“OU(POFEFTS)”) and “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses” (“OU(PBSWU)”) Zones and an area shown as ‘Road’. Whilst the proposed development was not in line with the planning intentions of “O” and “OU(POFEFTS)” zones, the implementation programme was still being formulated and the proposed use was not incompatible with the surrounding areas. Approval of the application on a temporary basis would not jeopardize the long-term development of the site. The application was generally not in line with the Town Planning Board Guidelines No. 13E (TPB PG-No. 13E) in that the site fell within Category 4 areas. However, the planning circumstances of the area had been changed and similar applications were approved adjacent to the site within the same zones and concerned departments had no objection to or no adverse comment on the application, except DEP. Despite DEP's objection, there was no environmental complaint against the site in the past three years and relevant approval conditions were recommended to address DEP's concerns and technical

requirements of concerned departments. Regarding the public comments, comments of concerned departments and the planning assessments above were relevant.

166. Noted that the site fell within Category 4 areas under TPB PG-No. 13E within which applications would normally be rejected, a Member asked what planning consideration warranted a different recommendation. In response, Mr Vincent T.K. Lai, STP/TM&YWL, said that upon the gazette of the draft Hung Shui Kiu and Ha Tsuen Outline Zoning Plan No. S/HSK/1 in 2017, the site had been rezoned to “O”, “OU(POFEFTS)”, “OU(PBSWU)” and an area shown as ‘Road’. According to the Notes for “OU(PBSWU)”, ‘Open Storage’ use was always permitted. Since the TPB PG-No. 13E was published in 2008 and there had been a significant change in planning circumstances in land use zonings in the vicinity of the site, PlanD considered that sympathetic consideration might be given to the current application. In response to the Chairman’s request, Mr Vincent T.K. Lai, with reference to Plan A-2 of the Paper, indicated that two similar applications for open storage and warehouse uses located to the east were approved by the Committee in 2016 and 2017.

Deliberation Session

167. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.7.2021, 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 operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no cutting, dismantling, cleansing, compacting or other workshop activity is allowed on the site at any time during the planning approval period;
- (d) no material is allowed to be stored/dumped within 1m of any tree at any time during the planning approval period;

- (e) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (f) the submission of Drainage Impact Assessment (DIA) within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.1.2019;
- (g) in relations to (f) above, the implementation of the proposed mitigation measures in the DIA for the development within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.4.2019;
- (h) in relations to (g) above, the implemented drainage facilities on site shall be maintained at all times during the planning approval period;
- (i) the submission of a landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (j) in relations to (i) above, the implementation of the landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.4.2019;
- (k) the provision of fire extinguisher(s) and the submission of 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 17.8.2018;
- (l) 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 6.1.2019;
- (m) in relation to (l) 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 6.4.2019;

- (n) the provision of fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (o) if any of the above planning conditions (a), (b), (c), (d), (e) or (h) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (p) if any of the above planning conditions (f), (g), (i), (j), (k), (l), (m) or (n) 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
- (q) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 44

Section 16 Application

[Open Meeting]

A/HSK/76

Proposed Temporary Public Vehicle Park (Private Car) for a Period of 3 Years in “Village Type Development” Zone, Lot 1089 (Part) in D.D. 125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/76)

169. The Committee noted that the applicant’s representative requested on 19.6.2018 deferment of the consideration of the application for two months so as to allow time for

preparation of further information to address public comments. It was the first time that the applicant requested deferment of the application.

170. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that 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 45

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/77 Temporary Open Storage of Scrap Metal and Plastic for a Period of 3 Years in “Government, Institution or Community” and “Residential (Group D)” Zones and an area shown as ‘Road’, Lots 41 (Part), 46 (Part), 49 (Part), 50 (Part), 51 (Part) and 52 S.B (Part) in D.D. 128 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/77)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary open storage of scrap metal and plastic 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 (DPE) did not support the application as there were sensitive residential uses in the vicinity of the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from individuals raising objection to the application. Major objecting views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessment set out in paragraph 12 of the Paper. Although the temporary use was not in line with the planning intention of the “Residential (Group D)” and “Government, Institution or Community” zones, the implementation programme was still being formulated and the temporary use was not incompatible with the surrounding areas. Approval of the application on a temporary basis would not jeopardize the long-term development of the site. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas and no adverse impact on the surrounding areas was anticipated. Concerned departments had no adverse comments on the application, except DEP. Despite DEP's objection, there was no environmental complaint against the site in the past three years and relevant approval conditions were recommended to address DEP's concerns and technical requirements of other concerned departments. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

172. Members had no question on the application.

Deliberation Session

173. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.7.2021, 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 operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no cutting, dismantling, cleansing, repairing, compaction, unpacking, re-packing, vehicle repair, container repair and workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no handling (including loading, unloading and storage) of electrical/electronic appliances/components, including cathode-ray tubes (CRT), CRT computer monitors/television sets and CRT equipment, as proposed by the applicant, shall 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 the public road at any time during the planning approval period;
- (f) the submission of a condition record of the existing drainage facilities on site within 3 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.10.2018;
- (g) the existing drainage facilities shall be maintained at all times during the planning approval period;

