

## **TOWN PLANNING BOARD**

### **Minutes of 609<sup>th</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 17.8.2018**

#### **Present**

Director of Planning  
Mr Raymond K.W. Lee

Chairman

Mr Ivan C.S. Fu

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Dr C.H. Hau

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Mr L.T. Kwok

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 (Strategic Assessment),  
Environmental Protection Department  
Mr Raymond W.M. Wong

Assistant Director/Regional 3,  
Lands Department  
Mr Albert K.L. Cheung

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

Secretary

**Absent with Apologies**

Mr H.W. Cheung

Vice-chairman

Dr Lawrence K.C. Li

Mr K.W. Leung

Mr Ricky W.Y. Yu

**In Attendance**

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

Chief Town Planner/Town Planning Board  
Ms April K.Y. Kun

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

**Agenda Item 1**

Confirmation of the Draft Minutes of the 608<sup>th</sup> RNTPC Meeting held on 3.8.2018

[Open Meeting]

1. The draft minutes of the 608<sup>th</sup> RNTPC meeting held on 3.8.2018 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

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

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

**Agenda Item 3**

Section 12A Application

[Open Meeting]

Y/NE-LYT/12            Application for Amendment to the Approved Lung Yeuk Tau & Kwan Tei South Outline Zoning Plan No. S/NE-LYT/17 and Approved Hok Tau Outline Zoning Plan No. S/NE-HT/5, To Rezone the Application Site from “Agriculture” and “Green Belt” to “Other Specified Uses” annotated “Cemetery”, Sung Him Tong Sung Chan Wui Kei Tuk Kau Fan Cheung, Lot 2213 in D.D. 83, Kwan Tei, Fanling  
(RNTPC Paper No. Y/NE-LYT/12A)

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3.            The Committee noted that the applicant’s representative on 19.7.2018 requested deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address the comments of the Transport Department. 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 to address the comments of government departments.

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

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

**Agenda Item 4**

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/NE-LYT/13            Application for Amendment to the Approved Lung Yeuk Tau & Kwan Tei South Outline Zoning Plan No. S/NE-LYT/17, To Rezone the Application Site from “Recreation” to “Other Specified Uses” annotated “Residential Development cum Recreation and Fanling Bypass”, Various Lots in D.D. 51 and Adjoining Government Land, Fanling  
  
(RNTPC Paper No. Y/NE-LYT/13)

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Presentation and Question Sessions

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

Ms Jessica H.F. Chu            - District Planning Officer/Shan Tin, Tai Po and North (DPO/STN), PlanD

Mr Tim T.Y. Fung            - Senior Town Planner/Shan Tin, Tai Po and North (STP/STN), PlanD

Mr Gary Lui  
Sr Serena Lau  
Mr Dennis Wong

} Applicant’s Representatives

6.            The Chairman extended a welcome and explained the procedures of the meeting. He then invited PlanD’s representative to brief Members on the background of the application. With the aid of a PowerPoint presentation, Mr Tim T.Y. Fung, STP/STN, presented the application and covered the following aspects as detailed in the paper:

- (a) the background of the application;
- (b) the proposed rezoning of a site from “Recreation” (“REC”) to “Other Specified Uses” annotated “Residential Development cum Recreation and Fanling Bypass” (“OU(Residential Development cum Recreation and Fanling Bypass”) with a proposed maximum plot ratio (PR) of 6.2 and maximum building height (BH) of 140mPD for proposed development with six residential towers (including one for “Starter Homes”), shop and services, and community facilities;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The District Lands Officer/North, Lands Department (DLO/N, LandsD) considered the rezoning proposal not acceptable as part of the site fell within the village ‘environs’ of Tong Hang, and about 31.3% of government land and a large portion of the private lots involved in the site were going to be resumed for the construction of the Fanling Bypass (FLBP). The Project Manager (North), North Development Office of Civil Engineering and Development Department (PM(N), NDO, CEDD) objected to the application as the site encroached upon the alignment of the proposed FLBP and no analysis was provided to demonstrate that the proposed rezoning would not adversely affect the implementation of the FLBP. The Commissioner for Transport (C for T) and the Director of Environmental Protection (DEP) did not support the application as there were no technical assessments submitted to demonstrate the proposed rezoning would have no adverse traffic, environmental and sewerage impacts. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD had reservation on the application in that the proposed development was not compatible with the local rural context; no information was provided to demonstrate the visual and air ventilation impact; and no assessment of the potential impact on the existing trees was submitted. The Director of Agriculture, Fisheries and Conservation (DAFC) had reservation on the application as the proposed development would be in direct conflict with existing large and mature trees. The District Officer (North), Home Affairs Department conveyed

