

## **TOWN PLANNING BOARD**

### **Minutes of 608<sup>th</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 3.8.2018**

#### **Present**

Director of Planning  
Mr Raymond K.W. Lee

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 West,  
Transport Department  
Mr Patrick K.H. Ho

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

Principal Environmental Protection Officer (Metro Assessment),  
Environmental Protection Department  
Mr Richard 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 H.W. Cheung

Vice-chairman

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 Kevin C.P. Ng

Town Planner/Town Planning Board  
Miss Denise M.S. Ho

**Agenda Item 1**

Confirmation of the Draft Minutes of the 607<sup>th</sup> RNTPC Meeting held on 20.7.2018

[Open Meeting]

1. The draft minutes of the 607<sup>th</sup> RNTPC meeting held on 20.7.2018 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

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

**Sai Kung and Islands District**

**Agenda Item 3**

**Section 12A Application**

[Open Meeting]

Y/I-LWKS/1                      Application for Amendment to the Approved Luk Wu and Keung Shan Outline Zoning Plan No. S/I-LWKS/2, To Rezone the Application Site from “Government, Institution or Community (1)” to “Government, Institution or Community (2)”, Lot 724 (Part) in D.D. 311 and Adjoining Government Land, Keung Shan, Lantau Island  
(RNTPC Paper No. Y/I-LWKS/1)

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3.                      The Secretary reported that the application was withdrawn by the applicant.

**Agenda Item 4**

**Section 16 Application**

[Open Meeting]

A/I-LI/27                      Proposed Eating Place, Shop and Services and Minor Relaxation of Building Height Restriction in “Residential (Group C)” Zone, Lot 528 in D.D. 10 and Adjoining Government Land, Sok Kwu Wan, Lamma Island  
(RNTPC Paper No. A/I-LI/27)

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4.                      The Secretary reported that the application was submitted by King Wong Development Ltd., with Landes Ltd. as one of the consultants of the applicant. Mr Ivan C.S. Fu had declared interest on the item as he was having current business dealings with Landes Ltd..

5.                      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.

6. The Committee noted that the applicant's representatives requested on 16.7.2018 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.

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

[Mr William W.T. Wong, Senior Town Planner/Sai Kung and Islands (STP/SKIs), was invited to the meeting at this point.]

[Mr K.K. Cheung and Mr Stephen L.H. Liu arrived to join the meeting at this point.]

## **Agenda Item 5**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/279            Temporary Place of Recreation, Sports or Culture for a Period of 3 Years in "Green Belt" and "Village Type Development" Zones, Lots 865 RP, 868 RP, 871, 872, 873, 874, 875 RP and 876 RP in D.D. 244 and Adjoining Government Land, Ho Chung, Sai Kung  
(RNTPC Paper No. A/SK-HC/279B)

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### **Presentation and Question Sessions**

8. 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) temporary place of recreation, sports or culture for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, 70 public comments were received with 69 comments submitted by Sai Kung Rural Committee, Resident Representative of Wo Mei Tsuen and individuals objecting to or having adverse comments on the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The use was not entirely in conflict with the planning intention of the “Green Belt” (“GB”) zone. The development with one-storey structures and landscaped garden was not incompatible with the surrounding environment. Concerned government departments had no objection to or no adverse comment on the application. The Committee had approved a previous application for same use at the site. Approval of the current application was in line with the previous decisions of the Committee. As the previous planning application had been revoked due to non-compliance with approval conditions, shorter compliance periods were recommended to monitor the progress on compliance with approval conditions. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

[Mr Patrick K.H. Ho and Mr Peter K.T. Yuen arrived to join the meeting at this point.]

9. The Chairman and a Member raised the following questions:
- (a) whether the Ho Chung Site of Archeological Interest (SAI) had been affected;
  - (b) whether the public carpark in Nam Pin Wai was in use; and
  - (c) whether there was any special traffic arrangement for the applied use.
10. Mr William W.T. Wong, STP/SKIs, made the following responses:
- (a) as shown on Plan A-1 of the Paper, only a very small portion of the site fell within SAI and the Antiquities and Monuments Office, Leisure and Cultural Services Department had no comment on the application;
  - (b) the public car park in Nam Pin Wai was still in use. The Chief Engineer/Mainland South, Drainage Services Department advised that the construction of the future sewage treatment facility would commence in 2019; and
  - (c) according to the applicant, they would provide additional shuttle bus service in the bus layby to the west of the application site for pick-up / drop-off of visitors.

#### Deliberation Session

11. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.8.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed during the planning approval period;
- (b) implementation of traffic arrangement measures upon the closure of Nam

Pin Wai Public Carpark, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;

- (c) the submission of water supplies for fire fighting and fire service installations proposals within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.11.2018;
- (d) in relation to (c) above, the implementation of water supplies for fire fighting and fire service installations proposals within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.2.2019;
- (e) the submission of landscape and tree preservation proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 3.11.2018;
- (f) in relation to (e) above, the implementation of landscape and tree preservation proposals within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 3.2.2019;
- (g) if the above planning condition (a) or (b) 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
- (h) if any of the above planning conditions (c), (d), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 6**

**Section 16 Application**

[Open Meeting]

A/SK-HC/296 Proposed Public Utility Installation (Pole with Transformer and Underground Cables) and Excavation and Filling of Land in “Conservation Area” and “Village Type Development” Zones, Government Land in D.D. 223, Mok Tse Che, Sai Kung  
(RNTPC Paper No. A/SK-HC/296)

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13. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP) which was a subsidiary of CLP Holdings Ltd., with Kum Shing (K.F.) Construction Co. Ltd. (KSCCL) as the consultant of the applicant. The following Members had declared interests on this item:

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

14. 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. As 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.

15. The Committee noted that the applicant’s representatives requested on 16.7.2018 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.

16. 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 7**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-SKT/19            Proposed Wholesale Conversion of Existing Industrial Building for  
Private School in "Residential (Group E)1" Zone, Lot 1104 in  
D.D. 215, 1 Hong Ting Road, Sai Kung  
(RNTPC Paper No. A/SK-SKT/19A)

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17.            The Secretary reported that the application was withdrawn by the applicant.

[The Chairman thanked Mr William W.T. Wong, STP/SKIs, for his attendance to answer Members' enquiries. Mr Wong left the meeting at this point.]

### **Sha Tin, Tai Po and North District**

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

**Agenda Item 8**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/955                      Shop and Services (Retail Shop) in “Industrial” Zone, G/F(Portion),  
Power Industrial Building, 9-15 Wo Heung Street, Fo Tan, Sha Tin  
(RNTPC Paper No. A/ST/955A)

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**Presentation and Question Sessions**

18.            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 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. The applied use was small in scale and was not incompatible with the industrial and industrial-related uses in the subject industrial building and the surrounding developments. Similar applications had been approved on the ground floor of the adjacent industrial buildings. If the application was approved, the aggregate commercial floor area on ground floor would be 100m<sup>2</sup>, which was still within the maximum permissible limit. The application generally complied with the Town Planning Board Guidelines No. 25D for Use/Development within “Industrial” Zone including the fire

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

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

- (a) whether there was any demand for the shop and services use in the area; and
- (b) whether there was any “Commercial” zone in the Fo Tan Industrial area.

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

- (a) based on the number of similar applications in the surrounding area as indicated in paragraph 6 of the Paper, there were a number of similar applications approved for commercial uses on the ground floor of the adjacent industrial buildings; and
- (b) there was a commercial building at a site zoned “Commercial” in the area. The premises within the building were almost fully occupied.

#### Deliberation Session

21. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.8.2021, on the terms of the application as submitted to the Town Planning Board.

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

**Agenda Item 9**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/959                      Shop and Services (Fast Food Shop) in “Industrial” Zone, Workshop  
I2, G/F, Century Industrial Centre, 33-35 Au Pui Wan Street, Fo Tan,  
Sha Tin  
  
(RNTPC Paper No. A/ST/959)

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**Presentation and Question Sessions**

23.            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 (fast food 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 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. The application was small in scale and was 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. The applied use generally complied with the Town Planning Board Guidelines No. 25D for Use/Development within “Industrial” Zone including the fire safety and traffic aspects. Relevant concerned

departments had no objection to or no adverse comment on the application. A temporary approval of three years was recommended in order not to jeopardise the long-term planning intention of industrial use for the premises and to allow the Committee to monitor the supply and demand of industrial floor space in the area.

24. Members had no question on the application.

### Deliberation Session

25. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.8.2021, 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 3.2.2019;
- (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.”

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

### **Agenda Item 10**

#### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-YSO/7            Proposed House (New Territories Exempted House - Small House) in  
“Green Belt” Zone, Government Land in D.D.204, Yung Shue O  
Village, Tai Po  
(RNTPC Paper No. A/NE-YSO/7)

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Presentation and Question Sessions

27. Ms Channy C. Yang, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) had reservation on the application as the site was located in a wetland area surrounded by natural vegetation with a natural stream nearby. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) objected to the application from landscape planning perspective as adverse impact on significant landscape resources due to the proposed development was anticipated while no mitigation measures could be adopted. The Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) objected to the application as the site was overlooked by steep natural hillside and met the alert criteria for a natural terrain hazard study (NTHS), but there was no submission of Geotechnical Planning Review Report in support of the application. The Commissioner for Transport (C for T) had reservation on the application and advised that Small House development should be confined within the “Village Type Development” (“V”) zone. The Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) had reservation on the application as the proposed Small House was situated next to an existing stream and would likely cause adverse drainage impact. 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, 22 public

comments were received from Kadoorie Farm & Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited, The Hong Kong Bird Watching Society and individuals/residents. Major objection grounds 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 proposed Small House development was not in line with the planning intention of the “Green Belt” (“GB”) zone. No strong planning justifications had been given in the submission for the proposed development in the “GB” zone. The application did not comply with the Town Planning Board Guidelines No. 10 in that the proposed Small House would involve clearance of existing natural vegetation affecting the existing natural landscape, adversely affecting drainage in the area and adversely affecting slope stability. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the footprint of the proposed Small House fell within the village ‘environs’ (‘VE’) of Yung Shue O Village. While land available within the “V” zone was insufficient to meet the outstanding Small House applications and the future Small House demand forecast, it was considered more appropriate to concentrate the proposed Small House within the “V” zone for orderly development pattern, efficient use of land and provision of infrastructures and services. Given that the site was located on a slope with vegetation, trees and an existing stream nearby, DAFC and CTP/UD&L, PlanD had reservation on the application. Approval of the application would set an undesirable precedent for similar application, resulting in the encroachment on the “GB” zone and a general degradation of the landscape character of the area. The site was overlooked by steep natural hillside, but no Geotechnical Planning Review Report was submitted in support of the application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

28. Members had no question on the application.

Deliberation Session

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

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

similar applications within the “GB” zone in the area. The cumulative effect of approving such application would result in general degradation of the natural environment and landscape quality of the area.”