- (h) the submission of a tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (i) in relation to (h) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.4.2019;
- (j) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.8.2018;
- (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 6.1.2019;
- (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 6.4.2019;
- (m) the provision of fencing of the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (n) 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;
- (o) if any of the above planning conditions (f), (h), (i), (j), (k), (l) or (m) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;

and

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

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

Agenda Item 46

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1090 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lot 341 (Part) in D.D. 128, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-HTF/1090)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary place of recreation, sports or culture (hobby farm) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as vegetation clearance was observed at the site. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, four public comments were received from Hong Kong Bird Watching Society, Designing Hong Kong Limited and individuals raising objection to the application. Major objecting views were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed development comprised open-air farm area and soiled ground where structures would be built. Since the proposed development involved agriculture/farming use, it was not entirely in conflict with the planning intention of the “Agriculture” zone and not entirely incompatible with the surrounding areas. Given its scale and nature, significant adverse impacts on ecological, environmental, traffic and drainage aspects were not anticipated. Although CTP/UD&L, PlanD had reservation on the application, the proposed use was mainly agriculture use and involved mainly cultivation/landscape area with limited number of structures and no hard-paved area. Relevant approval conditions were also recommended to address the concerns on possible landscape impact. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

176. Members had no question on the application.

Deliberation Session

177. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.7.2021, 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., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no vehicles are allowed to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (c) the provision of boundary fence on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (d) the submission of a tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (e) in relation to (d) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.4.2019;
- (f) 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 6.1.2019;
- (g) in relation to (f) 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 6.4.2019;
- (h) in relation to (g) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (i) the submission of a 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 6.1.2019;
- (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 6.4.2019;

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

178. 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/YL-LFS/319 Temporary Public Vehicle Park (Private Car) for a Period of 3 Years in
“Village Type Development” Zone, Lots 2816 (Part) and 2876 RP
(Part) in D.D. 129 and Adjoining Government Land, Lau Fau Shan,
Yuen Long
(RNTPC Paper No. A/YL-LFS/319)

Presentation and Question Sessions

179. 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 public vehicle park (private car) for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from a District Council member and individuals raising objection to the application. Major objecting views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The temporary use was not entirely in line with the planning intention of the “Village Type Development” zone, however it could provide parking facilities to meet any such demand in the area and there was no Small House application being processed at the site. Also, the temporary use was not incompatible with and would unlikely create significant adverse impact on the surrounding areas. Approval of the application on a temporary basis would not jeopardise the long-term planning intention. Relevant approval conditions were recommended to address the technical requirements of concerned departments. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

180. Members had no question on the application.

Deliberation Session

181. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.7.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is

allowed on the site during the planning approval period;

- (b) no vehicles without valid licenses issued under the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on the site at any time during the planning approval period;
- (c) except private car, no light, medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) a notice shall be posted at a prominent location of the site to indicate that except private car, no light, medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) a notice shall be posted at a prominent location of the site to remind drivers on pedestrian safety on the access road to the site, 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 roads at any time during the planning approval period;
- (g) the provision of fencing of the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (h) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.1.2019;

- (i) in relation to (h) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.4.2019;
- (j) in relation to (i) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (k) the submission of a 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 6.1.2019;
- (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 6.4.2019;
- (m) the submission of a tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (n) relation to (m) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.4.2019;
- (o) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (j) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (p) if any of the above planning conditions (g), (h), (i), (k), (l), (m) or (n) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
and
- (q) upon 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.”

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

Agenda Item 48

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/320 Temporary Warehouse for Storage of Documents for a Period of 3 Years in “Recreation” Zone, Lots 1679 (Part), 1684 (Part), 1685 (Part) and 1690 (Part) in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long

(RNTPC Paper No. A/YL-LFS/320)

Presentation and Question Sessions

183. 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 warehouse for storage of documents for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from individuals raising objection to the application. Major objecting views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The temporary use was not entirely in line with the planning intention of the “Recreation” zone, however there was no known development proposals to implement the zoned use. Also, the temporary use was not incompatible with and would unlikely cause adverse impact on the surrounding areas. Approval of the application on a temporary basis would not frustrate the planning intention. Relevant approval conditions were recommended to address the technical requirements of concerned departments. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

184. Members had no question on the application.

Deliberation Session

185. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.7.2021, 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. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle exceeding 5.5 tonnes, as defined in the Road Traffic Ordinance, including container vehicle/trailer/tractor, as proposed by the applicant, is allowed to enter/exit or to be parked/stored on the site at any time during the planning approval period;
- (d) no workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;

- (e) no open storage of materials, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (g) the provision of fencing of the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (h) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.1.2019;
- (i) in relation to (h) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.4.2019;
- (j) in relation to (i) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (k) the submission of a 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 6.1.2019;
- (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 6.4.2019;
- (m) the submission of a revised 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 6.1.2019;

- (n) in relation to (m) above, the implementation of the revised tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.4.2019;
- (o) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (j) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (p) if any of the above planning conditions (g), (h), (i), (k), (l), (m) or (n) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (q) upon 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.”