the local views which were set out in paragraph 9.1.16 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, 44 public comments from the Chairmen of Sheung Shui District Rural Committee and FDRC, NDC member, Tong Hang Villagers, MTR Corporation, local residents and individuals were received. Amongst them, five supported, 34 objected to and two had no comment on the application. The remaining three comments expressed concerns on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. Although residential use was considered not entirely incompatible with the adjoining village type development, the surrounding area was mainly rural in character. Without technical assessments to support the application, C for T, DEP, CTP/UD&L, PlanD and DAFC did not support/had reservation on the application as the applicant failed to demonstrate that the scale and intensity of the proposed development was technically feasible and would not result in adverse traffic, environmental, visual, air ventilation, landscape and nature conservation impacts on the surrounding areas. Moreover, the site encroached upon the alignment of the proposed FLBP and its project limit/land resumption area. In this regard, DLO/N, LandsD considered the rezoning proposal unacceptable and PM(N), NDO of CEDD did not support the application as the applicant had failed to demonstrate that the proposed development would not interfere with the implementation of the FLBP project. Approval of the application would pose serious constraints to and jeopardise the implementation of the FLBP and set an undesirable precedent for similar rezoning applications within the “REC” zone. Regarding the public comments, the comments of government department and the planning assessments above were relevant.

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

7. The Chairman then invited the applicant's representatives to elaborate on the application.

8. With the aid of a PowerPoint presentation, Sr Serena Yau and Mr Gary Lui, the applicant's representatives, made the following main points:

- (a) the site had been used as open storage, workshop and car park uses before the first statutory plan of the Lung Yeuk Tau and Kwan Tei South area was gazetted. It was unlikely that the planning intention of the "REC" zone would materialise given the brownfield operations at the site. The proposed rezoning would facilitate removal of the brownfield operations and help address the shortage in housing land supply;
- (b) the site would be bisected by the proposed alignment of the FLBP. By enclosing the portion of the FLBP falling within the site, similar to the arrangement for Discovery Park in Tsuen Wan, it could address project interface issues and make efficient use of land. To address the concerns on the impact of the proposal that might affect the tight implementation timeframe of the FLBP, the applicant was willing to accept a condition to settle all land matters with the other land owners within a set timeframe. If the land matters were not settled within the said timeframe, the government could carry on with the land resumption procedures;
- (c) the application site did not involve "Green Belt" or "Agriculture" zones. Although the site fell within the village 'environs' of Tong Hang, it did not involve any area zoned "Village Type Development". Besides, the brownfield operations currently at the site were not compatible with the surrounding developments. The proposed development could provide residential flats in addition to recreational facilities which would meet the planning intention of the "REC" zone; and
- (d) as regards the development intensity and the lack of technical assessments, since 'Flat' use was a Column 2 use in the proposed "OU(Residential

Development cum Recreation and Fanling Bypass)” zone, section 16 application would be required and the applicant would carry out relevant technical assessments to support the proposed development.

9. As the presentations of PlanD’s representative and the applicant’s representative were completed, the Chairman invited questions from Members.

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

#### *The Previous Application*

10. A Member enquired whether the applicant of the current application was the same applicant of the previous application (No. Z/NE-LYT/2). In response, Ms Jessica H.F. Chu, DPO/STN, said that the previous application for rezoning from “REC” to “Residential (Group B)1” only covered part of the application site and was submitted by a different applicant.

11. In response to the same Member’s enquiry on the PR of the previous application and the current application, Sr Serena Lau, the applicant’s representative, said the previous application (No. Z/NE-LYT/2) was rejected by the Committee in 2000. The planning circumstances of the previous application was different from that of the current application, in particular, there was newly planned transport infrastructure, namely FLBP. As regards the proposed PR of 6.2, no detailed technical assessments had been conducted to support the proposed PR at the current stage as the applicant did not have the resources to do so. However, should the Committee consider the proposal acceptable, detailed technical assessments would be conducted at the subsequent section 16 stage.