### **Agenda Item 11**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-HLH/32      Temporary Storage of Agriculture Tool and Machine and Open Storage of Building Materials for a Period of 3 Years in “Agriculture” Zone, Lot 184 S.A (Part) in D.D. 87, Ta Kwu Ling  
(RNTPC Paper No. A/NE-HLH/32)

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#### **Presentation and Question Sessions**

30.      Ms Channy C. Yang, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary storage of agriculture tool and machine and open storage of building materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the application site possessed potential for agricultural rehabilitation and could be used as greenhouse cultivation or plant nursery. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as vegetation clearance had been taken place after 2012 and the approval of the application would set an undesirable precedent to encourage similar vegetation clearance prior to obtaining planning permission and cause adverse landscape impact on the

surrounding areas. According to the District Officer (North), Home Affairs Department, the Indigenous Inhabitant Representative of Tai Po Tin objected to the application and the objection grounds were set out in paragraph 10.1.10 of the Paper. Other concerned government departments had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication periods, eight public comments were received. Six comments submitted by World Wide Fund for Nature Hong Kong, Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited, The Hong Kong Bird Watching Society, a villager from Lei Uk Tsuen and an individual raised objection to the application. Major objection grounds 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 proposed temporary storage was not in line with the planning intention of the “Agriculture” (“AGR”) zone. DAFC did not support the application. No strong planning justifications had been provided in the submission for a departure from the planning intention, even on a temporary basis. The application did not comply with the Town Planning Board Guidelines No. 13E in that the site fell within Category 3 areas and no previous approval for similar open storage use had been granted for the site; there were adverse departmental comments on and local objections to the application. Approval of the application would set an undesirable precedent. The cumulative effect of approving such similar applications, even on a temporary basis, would result in a general degradation of the rural environment and landscape quality of the area. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

31. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is intended 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, even on a temporary basis;
- (b) the development does not comply with the Town Planning Board Guidelines No. 13E for ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ in that no previous planning approval has been granted at the Site and there are adverse departmental comments and local objections on the application;
- (c) the applicant failed to demonstrate that the development would not generate adverse traffic and landscape impacts on the surrounding areas; and
- (d) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area.”

**Agenda Item 12**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/647      Proposed Temporary Private Vehicle Park for a Period of 3 Years in  
“Village Type Development” Zone, Lot 596 in D.D. 83, Kwan Tei  
Tsuen, Fanling  
(RNTPC Paper No. A/NE-LYT/647A)

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**Presentation and Question Sessions**

33.            Ms Channy C. Yang, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary private vehicle park for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, four public comments were received. A North District Council member supported the application and an individual objected to the application. Their 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 temporary use was not totally in line with the planning intention of the “Village Type Development” (“V”) zone, there was no Small House application approved and under processing at the site. Temporary approval of the application would not frustrate the planning intention of the “V” zone. The proposed

use was not entirely incompatible with the surrounding rural setting surrounded mostly by village houses, active/fallow agricultural land and temporary domestic structures. Relevant departments consulted had no objection to or adverse comment on the application. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

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

- (a) whether there was similar application approved in the surrounding area; and
- (b) whether the parking spaces were for local villagers.

35. Ms Channy C. Yang, STP/STN, made the following responses:

- (a) within the same “V” zone, there was no similar application for temporary private vehicle park; and
- (b) there was no information on whether the proposed parking spaces were for local villagers. According to the applicants, there were a total of 12 parking spaces and six of them would be used by the applicants and the remaining were to be rented out.

#### Deliberation Session

36. A Member was concerned that valuable land resource in the “V” zone was used for temporary vehicle park while there was insufficient land for housing development. The Chairman pointed out that the “V” zone was primarily intended for development of Small Houses by indigenous villagers. The timing for development of private lots within the “V” zone to meet the Small House demand was mainly at the discretion of individual land owners.

37. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.8.2021, on the terms of the application as

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

- “(a) no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (b) only private vehicle as defined in the Road Traffic Ordinance is allowed to be parked or enter/exit the Site at any time during the planning approval period;
- (c) no car washing/fuelling, vehicle repair, dismantling, paint spraying or other workshop activities is allowed on the Site at any time during the planning approval period;
- (d) the boundary fence on the Site should be maintained at all times during the planning approval period;
- (e) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.2.2019;
- (f) in relation to (e) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.5.2019;
- (g) the submission of proposals for water supplies for firefighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.2.2019;
- (h) in relation to (g) 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 3.5.2019;

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

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

### **Agenda Item 13**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/129            Temporary Private Car Park (Private Car and Light Goods Vehicle) for a Period of 2 Years in “Agriculture” Zone, Lots 1511 S.Q and 1511 RP in D.D. 91, Kai Leng, Sheung Shui  
(RNTPC Paper No. A/NE-PK/129A)

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#### **Presentation and Question Sessions**

39. Ms Channy C. Yang, 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 (private car and light goods vehicle) for a period of two years;
- (c) departmental comments – departmental comments were set out in

paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed high potential for agricultural rehabilitation. The Chief Town Planner/ Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application and stated that the existing hard paved area for the use under application was incompatible with the surrounding rural environment. It would set an undesirable precedent for similar applications and encourage similar site/ vegetation clearance prior to obtaining planning permission and causing adverse impact on the landscape resource and character within the area. According to the District Officer (North), Home Affairs Department, the Chairmen of Ching Long House, Ching Chak House and Ching Yun House Mutual Aid Committee (MAC) objected to the application on the grounds that there were sufficient parking spaces at present and an extensive car park was not required and there was concern on safety aspect as set out in paragraph 9.1.9 of the Paper. Other concerned government departments had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, seven public comments were received. Four public comments submitted by Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited, World Wide Fund for Nature Hong Kong and an individual raised objection to the application. Major 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. The application was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application. CTP/UD&L, PlanD had reservation on the application as the existing hard paved area was incompatible with the surrounding rural environment. The provision of car parking spaces should in general be met by the planned car parking spaces within the developments. The site was not a suitable location for a temporary car park from the land use planning point of view. Similar

application for same car park use was rejected by the Committee. Approval of the application would set an undesirable precedent for other similar applications. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

40. In response to a Member's enquiry, Ms Channy C. Yang, STP/STN, said that the site was subject to enforcement action. An Enforcement Notice (EN) against parking of vehicles was issued to the concerned land owners on 14.11.2017. Upon expiry of the EN on 14.2.2018, subsequent site inspections revealed that the parking of vehicles had not been discontinued.

#### Deliberation Session

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

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

**Agenda Item 14**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/585      Temporary Open Storage of Construction Materials for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 1507 S.B RP (Part), 2022 S.B RP (Part), 2036 (Part), 2037, 2038, 2039, 2040 (Part), 2041 (Part) and 2042 (Part) in D.D. 76 and Adjoining Government Land, Leng Tsai, Sha Tau Kok Road, Fanling  
(RNTPC Paper No. A/NE-TKL/585A)

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**Presentation and Question Sessions**

42.            Ms Channy C. Yang, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary open storage of construction materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from a North District Council member and the Chairman of Sheung Shui District Rural Committee indicating no comment on the application; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The majority of the site

fell within “Agriculture” (“AGR”) zone with a minor portion within “Village Type Development” (“V”) zone. Whilst the temporary open storage use was not in line with the planning intention of the “AGR” zone, The Director of Agriculture, Fisheries and Conservation had no objection to the application from the agricultural point of view as the potential for agricultural rehabilitation of the site was low. Regarding the portion within “V” zone, no Small House application relating to the site had been received. In this regard, approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “AGR” and “V” zones. The temporary open storage use was not incompatible with the surrounding land uses which were mainly open storages/warehouses, active and fallow agricultural land and village houses. The applied use was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 2 areas, and there were no adverse departmental comments and local objections. For the minor portion of the site within Category 4 area, there were previous planning approvals and approval conditions had been complied with. Previous applications for warehouse development similar/ same as the applied use under the current application at the site and another similar application to its immediate south were approved by the Committee.

43. Members had no question on the application.

#### Deliberation Session

44. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.8.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 8:30 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;

- (c) no workshop activities shall be carried out on the Site at any time during the planning approval period;
- (d) the stacking height of the materials stored within five metres from the periphery of the Site shall not exceed the height of the boundary fence during the planning approval period;
- (e) the peripheral fencing and paving of the Site shall be maintained at all times during the planning approval period;
- (f) all existing trees on Site shall be properly maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities 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 3.11.2018;
- (i) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.9.2018;
- (j) the submission of proposals for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.2.2019;
- (k) in relation to (j) above, the implementation of proposals for fire service installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.5.2019;

- (l) 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; and
- (m) if any of the above planning conditions (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.”

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

### **Agenda Item 15**

#### **Section 16 Application**

[Open Meeting]

A/NE-TKL/598 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lot 1088 S.B. (Part) in D.D. 82, Ping Che Road, Ta Kwu Ling  
(RNTPC Paper No. A/NE-TKL/598)

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46. The Committee noted that the applicant’s representative requested on 18.7.2018 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.