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

Agenda Item 49

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/321 Proposed Temporary Warehouse for Storage of Plastic and Retail of Plastic Pellet for a Period of 3 Years in “Recreation” Zone, Lots 2019 (Part) and 2037 (Part) in D.D. 129, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/321)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary warehouse for storage of plastic and retail of plastic pellet for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity of the site and environmental nuisance was expected. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application in that the proposed use and extensive hard paving was incompatible with the environment and surrounding 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 publication period, two public comments were received from a District Council member and an individual raising objection to the application. Major objecting views were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessment set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the "Recreation" zone, however there was no known development proposal to implement the zoned use. The proposed use was also not incompatible with the surrounding areas. Approval of the application on a temporary basis would not frustrate the planning intention. Concerned departments generally had no adverse comments on the application except DEP and CTP/UD&L, PlanD. Nonetheless, there was no environmental complaint against the site in the past three years and relevant approval conditions were recommended to address technical requirements of concerned departments. Regarding the adverse public comments, comments of concerned departments and the planning

assessments above were relevant.

188. Members had no question on the application.

Deliberation Session

189. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.7.2021, 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. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no goods vehicles exceeding 5.5 tonnes, including medium goods vehicles, heavy goods vehicles, container tractor/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter/ exit or to be parked/stored on the site at any time during the planning approval period;
- (d) no workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (e) no open storage of materials, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (g) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.1.2019;

- (h) in relation to (g) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.4.2019;
- (i) in relation to (h) above, the implemented drainage facilities on site shall be maintained at all times during the planning approval period;
- (j) the submission of a landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (k) in relation to (j) above, the implementation of the landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.4.2019;
- (l) 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 6.1.2019;
- (m) in relation to (l) 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 6.4.2019;
- (n) the provision of fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (o) if any of the above planning conditions (a), (b), (c), (d), (e), (f) 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;
- (p) if any of the above planning conditions (g), (h), (j), (k), (l), (m) or (n) is not

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

- (q) upon 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.”

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

Agenda Item 50

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/322 Temporary Open Storage of Construction Material for a Period of 3 Years in “Residential (Group E)” Zone, Lots 2189 RP and 2378 RP (Part) in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/322)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary open storage of construction material for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. Other

concerned 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 the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The temporary use was not entirely in line with the planning intention of the “Residential (Group E)” zone, however there was no known development proposal to implement the zoned use. The temporary use was also not incompatible with the surrounding areas. Approval of the application on a temporary basis would not jeopardize the long-term planning intention. The application was generally in line with the Town Planning Board Guidelines No. 13E in that there was no adverse comment or objection from concerned departments, except DEP. Despite DEP's objection, the site was not subject to any environmental complaint in the past three years and relevant approval conditions were recommended to address possible environmental nuisance and technical requirements of other concerned departments.

192. Members had no question on the application.

Deliberation Session

193. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.7.2021, 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 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) the stacking height of the materials stored, as proposed by the applicant, shall not exceed the height of the boundary fence at any time during the planning approval period;
- (d) no open storage is allowed within 1m of any tree on the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no repairing, cleansing, dismantling and workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (f) no vehicle exceeding 5.5 tonnes as defined in the Roads (Traffic) Ordinance including medium/heavy goods vehicle and container vehicle/trailer/tractor, as proposed by the applicant, is allowed to enter/exit or to be parked/stored on the site at any time during the planning approval period;
- (g) no vehicle queuing back to or reverse onto/from the public road is allowed at any time during the planning approval period;
- (h) no storage of materials and no parking of vehicles, as proposed by the applicant, is allowed within 1m of any tree on the site at any time during the planning approval period;
- (i) the existing fencing on-site shall be maintained at all times during the planning approval period;
- (j) the existing trees and landscape planting on the site shall be maintained in good condition at all times during the planning approval period
- (k) the existing drainage facilities on-site shall be maintained at all times during the planning approval period;

- (l) 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 6.10.2018.
- (m) the provision of fire extinguisher(s) and the submission of 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 17.8.2018;
- (n) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.1.2019;
- (o) in relation to (n) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.4.2019;
- (p) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h), (i), (j) or (k) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (q) if any of the above planning conditions (l), (m), (n) or (o) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (r) upon 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.”

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

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

Agenda Item 51

Any Other Business

195. There being no other business, the meeting closed at 5:30 p.m..