#### *Land Ownership and Resumption of Land for FLBP*

12. A Member enquired the location of the private lots owned by the applicant, and the extent of the private lots to be resumed by the Government for construction of the FLBP. In response, Sr Serena Yau said the applicant owned approximately 4,300m<sup>2</sup> (about 17%) of the total area of the application site, which was located at the southern part of the application site.

13. With the aid of a PowerPoint presentation, Ms Jessica H.F. Chu, DPO/STN, showed the extent of the project limit/land resumption area of the proposed FLBP. It was estimated that approximately half of the area owned by the applicant would be resumed. The percentage of government land within the application site would increase from about 31% (about 8,300m<sup>2</sup>) to about 54% (about 14,200m<sup>2</sup>) after resumption.

*The Proposed FLBP*

14. The Chairman enquired whether the applicant had submitted comments when the proposed FLBP was gazetted under the Roads (Works, Use and Compensation) Ordinance (the Roads Ordinance) (Cap. 370) and whether their submissions had been considered. In response, Mr Gary Lui said that they had lodged objections, but no reply had been received. Ms Jessica H.F. Chu, DPO/STN, supplemented that the proposed FLBP was first gazetted in December 2015 with subsequent amendment gazetted in November 2016. The proposed road works and resumption of private land was pending agreement by the Chief Executive in Council (CE in C).

15. Sr Serena Lau, the applicant's representative, supplemented that the proposed rezoning was not intended to halt the resumption of land for the proposed FLBP. The proposed "OU(Residential Development cum Recreation and Fanling Bypass)" zone under the current application intended to allow the land resumed for the FLBP (shown as sub-area (b) in Appendix I of Appendix Ib attached to the Paper) be accountable for gross floor area calculation. This would enable additional residential units to be built on the remaining portions of the application site, thus benefiting the public.

16. In response to a Member's enquiry, Ms Jessica H.F. Chu, DPO/STN, said that the FLBP was a gazetted highway linking the Fanling North New Development Area (NDA) and Fanling Highway. Should the application be approved, it might affect the road design and lead to another round of amendment and gazettal. It would result in delay in the completion of the FLBP which was planned to facilitate the first population intake of the Fanling North NDA in 2023/24. Sr Serena Lau, the applicant's representative, supplemented that the proposed development would unlikely affect the alignment of the FLBP and the amendment to the road design would not be significant.

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

### Deliberation Session

#### *Land Ownership and Development Intensity*

18. Noting that the applicant only owned a small portion of the application site, a Member had doubt on the prospect of implementation and hence reservation on the application albeit there was a shortage in housing land supply.

19. A Member did not support the application as it would very likely affect the implementation programme of the proposed FLBP. In addition, this Member also considered that the proposed development with a PR of 6.2 was excessive and not compatible with the surrounding area.

#### *Resumption of Private Lots*

20. In response to some Members' enquiry on land resumption and compensation to land owners, Mr Albert K.L. Cheung, Assistant Director (Regional 3), LandsD, said that the compensation would be calculated based on the market value of the land. The prospect of residential development of the land now being proposed would not be a factor in calculating the compensation. In addition, the application site did not fall within any NDAs, the special arrangement for lease modification, including land exchange, did not apply to the application site.

#### *The FLBP*

21. Some Members enquired the following:

- (a) whether resumption of land for FLBP would need to be submitted to the Town Planning Board for consideration; and
- (b) whether the design of FLBP could cater for multiple uses to make efficient use of land.

22. In response, the Chairman said that the design of FLBP was already at a very advance stage. The road scheme had been gazetted under the Roads Ordinance (Cap. 370) and was currently pending approval by the CE in C. Road schemes that were authorised by the CE in C under the Roads Ordinance (Cap. 370) were deemed to be approved under the Town Planning Ordinance (Cap. 131). The Chairman also said that the applicant had made reference to Discovery Park in Tsuen Wan as a precedent, where a portion of Route 9 ran through the podium of the development. It should be noted that Discovery Park was developed before construction of that section of Route 9. The approved master layout plan of the Discovery Park development had made provision to cater for construction of Route 9 at a later date.