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

applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

## **Agenda Item 16**

### **Section 16 Application**

[Open Meeting]

A/NE-TKL/599      Proposed 6 Houses (New Territories Exempted Houses - Small Houses) in “Agriculture” Zone, Lots 164 S.A ss.2, 164 S.A ss.6, 164 S.B ss.3 S.A, 164 S.B ss.3 S.B, 164 S.B ss.3 S.D and 164 S.B ss.3 S.E in D.D.79, Ping Yeung Village, Ta Kwu Ling  
(RNTPC Paper No. A/NE-TKL/599)

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48.           The Committee noted that the applicant’s representative requested on 25.7.2018 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.

49.           After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that 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 17**

**Section 16 Application**

[Open Meeting]

A/NE-TKLN/13      Proposed Temporary Eating Place and Convenience Store for a Period of 3 Years in “Recreation” Zone, Lot 1499 in D.D. 78, Kaw Liu Village, Ta Kwu Ling North  
(RNTPC Paper No. A/NE-TKLN/13)

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50.            The Committee noted that the applicant’s representative requested on 19.7.2018 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.

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

**Agenda Item 18**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/636      Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 702 S.A ss.3 and 704 S.A ss.3 in D.D. 19, She Shan Tsuen, Lam Tsuen, Tai Po  
(RNTPC Paper No. A/NE-LT/636)

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Presentation and Question Sessions

52. 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 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from agricultural development point of view as there were active agricultural activities in the vicinity and agricultural infrastructure such as footpath and water was available. The Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application from landscape planning perspective and approval of the application would set an undesirable precedent to similar development encroaching onto the “Agriculture” (“AGR”) zone. The Commissioner for Transport (C for T) in general had reservation on the application but considered that the application only involving the development of a Small House could be tolerated. 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, eight public comments were received from Resident Representative of She Shan Tsuen, indigenous villagers of She Shan Tsuen, World Wide Fund for Nature, Designing Hong Kong Limited, the Hong Kong Bird Watching Society and an individual. Major 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. The proposed use was not

in line with the planning intention of the “AGR” zone and DAFC did not support the application. While the proposed development was not incompatible with the rural nature of its surrounding, CTP/UD&L, PlanD had some reservations on the application as approval of the application would set an undesirable precedent to similar applications and the cumulative effect of approving similar applications would cause a change in the landscape character and adverse landscape impact to the area. 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 She Shan was still capable of 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. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

53. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the application does not comply with the Interim Criteria for Consideration of Applications for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse

landscape impact on the surrounding areas; and

- (c) land is still available within the “Village Type Development” (“V”) zone of She Shan Tsuen which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

### **Agenda Item 19**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/638            Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 1148 RP in D.D. 19, Lam Tsuen San Tsuen,  
Tai Po  
(RNTPC Paper No. A/NE-LT/638)

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#### **Presentation and Question Sessions**

55.            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 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from agricultural development point of view as there were active agricultural activities in the vicinity. The District Lands Officer / Tai Po, Lands Department did not support the application as more than 50% of the footprint of the proposed

Small House fell outside the village ‘environs’ (‘VE’) of San Tsuen Lo Wai and Lam Tsuen San Tsuen. The Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) objected to the application as it did not comply the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that more than 50% of the proposed Small House footprint falling outside both ‘VE’ and the “Village Type Development” (“V”) zone. The Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application from landscape planning perspective as there had been clearance of vegetation within the site and approval of the application would set an undesirable precedent to encourage such unauthorized removal of vegetation. The Commissioner for Transport (C for T) in general had reservation on the application but considered that the application only involving the development of a Small House could be tolerated. 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 Designing Hong Kong Limited, The Hong Kong Bird Watching Society and an individual objecting to the application. Major views 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 proposed use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application. While the proposed development was not incompatible with the rural character of its surrounding, CTP/UD&L, PlanD had some reservations on the application as there had been clearance of vegetation within the site and approval of the application would set an undesirable precedent to encourage such unauthorized removal of vegetation. Regarding the Interim Criteria, more than 50% of the footprint of proposed Small House fell outside the ‘VE’ and the “V” zone, and land available in the “V” zone of She Shan was still capable of 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. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

56. In response to a Member’s question, the Chairman said that the Board had recently adopted a more cautious approach in approving applications for Small House development with a view to confining the Small House development within the “V” zone for more orderly development pattern.

#### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that more than 50% of the footprint of the proposed Small House falls outside the “Village Type Development” (“V”) zone and the village ‘environs’ of Lam Tsuen San Tsuen and San Tsuen Lo Wai; and
- (c) land is still available within the “V” zones of Lam Tsuen San Tsuen and San Tsuen Lo Wai which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly

development pattern, efficient use of land and provision of infrastructure and services.”

## **Agenda Item 20**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/639            Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 1148 S.A in D.D. 19, Lam Tsuen San Tsuen,  
Tai Po  
(RNTPC Paper No. A/NE-LT/639)

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### **Presentation and Question Sessions**

58.            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 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from agricultural development point of view as there were active agricultural activities in the vicinity. The Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application from landscape planning perspective as there had been clearance of vegetation within the site and approval of the application would set an undesirable precedent to encourage such unauthorized removal of vegetation. The Commissioner for Transport (C for T) in general had reservation on the application but considered that the application only involving the

development of a Small House could be tolerated. 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 Designing Hong Kong Limited, The Hong Kong Bird Watching Society and an individual objecting to the application. Major views 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 proposed use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application. CTP/UD&L, PlanD had reservation on the application from landscape planning point of view. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the footprint of proposed Small House fell within the village ‘environs’ (‘VE’). Land available within the “Village Type Development” (“V”) zone of She Shan 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. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

59. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also

intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and

- (b) land is still available within the “Village Type Development” (“V”) zones of Lam Tsuen San Tsuen and San Tsuen Lo Wai which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

## **Agenda Item 21**

### **Section 16 Application**

[Open Meeting]

A/NE-SSH/119      Proposed Temporary Private Car Park (Private Cars Only) for a Period of 3 Years in “Village Type Development” Zone, Lots 1445, 1446 S.A and 1446 RP in D.D. 165, Nga Yiu Tau, Shap Sz Heung, Sai Kung  
(RNTPC Paper No. A/NE-SSH/119)

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61.            The Committee noted that the applicant’s representative requested on 181.7.2018 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.

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

applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

**Agenda Items 22 to 25**

**Section 16 Applications**

[Open Meeting]

A/NE-TK/643 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lots 1028 S.B ss.5, 1034 S.A ss.2 S.C & 1034 S.B ss.5 in D.D.23, Po Sam Pai, Tai Po  
(RNTPC Paper No. A/NE-TK/643 to 646)

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A/NE-TK/644 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lots 1028 S.B RP, 1034 S.A ss.2 RP, 1034 S.A RP and 1034 S.B RP in D.D. 23, Po Sam Pai, Tai Po  
(RNTPC Paper No. A/NE-TK/643 to 646)

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A/NE-TK/645 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 1034 S.A ss.1 in D.D. 23, Po Sam Pai, Tai Po  
(RNTPC Paper No. A/NE-TK/643 to 646)

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A/NE-TK/646 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lots 1034 S.A ss.2 S.B and 1034 S.B ss.4 in D.D. 23, Po Sam Pai, Tai Po  
(RNTPC Paper No. A/NE-TK/643 to 646)

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63. The Committee noted that the applicants’ representative requested on 24.7.2018 deferment of the consideration of the applications 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.

64. After deliberation, the Committee decided to defer a decision on the applications

as requested by the applicants pending the submission of further information from the applicants. The Committee agreed that the applications should be submitted for its consideration within two months from the date of receipt of further information from the applicants. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the applications could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the 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 26**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/647            Temporary Open Storage (Construction Equipment) for a Period of 3  
Years in "Agriculture" Zone, Lot 637 S.A in D.D. 23, Po Sam Pai  
Village, Shuen Wan, Tai Po  
(RNTPC Paper No. A/NE-TK/647)

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### **Presentation and Question Sessions**

65.            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 open storage (construction equipment) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The Chief Town Planner/Urban

Design & Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application from landscape planning perspective as the site was not connected with the surrounding area, adverse impact on the intactness of the landscape character was anticipated. Vegetation within the site had been cleared prior to submission of the application and approval of the application would set an undesirable precedent to encourage unauthorized removal of vegetation. The Commissioner for Transport (C for T) had reservation on the application as there was insufficient information in the submission for traffic assessment. The Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) did not support the application as the site encroached upon an existing stream course/ditch. 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, six public comment were received from Designing Hong Kong Limited, World Wide Fund for Nature Hong Kong, the Hong Kong Bird Watching Society and individuals objecting to the application. Major objection grounds 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 proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application. No strong justification had been given in the submission to justify for a departure from the planning intention, even on a temporary basis. Both CTP/UD&L, PlanD and C for T had reservation on the application. In addition, CE/MN, DSD did not support the application as the site encroached upon an existing stream course/ ditch. The proposed development was not in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 3 areas and there was no previous planning approval for similar open storage use granted at the site. There were adverse departmental comments on and local objections to the application. The applicant had failed to demonstrate that the development

would not cause adverse landscape, traffic and drainage impacts on the surrounding area. Regarding the public comments, the comments of concerned departments and the planning assessments above were relevant.

66. Members had no question on the application.

#### Deliberation Session

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

- “(a) the application 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, even on a temporary basis;
- (b) the application does not comply with the Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ in that no previous planning approval has been granted to the Site and there are adverse departmental comments and local objections against the application;
- (c) there is no information in the submission to demonstrate that the development would not cause adverse landscape, traffic and drainage impacts on the surrounding areas; and
- (d) the approval of the application would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment in the area.”

**Agenda Item 27**

**Section 16 Application**

[Open Meeting]

A/NE-TK/648            Temporary Barbecue Site for a Period of 3 Years in “Agriculture” Zone, Lots 396 RP (Part) and 398 (Part) in D.D. 17, Lots 1030 (Part), 1031, 1032, 1034, 1035, 1037 S.A, 1037 S.B, 1038, 1039 (Part), 1045 (Part), 1046, 1047, 1048 S.B (Part), 1049 (Part),1050 (Part) and 1056 in D.D. 29, Ting Kok Road, Tai Po  
(RNTPC Paper No. A/NE-TK/648)

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68.            The Committee noted that the applicant’s representative requested on 19.7.2018 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.

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

**Agenda Item 28**

**Section 16 Application**

[Open Meeting]

A/TP/649                      Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years in “Village Type Development” Zone, Government Land in D.D. 6, Kam Shek New Village, Tai Po  
(RNTPC Paper No. A/TP/649A)

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70.            The Committee noted that the applicant’s representative requested on 24.7.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

**Agenda Item 29**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/651                      Proposed House (New Territories Exempted House - Small House) in  
“Green Belt” and “Village Type Development” Zones, Lots 416 S.S  
and 416 S.T in D.D. 21, Pun Shan Chau, Tai Po  
  
(RNTPC Paper No. A/TP/651)

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**Presentation and Question Sessions**

72.            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 10 of the Paper. The Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) objected to the application from the landscape planning perspective as the proposed development was likely in conflict with the existing trees within the site, including a mature tree close to the proposed house and within “Green Belt” (“GB”) zone which was considered a significant landscape resource. Adverse impact arising from the construction works to the tree crown and root zone of the tree was anticipated. Approval of the application would further attract similar developments into the “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, 18 public comments were received from Designing Hong Kong Limited, World Wide Fund Hong Kong and 16 individuals objecting to the application. Major

objection grounds 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. Majority of the site fell within an area zoned “GB” whilst a smaller portion fell within the “Village Type Development” (“V”) zone. The proposed development was not in line with the planning intention of “GB” zone and there was a general presumption against development within the zone. There was no strong planning justification in the submission for a departure from the planning intention of the “GB” zone. CTP/UD&L, PlanD objected to the application from the landscape planning perspectives mainly on the ground that the application was likely in conflict with the existing trees within the site. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (the Interim Criteria), while more than 50% of the proposed Small House footprint was located within the village ‘environs’ (‘VE’) of Pun Shan Chau village and the “V” zone, there was sufficient land within the “V” zone to fully meet the future Small house demand. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services. Moreover, the proposed development did not comply with the Town Planning Board Guideline No. 10 as it would involve clearance of existing natural vegetation affecting the existing natural landscape and would cause adverse landscape impact on the area. The site was the subject of a previous application for Small House development rejected by the Committee in 2017 and there was no significant change in planning circumstances since then. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

73. Members had no question on the application.

Deliberation Session

74. 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 would involve clearance of natural vegetation affecting the existing natural landscape in the area. The applicant fails to demonstrate that the proposed development would have no adverse landscape impact on the surrounding areas;
- (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 there is no general shortage of land in meeting the demand for Small House development in the “Village Type Development” (“V”) zone of Pun Shan Chau and the proposed development would have adverse landscape impact on the surrounding areas; and
- (d) land is still available within the “V” zone of Pun Shan Chau 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.”

[The Chairman thanked Mr Kenny C.H. Lau, Ms Channy C. Yang and Ms Kathy C.L. Chan,

STPs/STN, for their attendance to answer Members' enquiries. Mr Lau, Ms Yang and Ms Chan left the meeting at this point.]

**Fanling, Sheung Shui and Yuen Long East District**

[Ms Ivy C.W. Wong, Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE) and Mr Billy Au Yeung, Town Planner/ Fanling, Sheung Shui and Yuen Long East (TP/FSYLE), were invited to the meeting at this point.]

**Agenda Item 30**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/594      Temporary Warehouse (Storage of Pet Supplies and Gardening Goods) with Ancillary Office for a Period of 3 Years in "Comprehensive Development Area" and "Other Specified Uses" annotated "Railway Reserve" Zones, Lots 3513 (Part), 3841 S.B, 3842 S.A, 3843 S.A, 3847 S.A (Part), 3874, 3875, 3876, 3877, 3878 (Part) and 3884 (Part) in D.D. 104 and Adjoining Government Land, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/594A)

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**Presentation and Question Sessions**

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

- (a)    background to the application;
- (b)    temporary warehouse (storage of pet supplies and gardening goods) with ancillary office 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 existing residential dwellings/structures immediately next to the site and in its vicinity, and environmental nuisances were expected. Other concerned government departments had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, three public comments were received from the San Tin Rural Committee, Representatives of Pok Wai Village and 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 applied use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the development was not in line with the planning intention of the “Other Specified Uses” annotated “Railway Reserve” (“OU(Railway Reserve)”) zone and about 42% of the site fell within the administrative route protection boundary of the Northern Link (NOL), approval of the application on a temporary basis of three years would not jeopardize the implementation of the NOL. The Chief Engineer/Railway Development 1-1, Railway Development Office of Highways Department (CE/RD1-1, RDO, HyD) advised that the exact alignment and development programme of the NOL was still under review and he had no objection to the application. Regarding the remaining part of the site (about 58%) falling within the “Comprehensive Development Area” (“CDA”) zone without known development programme, temporary approval of the applied use would not frustrate the long-term planning intention of the “CDA” zone. Moreover, the applied use was considered not incompatible with the surrounding areas. 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. The site was the subject of previously approved applications.

The last application (No. A/YL-KTN/558) submitted by the same applicant and for the same applied use was approved with conditions by the Committee on 9.6.2017 for a period of three years. However, the application was subsequently revoked on 12.9.2017 due to non-compliance with approval conditions on the submission of fire service installations proposal. Shorter compliance periods were therefore recommended for closely monitoring of the progress on compliance with approval conditions. Regarding the adverse public comment, the comments of concerned departments and the planning assessments above were relevant.

76. Members had no question on the application.

#### Deliberation Session

77. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.8.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:30 p.m. and 9:30 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation between 2:00 p.m. and 5:30 p.m. on Saturday, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (d) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (e) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the Site at any time during the

planning approval period;

- (f) no vehicle is allowed to queue back to or reverse into/from public road at any time during the planning approval period;
- (g) the existing trees and landscape plantings on the Site should be maintained at all times during the planning approval period;
- (h) the implementation of the accepted drainage proposal for the development within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.2.2019;
- (i) in relation to (h) above, implemented drainage facilities on site shall be maintained at all times during the planning approval period;
- (j) the submission of fire service installations proposals within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.11.2018;
- (k) in relation to (j) 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 3.2.2019;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) 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;
- (m) if any of the above planning conditions (h), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) 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.”

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

### **Agenda Items 31 and 32**

#### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/609 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lot 1505 RP in D.D. 107, Shui Mei Tsuen, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/609 and 610)

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A/YL-KTN/610 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lot 1750A2 RP in D.D. 107, Shui Mei Tsuen, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/609 and 610)

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79. 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**

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

- (a) background to the applications;
- (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 adverse comment on the applications;

- (d) during the first three weeks of the statutory publication period, four public comments were received from the Kadoorie Farm & Botanic Garden Corporation, Designing Hong Kong Limited and the Hong Kong Bird Watching Society and a general public, raising objection to both applications. 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. According to the applicant, about 70.7% and 68% of the sites for applications No. A/YL-KTN/609 and 610 respectively would be farming area. The proposed use was generally in line with the planning intention of the “Agriculture” (“AGR”) zone and was not incompatible with the surrounding land uses which were rural in character predominated by active/fallow agricultural land, unused/vacant land, pond and residential dwelling/structure. The Director of Agriculture, Fisheries and Conservation (DAFC) had no strong view on the application from agricultural point of view. The proposed development would unlikely cause significant adverse traffic, landscape and drainage impacts and relevant departments consulted had no adverse comment on the application. Ten similar applications for hobby farm were approved by the Committee on the same “AGR” zone. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

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

- (a) whether there was any enforcement action against land filling activity on the site;

- (b) the ratio of the hard-paved area of the two applications;
- (c) the rejection reasons for application (No. A/YL-KTN/394) to the west of the two application sites; and
- (d) any photos showing the existing conditions on the application sites.

82. Ms Ivy C.W. Wong, STP/FSYLE, made the following responses:

- (a) there had not been any enforcement action against land filling activity on the two application sites;
- (b) according to the applicant, the ratio of hard-paved area in applications No. A/YL-KTN/609 and A/YL-KTN/610 were 23% and 32% respectively;
- (c) application No. A/YL-KTN/394 for proposed temporary field study/education centre and hobby farm for a period of five years was rejected by the Town Planning Board (the Board) on review on 14.6.2013 mainly on the grounds that the site was the subject of unauthorized land filling and the filling materials were not suitable for cultivation and there was no detailed information regarding the design and operation of the proposed development particularly the hobby farm, field study, education centre and the office with porch. Moreover, the applicant failed to demonstrate that the development would not generate adverse landscape and drainage impacts on the surrounding areas and approving the application would set an undesirable precedent and the cumulative effect of which would result in a general degradation of the rural environment of the area; and
- (d) as shown on Plan A-4a of the Paper, the site of application No. A/YL-KTN/609 was covered with vegetation and planting area. For application No. A/YL-KTN/610, as shown on Plan A-4b of the Paper, most areas were covered by grass while the vegetation of some part of the site had been cleared.

### Deliberation Session

83. In response to a Member enquiry, the Chairman said that there was no Town Planning Board guideline specifically for consideration of planning application for hobby farm. In general, all relevant factors and material planning considerations such as land use compatibility, planning intention, impacts on the surrounding areas, similar cases in the vicinity, etc. should be taken into account. Besides, in considering planning applications for hobby farm, traffic implication arising from the visitors of the hobby farm would also be a relevant consideration as well.