*Insufficient Information Submitted*

23. A Member said that although the applicant's proposal was very preliminary in nature, whether consideration could be given to rezone the site for alternative uses in view that the site had already been used for brownfield operation and there was an acute shortage of housing land supply.

24. A Member said that in considering rezoning applications, the Committee should take into account the feasibility and benefits of the proposal. For the subject application, no technical assessments had been conducted to demonstrate that the proposed development would have no insurmountable technical problem. There was doubt on the prospect of implementation as the applicant only owned a small portion of the application site. There was inadequate information to demonstrate how the proposal would bring about any public benefits. This Member considered that the rejection reason in paragraph 12.1(c) of the Paper should be suitably revised to not only cover the "REC" zone, but also for other similar applications without the support of technical assessments. Other Members agreed.

25. A Member considered that the application site was located in proximity to the Fanling Railway Station and the land ownership for this piece of brownfield site was less fragmented when compared with that of other brownfield sites. The FLBP, which bisected the application site, would hinder the future development of the site. Whilst there was insufficient information provided by the applicant to demonstrate the feasibility of the proposed development, there might be scope to explore alternative uses at the site upon completion of the FLBP.

26. The Chairman summarised that Members generally did not support the application. Regarding the rejection reasons, Members considered the reasons in paragraphs 12.1(a) and (b) of the Paper were appropriate, and considered that rejection reason in paragraph 12.1(c) should be suitably revised to take account of Members' views. The Committee agreed.

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

- “(a) the proposed development would affect the implementation of the proposed Fanling Bypass;
- (b) the applicant fails to demonstrate in the submission that the proposed development would not result in adverse traffic, visual, air ventilation, landscape, geotechnical and environmental impacts on the surrounding areas; and
- (c) the approval of the application, without any supporting technical assessments to demonstrate the technical feasibility and environmental acceptability, will set an undesirable precedent for other similar applications.”

[The meeting was adjourned for a short break of 5 minutes.]

**Agenda Item 5**

**Section 12A Application**

[Open Meeting]

Y/TP/27                      Application for Amendment to the Draft Tai Po Outline Zoning Plan No. S/TP/27, To Rezone the Application Site from “Village Type Development” to “Government, Institution or Community (3)”, Lots 738 S.C and 738 S.C ss.1 in D.D. 6, 74-75 Kam Shan Road, Tai Po  
(RNTPC Paper No. Y/TP/27)

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28.                      The Secretary reported that the application site was located in Tai Po and MVA Hong Kong Limited (MVA) was one of the consultants of the applicant. The following Members had declared interests on the item:

Mr H. W. Cheung                      - owning a flat in Tai Po; and

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

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

30.                      The Committee noted that the applicant’s representative requested on 27.7.2018 deferment of the application for a period of two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant had requested deferment of the application.

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



K.K. Cheung had no involvement in the application, they could stay in the meeting.

Presentation and Question Sessions

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

Ms Maggie M.Y. Chin - District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FSYLE), PlanD

Mr S.H. Lam - Senior Town Planner/ Fanling, Sheung Shui and Yuen Long East (STP/FSYLE), PlanD

Mr Kwok Kam Chiu	}	Applicants' Representatives
Ms Ha Wan Man		
Miss Cannis Lee		
Miss Venus Leung		
Mr Wilson Kwong		
Mr Nelson Tang		
Mr Kenneth Ng		
Mr Vincent Lai		
Mr Lawrence Lam		

35. The Chairman extended a welcome and explained the procedures of the meeting. He then invited PlanD's representative to brief Members on the background of the application. With the aid of a PowerPoint presentation, Ms S.H. Lam, STP/FSYLE, presented the application and covered the following aspects as detailed in the paper:

- (a) the background of the application;
- (b) the proposed rezoning of a site from "Green Belt" ("GB") to "Commercial"