84. A Member suspected that the sites had once been wetland which were subsequently filled. This Member thus raised objection to the applications. Members, however, noted that there had been no enforcement action on unauthorized land filling activity related to the subject application sites. It was also noted that according to the information submitted in the public comments by Designing Hong Kong Limited and the aerial photo in 2018, the two subject sites had been under cultivation prior to their existing states of being left fallow.

85. Another Member added that the applied use was generally in line with the planning intention of “AGR” zone given that the majority portion of the sites was for agricultural use with only minor portions hard paved. The approval of the applications on a temporary basis with suitable approval conditions could enable the Board to monitor whether the sites would be used as proposed. Other Members concurred.

86. After deliberation, the Committee decided to approve the applications on a temporary basis for a period of 3 years until 3.8.2021, each 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 public announcement system, portable loudspeaker or any form of audio amplification system, as proposed by the applicant, is allowed to be used on

the Site at any time during the planning approval period;

- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (e) the submission of landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 3.2.2019;
- (f) in relation to (e) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 3.5.2019;
- (g) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.2.2019;
- (h) in relation to (g) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.5.2019;
- (i) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.2.2019;
- (j) in relation to (i) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.5.2019;

- (k) if any of the above planning conditions (a), (b), (c) or (d) is not complied with during 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 (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; 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.”

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

### **Agenda Item 33**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/611      Temporary Shop and Services (Grocery, Metalware Retail Shop and Car Beauty Product) for a Period of 3 Years in “Village Type Development” Zone, Lot 283 S.A RP (Part) in D.D. 109, Ko Po Tsuen, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/611)

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#### **Presentation and Question Sessions**

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

- (a) background to the application;

- (b) temporary shop and services (grocery, metalware retail shop and car beauty product) 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 periods, one public comment was received objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD 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. There was no Small House application being processed at the site and the application for provision of temporary shop and services was not incompatible with the surrounding land uses. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “Village Type Development” (“V”) zone. Relevant approval conditions were recommended to minimise possible environmental nuisance. Concerned government departments had no objection to or no adverse comment on the application. The site was the subject of four previously approved applications for various shop and services uses. Approval of the current application would be in line with the Committee’s previous decision. Regarding the adverse public comment, comments of concerned departments and the planning assessments above were relevant.

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

- (a) whether the approval conditions of the previous application on submission and implementation on drainage and fire service installations (FSIs) proposals had been complied with; and
- (b) whether the applicant had submitted any drainage and FSIs proposal and if

yes, whether they were acceptable to the concerned government departments.

90. Ms Ivy C.W. Wong, STP/FSYLE, made the following responses:

- (a) the previous applications were submitted by different applicants. Approval conditions on drainage and fire safety aspects had been imposed. All approval conditions for application No. A/YL-KTN/430 were complied with, but the other three previous applications were revoked due to non-compliance with approval conditions; and
- (b) the applicant had provided the drainage and FSIs proposals in the current application as shown in Drawings A-3 and A-4 of the Paper and concerned government departments had no objection to the application and advised that approval conditions on the submission and implementation of drainage and FSI proposals should be imposed on the permission.

#### Deliberation Session

91. A Member asked whether there was any mechanism to prevent repeated non-compliance with approval conditions. In response, the Secretary said that shorter compliance periods were usually imposed if the previous approval had been revoked due to non-compliance of approval conditions to closely monitor the progress. The applicant would also be requested to submit the relevant technical proposals together with the planning application for consideration by the concerned departments. For cases with repeated revocations by the same applicant, planning permission might not be granted. A Member further asked whether the concerned departments had accepted the proposals submitted by the applicant on drainage and fire safety aspects, the Chairman responded that as indicated in the Paper, the drainage and fire safety proposals had been submitted to the concerned departments and they had no objection to the planning application.

92. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.8.2021, 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. to 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities, as proposed by the applicant, shall be carried out on the Site at any time during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes including container tractors/trailers, as defined in the Road Traffic Ordinance, 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;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) maintenance of all landscape planting within the Site to satisfactory healthy conditions at all times during the planning approval period;
- (f) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.2.2019;
- (g) in relation to (f) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.5.2019;
- (h) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 3.2.2019;
- (i) in relation to (h) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 3.5.2019;

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

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

### **Agenda Item 34**

#### **Section 16 Application**

[Open Meeting]

A/YL-KTN/612      Proposed Temporary Public Car Park (Excluding Container Vehicle) for a Period of 5 Years in “Village Type Development” Zone, Lots 1305 RP, 1357 (Part), 1358 RP and 1361 in D.D. 109, Kong Tai Road, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/612)

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94. The Committee noted that the applicant’s representative requested on 27.7.2018 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.

95. After deliberation, the Committee decided to defer a decision on the application

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

### **Agenda Item 35**

#### **Section 16 Application**

[Open Meeting]

A/YL-KTN/613      Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 5 Years in "Comprehensive Development Area (1)" and "Comprehensive Development Area" Zones, Lots 1781 and 1782 RP in D.D. 107, Shui Tau Tsuen, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/613)

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96.            The Committee noted that the applicant's representative requested on 24.7.2018 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.

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

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

**Agenda Item 36**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/790      Proposed Temporary Animal Boarding Establishment for a Period of 3 Years in “Agriculture” Zone, Government Land in D.D. 103, Ko Po San Tsuen, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/790)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) proposed temporary animal boarding establishment for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from the agricultural point of view as the site could be used for green house cultivation and plant nursery. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from the local residents and general public, 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. Although the proposed temporary animal boarding establishment was not in line with the planning intention of the “AGR” zone, the proposed development was not incompatible with the surrounding areas which were predominantly rural in character. Approval of the application on a temporary basis for a period of three years would not jeopardize the long-term planning intention of the area. Except DAFC, other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

99. Noting that there was no vegetation cover on the site, a Member queried whether there was any tree felling prior to the submission of application, Ms Ivy C.W. Wong, STP/FSYLE, responded that there was no information on the previous conditions of the site.

#### Deliberation Session

100. A Member was concerned that there might be tree felling prior to the submission of application. The Chairman pointed out that according to paragraph 9.1.6 of the Paper, the Chief Town Planner/Urban Design and Landscape, Planning Department advised that the landscape quality of the area was generally not high and she had no objection to the application. However, approval conditions requiring the submission and implementation of landscape proposal were recommended.

101. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.8.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 9:00 a.m. (except for overnight animal boarding), as proposed by the applicant, is allowed on the Site during the planning approval period;

- (b) all animals shall be kept inside the enclosed structure between 9:00 p.m. and 9:00 a.m., as proposed by the applicant, during the planning approval period;
- (c) no public announcement system, portable loudspeaker or any form of amplification system, and whistle blowing, as proposed by the applicant, is allowed to be used on the Site during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.2.2019;
- (g) in relation to (f) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.5.2019;
- (h) in relation to (g) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (i) the submission of landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 3.2.2019;
- (j) in relation to (i) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of the

Director of Planning or of the TPB by 3.5.2019;

- (k) the submission of 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 3.2.2019;
- (l) in relation to (k) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.5.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (f), (g), (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon the expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

102. The Committee also agreed to advise each of the applicant to note the advisory clauses as set out at Appendix IV of the Papers.

**Agenda Item 37**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/791      Proposed Temporary Animal Boarding Establishment for a Period of 5  
Years in “Agriculture” Zone, Government Land in D.D. 103, Kam Tin,  
Yuen Long  
(RNTPC Paper No. A/YL-KTS/791)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) proposed temporary animal boarding establishment for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) stated that the site was preferred to be preserved for agricultural uses. The Chief Town Planner, Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as the existing trees were in conflict with the proposed layout. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, 13 public comments were received from Kam Tin Rural Committee and members of the public, 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 five years based on the assessments set out in paragraph 11 of the Paper. Although the proposed temporary animal boarding establishment was not in line with the planning intention of the “Agriculture” (“AGR”) zone, the proposed development was not incompatible with the surrounding areas which were predominantly rural in character. Except DAFC and CTP/UD&L, PlanD, other concerned government departments had no objection to or no adverse comment on the application. Approval conditions were recommended to mitigate the possible environmental nuisance, and address the technical requirements of concerned departments. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

104. Members had no questions on the application.

#### Deliberation Session

105. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 3.8.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) all animals shall be kept inside the enclosed structures from 5:00 p.m. to 1:00 p.m., as proposed by the applicant, at all times during the planning approval period;
- (b) no public announcement system, portable loudspeaker, or any form of amplification system, and whistle blowing, as proposed by the applicant, is allowed to be used on the Site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.2.2019;

- (e) in relation to (d) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.5.2019;
- (f) in relation to (e) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of 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 3.2.2019;
- (h) in relation to (g) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.5.2019;
- (i) the submission of landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 3.2.2019;
- (j) in relation to (i) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 3.5.2019;
- (k) if any of the above planning conditions (a), (b), (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect immediately and shall be revoked without further notice;
- (l) if any of the above planning conditions (d), (e), (g), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;  
and

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

106. 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-KTS/792 Proposed Temporary Social Welfare Facilities (Elderly and Youth Centre) for a Period of 3 Years in “Village Type Development” Zone, Government Land in D.D. 106, Kam Tin, Yuen Long (Former Shek Wu School)  
(RNTPC Paper No. A/YL-KTS/792)

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#### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) proposed temporary social welfare facilities (elderly and youth 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 periods, one public comment 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 assessments set out in paragraph 11 of the Paper. Whilst the temporary use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the proposed use was to make use of the site of the Former Shek Wu School which had already been closed down and left vacant. 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 frustrate the long-term planning intention of the “V” zone. Concerned departments had no objection to or no adverse comment on the application. Relevant approval conditions were recommended to minimize possible environmental nuisances and to address the technical requirements of concerned departments. The Committee had approved two previous applications for the same use at the site. Approval of the current application was in line with the previous decisions of the Committee. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

108. In response to the Chairman's question on whether there was any existing use in the site, Ms Ivy C.W. Wong, STP/FSYLE said that it was a vacant school.

#### Deliberation Session

109. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.8.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio

amplification system is allowed to be used on the Site during the planning approval period;

- (c) no medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be stored/parked at or enter/exit the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the existing trees and landscape planting on the Site shall be maintained at all times during the planning approval period;
- (f) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.2.2019;
- (g) in relation to (f) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.5.2019;
- (h) in relation to (g) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (i) the submission of fire service installation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.2.2019;
- (j) in relation to (i) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.5.2019;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (h) is not

complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

- (l) if any of the above planning conditions (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 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.”

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

### **Agenda Item 39**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/786            Temporary Dog Training Ground, Dogs and Cats Boarding Establishment and Dog Swimming and Recreational Centre for a Period of 3 Years in “Residential (Group D)” Zone, Lots 117 (Part), 119 (Part), 121 (Part), 122, 123 (Part), 124 (Part), 125 (Part), 127 (Part) and 128 (Part) in D.D. 108 and Adjoining Government Land, Ta Shek Wu, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/786)

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#### **Presentation and Question Sessions**

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

- (a) background to the application;

- (b) temporary dog training ground, dogs and cats boarding establishment and dog swimming and recreational centre 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 some reservations on the application as the number of existing trees on site deviated from the landscape proposal under the last approved application (No. A/YL-PH/735) and approval of the current application would set an undesirable precedent to encourage such practices. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received 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. Whilst the temporary use was not in line with the planning intention of “Residential (Group D)” (“R(D)”) zone, concerned departments, except CTP/UD&L, PlanD, had no objection to the application and it was not incompatible with the surrounding land uses. Approval of the application on a temporary basis would not jeopardise the long-term planning intention. In response to CTP/UD&L's comments, the applicant stated that some trees on site had been blown away by typhoon. Moreover, the site was the subject of four previously approved applications covering the same site area and submitted by the same applicant. Relevant approval conditions were recommended to minimize any potential environmental nuisances and to address the landscape concern and other technical requirements of concerned departments. Regarding the adverse public comment, comments of concerned departments and the planning assessment above were relevant.

112. Members had no question on the application.

Deliberation Session

113. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.8.2021, 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. (except overnight animal boarding establishment), as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) all animal shall be kept inside the enclosed animal boarding establishment between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, at all times during the planning approval period;
- (c) no public announcement system and whistle blowing, as proposed by the applicant, is allowed to be used on the Site during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of 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 3.2.2019;
- (f) in relation to (e) above, the implementation of tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 3.5.2019;
- (g) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;

- (h) the submission of records of the existing drainage facilities on the Site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.11.2018;
- (i) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.2.2019;
- (j) in relation to (i) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.5.2019;
- (k) 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;
- (l) if any of the above planning conditions (e), (f), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (m) upon 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.”

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

**Agenda Item 40**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/238            Temporary Office with Ancillary Storage Area and Car Parking for a Period of 3 Years in “Village Type Development” Zone, Lot 1289 S.F RP in D.D. 114, Kam Sheung Road, Shek Kong, Yuen Long  
(RNTPC Paper No. A/YL-SK/238)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) temporary office with ancillary storage area and car parking for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication periods, five public comments were received from a Yuen Long District Councilor, the indigenous village representatives of Sheung Tsuen and the Sheung Tsuen Village Committee objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. While the planning intention of the “Village Type Development” (“V”) zone was primarily intended for development of Small Houses by indigenous villagers, the

District Lands Officer/Yuen Long, Lands Department advised that no Small House application had been approved or under processing at the site where the premises were located. The applied use was not incompatible with the surrounding land uses. In view of the scale and nature of the use, the applied use would unlikely cause any significant traffic, drainage, and environmental impacts on the surrounding areas. Relevant government departments consulted had no objection to or no adverse comments on the application. Two previous approved applications covering the site for similar temporary vehicle park use were approved since 2013. Regarding the public comments received, the comments of departments and 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 3.8.2021, 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 Saturdays, Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the Site at any time during the planning approval period;

- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of fire services installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.2.2019;
- (g) in relation to (f) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.5.2019;
- (h) if any of the above planning condition (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (i) if any of the above planning condition (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 application 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 V of the Paper.

**Agenda Item 41**

**Section 16 Application**

[Open Meeting]

A/YL-NTM/365      Temporary Open Storage of Construction Materials for a Period of 3 Years in “Comprehensive Development Area” Zone, Lots 630 (Part), 631 (Part), 632, 633 (Part), 634 (Part) and 651 (Part) in D.D. 105 and Adjoining Government Land, Shek Wu Wai San Tsuen, Ngau Tam Mei, Yuen Long  
(RNTPC Paper No. A/YL-NTM/365A)

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119.            The Committee noted that the applicant’s representative requested on 12.7.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

**Agenda Item 42**

**Section 16 Application**

[Open Meeting]

A/YL-NTM/371 Temporary Goods Compartment Assembling Workshop for Light Goods Vehicle and Medium Goods Vehicle for a Period of 3 Years in “Comprehensive Development Area” Zone, Lots 625 (Part), 626 (Part), 627 (Part), 628 (Part) and 629 (Part) in D.D. 105 and Adjoining Government Land, Ngau Tam Mei, Yuen Long  
(RNTPC Paper No. A/YL-NTM/371)

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121. The Committee noted that the applicant’s representative requested on 19.7.2018 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.

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

**Agenda Item 43**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/527            Temporary Vehicle Park for Goods Vehicles and Container Vehicles and Tyre Repair Area with Ancillary Canteen and Site Office for a Period of 3 Years in “Residential (Group D)” Zone, Lots 56 RP, 165 RP, 166 RP, 167 S.B RP in D.D. 105 and Adjoining Government Land, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/527)

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**Presentation and Question Sessions**

123.        Mr Billy Au Yeung, TP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a)    background to the application;
- (b)    temporary vehicle park for goods vehicles and container vehicles and tyre repair area with ancillary canteen and site office for a period of three years;
- (c)    departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were residential dwellings within 100m from the boundary of the site. Other concerned government departments had no objection to or no adverse comments on the application;
- (d)    during the first three weeks of the statutory publication period, one public comment was received from 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 the applied

use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of “Residential (Group D)” (“R(D)”) zone, approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone as there was no immediate development proposal for the site. The applied use was considered not incompatible with the surrounding land uses, comprising mainly parking of vehicle, storage yards and port-back-up facilities. It was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 2 areas; seven previous approvals for similar applied uses had been granted; technical concerns of relevant government departments could be addressed through implementation of approval conditions. Although DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years. Relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances. Previous and similar applications for various temporary open storage uses were approved with conditions by the Committee within the same “R(D)” zone. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

124. Members had no question on the application.

#### Deliberation Session

125. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.8.2021, 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 Ordinance are allowed to be parked/stored on the site during the planning approval period;
- (b) 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;

- (c) no operation between 6:00 p.m. and 11:00 a.m. on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) the paving and boundary fencing on the site shall be maintained at all times during the planning approval period;
- (e) the existing trees within the site should be maintained at all times during the approval period;
- (f) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.2.2019;
- (g) in relation to (f) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.5.2019;
- (h) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.2.2019;
- (i) in relation to (h) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.5.2019;
- (j) 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;
- (k) if any of the above planning conditions (f), (g), (h) or (i) is not complied

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

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

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

[The Chairman thanked Ms Ivy C.W. Wong, STP/FSYLE and Mr Billy Au Yeung, TP/FSYLE for their attendance to answer Members’ enquiries. Ms Wong and Mr Au Yeung left the meeting at this point.]

### **Tuen Mun and Yuen Long West District**

#### **Agenda Item 44**

##### **Section 16 Application**

[Open Meeting]

A/TM/527 Proposed Religious Institution including Columbarium Use in “Government, Institution or Community” Zone, Filial Park, 25 Yeung Tsing Road, Tuen Mun  
(RNTPC Paper No. A/TM/527)

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127. The Secretary reported that the application was for columbarium use. The following Members had declared interests on this item:

- |                                       |   |
|---------------------------------------|---|
| Mr H.W. Cheung<br>(The Vice-chairman) | - being a member of the Private Columbaria Licensing Board; and |
| Mr Ivan C.S. Fu                       | - being a member of the Private Columbaria Appeal Board.        |

128. The Committee noted that Mr H.W. Cheung and Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting and the applicant had requested deferment of consideration of the application.

129. The Committee noted that the applicant's representatives requested on 18.7.2018 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.

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

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

**Agenda Item 45**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/84                      Temporary Cargo Handling and Forwarding Facility with Ancillary Warehouses and Car Parking Facilities for a Period of 3 Years in “Government, Institution or Community” and “Village Type Development” Zones, Lots 1094 (Part), 1095 (Part), 1096 (Part) and 1097 (Part) in D.D. 124 and Adjoining Government Land, Hung Shui Kiu, Yuen Long  
  
(RNTPC Paper No. A/HSK/84)

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**Presentation and Question Sessions**

131.            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 cargo handling and forwarding facility with ancillary warehouses and car parking facilities for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were residential dwellings within 4m from the boundary of the site. It was anticipated that the operation of the temporary cargo handling and forwarding facility and the traffic of heavy vehicles so generated would cause environmental nuisance to the nearby sensitive users. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, 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 did not support the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intentions of the “Village Type Development” (“V”) and “Government, Institution or Community” (“G/IC”) zones and there was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis. The applied use was not compatible with surrounding environment, in particular the village cluster to the south of the site. The applied use was not in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 4 areas, no previous approval for similar cargo handling and forwarding facility use had been granted at the site and there was adverse departmental comment on the application. The applicant failed to demonstrate that the proposed use would not generate adverse environmental impact and the current application did not warrant sympathetic consideration. The approval of the application would set an undesirable precedent for similar applications within the subject “G/IC” and “V” zones. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

132. Members had no question on the application.

#### Deliberation Session

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

- “(a) the planning intention of the “Government, Institution or Community” (“G/IC”) zone on the Outline Zoning Plan is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. The planning intention of the “Village Type Development” (“V”) zone is to designate both existing recognised villages and areas of land considered

suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. The applied use is not in line with the planning intention of the zones. No strong planning justification has been given in the submission for a departure from such planning intention, even on a temporary basis;

- (b) the applied use is not compatible with the surrounding land uses which are predominantly residential in nature intermixed with cultivated agricultural land and vacant land;
- (c) the application does not comply with the Town Planning Board Guidelines No. 13E in that no previous approval has been granted for the Site, and there are adverse departmental comment and local objections against the application. The applicant fails to demonstrate that the applied development would not generate adverse environmental impact; and
- (d) approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the same “G/IC” and “V” zones. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.”

**Agenda Item 46**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/563            Renewal of Planning Approval for Temporary Container Storage with Ancillary Repair Workshops for Container Vehicles and Trailers for a Period of 3 Years in “Open Storage” Zone, Lots 664 (Part), 669 (Part), 670 (Part), 671 (Part), 672, 673, 714 (Part), 715 (Part), 716 (Part), 717 (Part), 723 S.A (Part), 724, 727 (Part), 728 (Part), 731 (Part), 734 (Part), 762 S.D (Part) and 768 in D.D. 123, Lots 558 (Part) and 562 (Part) in D.D. 126, and Adjoining Government Land, Wang Chau, Ping Shan, Yuen Long  
  
(RNTPC Paper No. A/YL-PS/563)

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**Presentation and Question Sessions**

134.            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) renewal of planning approval for temporary container storage with ancillary repair workshops for container vehicles and trailers for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the

assessments set out in paragraph 12 of the Paper. The development was broadly in line with the planning intention of the “Open Storage” (“OS”) zone. The applied use was also not incompatible with the surrounding uses which were predominantly vehicle parks, logistics centres and open storage yards. The application was in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas, relevant proposals had been submitted to demonstrate that the proposed use would not generate adverse impacts and technical concerns of relevant government departments could be addressed through the implementation of approval conditions. The application was also generally in line with Town Planning Board Guidelines No. 34B in that there was no material change in planning circumstances since the previous temporary approval was granted and all approval conditions under the previous approval had been complied with. Approval of the application was in line with the Committee’s previous decisions.

135. Members had no question on the application.

#### Deliberation Session

136. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 8.8.2018 until 7.8.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operations between 7:00 p.m. and 7:00 a.m. for the repair workshops and between 11:00 p.m. and 7:00 a.m. for all other operations from Mondays to Saturdays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) the stacking height of containers stored within the Site shall not exceed 8

units during the planning approval period;

- (d) no vehicle is allowed to park, queue back or reverse onto/from public road at any time during the planning approval period;
- (e) the maintenance of the landscape screen planting including trees and shrubs at all times during the planning approval period;
- (f) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (g) the submission of condition record of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.11.2018;
- (h) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.2.2019;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.5.2019;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e) and (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

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

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

### **Agenda Item 47**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A//HSK/85                      Temporary Logistics Centre and Ancillary Parking of Vehicle for a Period of 3 Years in “Residential (Group A) 2” and “Residential (Group A) 3” Zones and an area shown as ‘Road’, Lots 94 (Part), 98 (Part), 99 (Part), 100 (Part), 105(Part), 106 (Part), 107 (Part), 108 (Part), 110 (Part), 116 (Part) and 760 (Part) in D.D.125, Ha Tsuen, Yuen Long  
  
(RNTPC Paper No. A/HSK/85)

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#### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) temporary logistics centre and ancillary parking of vehicle for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity and environmental nuisance was expected. Other concerned government

departments had no objection to or no adverse comments on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The application was in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas, relevant proposals had been submitted to demonstrate that the proposed use would not generate adverse impacts and technical concerns of relevant government departments could be addressed through the implementation of approval conditions. Whilst the proposed use was not in line with the planning intentions of the “Residential (Group A) 2”, and “Residential (Group A) 3” zones and an area shown as ‘Road’, the implementation programme for this part of the Hung Shui Kiu New Development Area was still being formulated, approval of the application on a temporary basis would not jeopardize the long-term development of the site. The proposed use was also not incompatible with the surrounding uses. Relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances and the technical requirements of the relevant government departments. Previous applications for various open storage and logistics centre uses at the site and similar applications in the vicinity of the site had been approved. Approval of the application was in line with the Committee's previous decisions.

139. Members had no question on the application.

#### Deliberation Session

140. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.8.2021, 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 or public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no workshop activity, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (d) no vehicle is allowed queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the existing trees and landscape planting on the Site shall be maintained at all time during the planning approval period;
- (f) the existing fencing on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of existing drainage facilities within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 3.11.2018;
- (h) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 6 months to the satisfaction of the Director of Fire Services or of the TPB by 3.2.2019;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months to the satisfaction of the Director of Fire Services or of the TPB by 3.5.2019;

- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning conditions (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 planning permission, the reinstatement of the application Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

141. 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/HSK/86                      Temporary Logistics Centre for a Period of 3 Years in “Residential (Group A) 3” Zone and an area shown as ‘Road’, Lots 95 (Part), 97 (Part) and 768 (Part) in D.D. 125, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/86)

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#### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) temporary logistics centre 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 and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from 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 the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The application was in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas, relevant proposals had been submitted to demonstrate that the proposed use would not generate adverse impacts and technical concerns of relevant government departments could be addressed through the implementation of approval conditions. Whilst the proposed use was not in line with the planning intentions of the “Residential (Group A) 3” (“R(A)3”) zone and an area shown as ‘Road’, the implementation programme for this part of the Hung Shui Kiu New Development Area (HSK NDA) was still being formulated, approval of the application on a temporary basis would not jeopardize the long-term development of the site. The proposed use was also not incompatible with the surrounding uses. Although DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years. Relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances and the technical requirements of the relevant government departments. Previous applications for temporary logistics centre uses with/without ancillary parking of vehicle at the site and similar applications for logistics centre

uses in the same “R(A)3” zone had been approved. Approval of the application was in line with the Committee’s previous decisions. Regarding the public comment objecting the application on the ground of possible illegal activities, any illegal activities would be subject to law enforcement action.

143. Noting that the site was within the “R(A)3” zone, a Member asked whether the application would affect the implementation of HSK NDA.

144. Mr Vincent T.K. Lai, STP/TMYLW explained that the implementation programme for this part of HSK NDA was still being formulated. Approval of the application on a temporary basis would not jeopardize the long-term development of the site.

#### Deliberation Session

145. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.8.2021, 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 workshop activity is allowed on the Site, as proposed by the applicant, during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the existing fencing on Site shall be maintained at all times during the approval period;

- (f) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (g) 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 3.11.2018;
- (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 3.2.2019;
- (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 3.5.2019;
- (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 3.2.2019;
- (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 3.5.2019;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (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 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.”

146. 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/311 Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Green Belt” Zone, Lot 1564 RP (Part) in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/311A)

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#### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) temporary place of recreation, sports or culture (hobby farm) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Chief Town Planning/ Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application from landscape planning perspective in view of the undesirable precedent set for the approval of the application which would likely encourage other similar applications to form the site prior to obtaining planning approval. 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, five public comments were received from environmental concern group, Designing Hong Kong Limited, Kadoorie Farm & Botanic Garden Corporation, World Wide Fund for Nature Hong Kong and an individual objecting to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
  
- (e) 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 12 of the Paper. The proposed temporary place of recreation, sports and culture (hobby farm) which would not include any barbeque activity and fishing ground, was not in conflict with the planning intention of the “Green Belt” (“GB”) zone. The proposed development was not incompatible with the characters and land uses in the surrounding areas which were predominantly occupied by fallow agricultural land, pond, vacant land and residential structures. It was generally in line with the Town Planning Board Guidelines No. 10 in that the design and layout of the proposed development was compatible with the surrounding areas, not overstraining the capacity of existing and planned infrastructure, and not adversely affecting existing trees or natural landscape character. According to the Town Planning Board Guidelines No. 12C, the site fell within the Wetland Buffer Area. The Director of Agriculture, Fisheries and Conservation had no adverse comment on the application from nature conservation point of view. Concerned departments, except CTP/UD&L, PlanD, had no objection to or no adverse comment on the application. Relevant approval conditions were recommended to minimize possible environmental nuisances and landscape impact, and to address the technical requirements of concerned departments. Regarding the adverse public comment, comments of concerned departments and the planning assessments above were relevant.

148. The Chairman and Members raised the following questions:

- (a) whether the current use of the site was different from the proposed use;
- (b) any information on the layout of the proposed use;
- (c) the ratio of the hard paved area of the site; and
- (d) whether the current use of the site had obtained planning permission.

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

- (a) the site was currently used for recreational purpose (including barbecue spot and game stalls) and operated in connection with fishing and shrimp fishing activities in the adjoining pond which was different from the proposed temporary place of recreation, sports or culture (hobby farm) under the subject application;
- (b) the layout of the proposed use was shown on Drawings A-2 to A-5 of the Paper;
- (c) according to the applicant, about 43% of the site would be hard-paved; and
- (d) the current recreational use of the site had no planning permission while a previous planning application (No. A/YL-LFS/302) for temporary place of recreation, sports and culture (hobby farm and fishing ground), covering a larger site area including the adjacent pond, was rejected by the Committee on 8.12.2017.

#### Deliberation Session

150. The Chairman said that the application was for temporary place of recreation, sports or culture (hobby farm). The previous application (No. A/YL-LFS/302) with a larger site area including the pond to the immediate east of the site was rejected by the Committee on the grounds that the proposed development was not in line with the planning intention of

the “GB” zone, nor the Town Planning Board Guidelines No. 10 in that the proposed development would affect the existing natural landscape in the area and the applicant had not demonstrated that the proposed development would not have any adverse drainage and traffic impacts. Both current application and previous application (No. A/YL-LFS/302) were submitted by the same applicant. Members noted that the scale of the proposed development had been largely reduced in terms of site area, and the impact on its surroundings should also be reduced.

151. Noting that the existing uses included barbecue spot and fishing and shrimp fishing activities on the application site and its adjacent pond, a Member queried whether the applicant might continue the existing use which was not the same as the proposed uses under the current application. Another Member considered that it might not be appropriate to assume the existing use of the site would continue after the application was approved.

152. In response to Members’ concern, the Chairman said that if the use of the site was different from the approved use in the planning permission, it would not be considered as an use obtained planning permission and could be subject to enforcement action. The Secretary suggested that the Committee might consider adding an advisory clause to state that the planning permission was given only to the use under the application and it did not condone the current recreational use including barbecue spot and fishing and shrimp fishing activities on the site and its adjacent area which were not covered by the application. The Committee agreed.

153. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.8.2021, 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) removal of the existing hard-paving on the Site, except the portion as proposed by the applicant, before the operation of the proposed use;
- (c) the provision of ingress/egress, as proposed by the applicant, to the

satisfaction of the Director of Planning or of the TPB;

- (d) the provision of portable toilet, as proposed by the applicant, before the operation of the proposed use;
- (e) no use of public announcement system is allowed on the Site during the planning approval period;
- (f) 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 3.2.2019;
- (g) in relation to (f) 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 3.5.2019;
- (h) the implemented drainage facilities on the Site should be maintained at all times during the approval period;
- (i) the submission of a landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 3.2.2019;
- (j) in relation to (i) above, the implementation of the tree preservation and landscape proposals within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 3.5.2019;
- (k) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.2.2019;
- (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 Director of Fire Services or of the TPB by 3.5.2019;

- (m) the provision of fencing with erection of the “no-entry” sign by the pond within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 3.2.2019;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e) and (h) are 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 (f), (g), (i), (j), (k), (l) and (m) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (p) upon 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 VI of the Paper in addition to the following:

“(k) the permission is given to the development under application. It does not condone any other development currently exists on the Site which are not covered by the application. The applicant should be requested to take immediate action to discontinue such development not covered by the permission.”

**Agenda Item 50**

**Section 16 Application**

[Open Meeting]

A/YL-TT/432                      Proposed Temporary Retail and Wholesale Shop of Metal for a Period of 3 Years in “Agriculture” Zone, Lots 1739 RP (Part) and 1740 in D.D. 118 and Adjoining Government Land, Tong Tau Po, Yuen Long  
(RNTPC Paper No. A/YL-TT/432)

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155.            The Committee noted that the applicant’s representative requested on 24.7.2018 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 51**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/433            Temporary Private Car Vehicle Park and Temporary Private Residential Estate Guard House for a Period of 3 Years in “Village Type Development” Zone, In Keen Garden Phase II, Kiu Hing Road, Yuen Long (Lots 3049 and 3050 in D.D.120)  
(RNTPC Paper No. A/YL-TT/433)

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**Presentation and Question Sessions**

157.            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) temporary private car vehicle park and temporary private residential estate guard house 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. One commenter objected 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 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 applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, there was no Small House application approved

or under processing at the site. Temporary approval of the application would not frustrate the long-term planning intention of the “V” zone. The applied use was not incompatible with the surrounding land uses comprising predominantly village houses. Concerned government departments had no objection to or adverse comment on the application. Relevant approval conditions were recommended to minimise possible environmental nuisance. Regarding the adverse public comment received, the comments of government departments and planning assessments above were relevant.

158. A Member raised the following questions:

- (a) whether the covered car parking spaces within the site as shown in the site photo were illegal; and
- (b) whether the planning permission would allow the continuation of the covered car parking space.

159. Ms Bonnie K.C. Lee, STP/TMYLW, made the following responses:

- (a) the parking of vehicles within the site was subject to planning enforcement action against unauthorized development. Enforcement Notice had been issued to the concerned parties requiring discontinuance of the unauthorized development; and
- (b) according to the applicant, among the 52 car parking spaces, only five were covered. If planning permission was granted to the site, it would include the five covered car parking spaces.

### Deliberation Session

160. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.8.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) only private cars, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (b) no vehicle without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on the Site at any time during the planning approval period;
- (c) a notice shall be posted at a prominent location of the Site, as proposed by the applicant, to indicate that the Site is restricted for use by the residents and the visitors of In Keen Garden Phase II only at all times during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a run-in/run-out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 3.2.2019;
- (f) in relation to (e) above, the implementation of the run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 3.5.2019;
- (g) 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 3.2.2019;
- (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 3.5.2019;
- (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 3.2.2019;
- (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 3.5.2019;
- (l) if any of the above planning conditions (a), (b), (c), (d) 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;
- (m) if any of the above planning conditions (e), (f), (g), (h), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; 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.”

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

## **Agenda Item 52**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/434            Temporary Public Vehicle Park for Private Car and Light Goods Vehicles for a Period of 3 Years in “Village Type Development” Zone, Lot 1213 (Part) in D.D. 117, Tai Tong Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TT/434)

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### **Presentation and Question Sessions**

162.            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) temporary public vehicle park for private car and light goods vehicles for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, seven 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 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 applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, there was no Small House application approved or under processing at the site. Temporary approval of the application

would not frustrate the long-term planning intention of the “V” zone. The applied use was not incompatible with the surrounding land uses comprising predominantly village houses, parking of vehicles and cultivated agricultural land. Concerned government departments had no objection to or adverse comment on the application. Relevant approval conditions were recommended to minimise possible environmental nuisance. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

163. Members had no question on the application.

#### Deliberation Session

164. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.8.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) only private cars and light goods vehicles, 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;
- (b) no vehicle without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on the Site at any time during the planning approval period;
- (c) a notice shall be posted at a prominent location of the Site at all times to indicate that only private cars and light goods vehicles, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the Site during the planning approval period;
- (d) no vehicle repairing, dismantling or other workshop activity, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;

- (e) no open storage activity, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the 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 3.2.2019;
- (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 3.2.2019;
- (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 3.5.2019;
- (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 3.2.2019;
- (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 3.5.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

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

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

### **Agenda Item 53**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/904 Temporary Open Storage and Warehouse for Storage of Furniture, Exhibition Materials, Construction Materials/Machinery and Household Detergent for a Period of 3 Years in “Undetermined” Zone, Lots 1198 S.C (Part), 1198 S.D (Part), 1198 S.E (Part), 1198 S.G (Part), 1201 (Part), 1202 RP (Part), 1210 S.F RP (Part), 1225 (Part), 1226 (Part), 1238 (Part), 1239 (Part) and 1252 (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/904)

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#### **Presentation and Question Sessions**

166. 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) temporary open storage and warehouse for storage of furniture, exhibition

materials, construction materials/machinery and household detergent for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential uses in the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an organisation, raising concern on the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in conflict with the planning intention of “Undetermined” zone which was generally intended for open storage use. Whilst the site fell within areas zoned as “Other Specified Uses” annotated “Mixed Use” (“OU(MU)”) and “Local Open Space” (“LO”) as well as an area shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South, approval of the application on a temporary basis would not jeopardize the long-term development of the area. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas, relevant proposals had been submitted to demonstrate that the proposed use would not generate adverse impacts and technical concerns of relevant government departments could be addressed through the implementation of approval conditions. Concerned government departments except DEP, had no adverse comment on the application. Whilst DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

167. Members had no question on the application.

Deliberation Session

168. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.8.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no plastic waste, electronic waste and used electrical appliances, as proposed by the applicant, are allowed to be stored on the Site at any time during the planning approval period;
- (d) no repairing, dismantling and workshop activities, as proposed by the applicant, are allowed on the Site at any time during the planning approval period;
- (e) no container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing trees and landscape planting on the Site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the Site shall be maintained at all times

during the planning approval period;

- (i) the submission of a 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 3.11.2018;
- (j) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.9.2018;
- (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 3.2.2019;
- (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 3.5.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon 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.”

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

**Agenda Item 54**

**Section 16 Application**

[Open Meeting]

A/YL-TYST/905      Proposed Temporary Shop and Wholesale of Construction Material for a Period of 3 Years in “Residential (Group C)” and “Undetermined” Zones, Lots 1275 S.A, 1279 S.B ss.1 S.D, 1279 S.B ss.1 S.E (Part), 1279 S.B ss.1 RP (Part), 1279 S.B ss.2 and 1279 S.B RP (Part) in D.D. 119, Pak Sha Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/905)

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170.            The Committee noted that the applicant’s representative requested on 25.7.2018 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.

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

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

**Agenda Item 55**

Any Other Business

Section 16A Application

[Open Meeting]

A/YL-KTS/746-2      Application for Extension of Time (EOT) for Compliance with Planning Conditions, Lots 1689 S.C, 1689 S.D, 1689 S.E, 1689 S.F, 1689 S.G, 1689 S.H and 1689 RP in D.D. 109 and Adjoining Government Land, Kam Tin Road, Kam Tin, Yuen Long

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172.            The Secretary reported that the application was approved with conditions by the Committee on 27.10.2017. The deadline for compliance with approval conditions (h), (k) and (m) was 27.7.2018.

173.            The Committee noted that an application for extension of time for compliance with approval conditions (h), (k) and (m) up till 27.10.2018 was received by the Town Planning Board on 23.7.2018, which was only two working days before the expiry of the specified time limit for compliance of the approval conditions (h), (k) and (m). It was recommended not to consider the application as the deadline for compliance with conditions (h), (k) and (m) had already expired on 28.7.2018, and the planning approval for the subject application had ceased to have effect and had on the same date been revoked.

174.            Members agreed that the Committee could not consider the section 16A application as the planning permission was no longer valid at the time of consideration.

175.            There being no other business, the meeting closed at 5:18 p.m..