(“C”) with a maximum gross floor area of 3,071m<sup>2</sup>, maximum site coverage of 33% and maximum building height of 3 storeys for proposed commercial development with ‘shop and services’ and ‘eating place’ uses;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Commissioner for Transport (C for T) did not support the application from traffic engineering point of view as heavy goods vehicle entering the site would occupy the traffic lane from opposite direction. The Director of Agriculture, Fisheries and Conservation (DAFC) objected to the application from nature conservation and agriculture points of view as the proposed development might pose indirect impact and increase human disturbance to the adjacent woodland, and the site possessed potential for agricultural rehabilitation. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD objected to the application as the proposed development would cause gradual degradation of landscape resource and character in the area and approval of the application would set an undesirable precedent. The District Officer (North), Home Affairs Department conveyed the local views, which were set out in paragraph 9.1.13 of the Paper. Other concerned government departments had no objection or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, 30 public comments from a Legislative Council Member cum North District Council member, a former IIR of Lin Tong Mei, Green Sense, Designing Hong Kong, Kadoorie Farm & Botanic Garden Corporation and individuals were received. Amongst them, one supported, 21 objected to and one provided views on the application, while the remaining seven had no comment on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “GB” zone where there was a general presumption against development. The

proposed development was not compatible with the rural character of the area and a proposed commercial development of such scale was not justified at this location. CTP/UD&L, PlanD, DAFC and C for T did not support the application. Approval of the application would set an undesirable precedent and the cumulative effect of approving such similar application would cause gradual degradation of landscape resources and character in the area, and result in adverse traffic and landscape impacts on the surrounding area. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

36. The Chairman then invited the applicants' representatives to elaborate on the application. With the aid of a PowerPoint presentation, Miss Cannis Lee, Mr Kwok Kam Chiu, Mr Kenneth Ng and Mr Nelson Tang, the applicants' representatives, made the following main points:

- (a) the applicants purchased the private lots in 2014 and the site conditions of the private lots were the same as present;
- (b) the application site was within walking distance to two private residential developments (namely The Green and Miami Crescent) and two villages (namely Lin Tong Mei and Chan Uk Po Villages). There were currently no 'shop and services' and 'eating place' uses in the club houses of The Green and Miami Crescent. The residents would need to go to Sheung Shui or Yuen Long, which were 2.5km and 12km away respectively, to buy daily necessities. The proposed development was aimed at serving the residents in the area, which could also provide job opportunities and help reduce the traffic to Sheung Shui and Yuen Long;
- (c) the proposed development was considered suitable in that CTP/UD&L, PlanD considered that the proposed use was not entirely incompatible with the surrounding environment and the Chairmen of The Green OC and Miami Crescent Owners' Committee and 21 individuals supported the application as there were no similar uses in the area and along Fan Kam

Road;

- (d) the application site was located along Fan Kam Road and there were already areas zoned “GB” and “Agriculture” that helped to serve as a buffer between the village settlements and residential developments. Moreover, the application site only had an area of about 4,700m<sup>2</sup>, which accounted for only 0.35% of the total area zoned “GB” on the Kwu Tung South Outline Zoning Plan. The present rezoning proposal would not adversely affect the function of the “GB” zone;
- (e) with regards to the landscape impact of the proposed development, the previous land owner had carried out some site formation works at the south-eastern part of the application site. It was the applicants’ original intention to provide landscaping at that part of the site so that the woodland character of the knoll at the east could be extended to the application site. However, in view of C for T’s comments, the area was converted to car parking spaces, resulting in a gradient too steep for tree-planting. If the additional car parking spaces were not required, trees could be planted and the concerns of CTP/UD&L, PlanD could be addressed; and
- (f) as for C for T’s concern that the heavy goods vehicle entering the site would occupy the traffic lane from opposite direction, although the applicant was willing to carry out road improvement works to widen the access road to 5.5m, there was a mature tree at the road junction. It was noted that the Civil Engineering and Development Department had planned to carry out road widening works on Fan Kam Road. After completion of the road widening works, the heavy goods vehicle entering the access road would not occupy the traffic lane from the opposite direction.

37. As the presentation of PlanD’s representative and the applicants’ representative were completed, the Chairman invited questions from Members.

38. With reference to the aerial photo taken in 2012 in Plan Z-3b of the Paper, a Member noted that the site was originally densely vegetated and enquired whether the

applicants were aware that the site was zoned “GB” and was under active enforcement action when they purchased the private lots. In response, Mr Kwok Kam Chiu, the applicants’ representative, said that they were not aware that the site was zoned “GB” and under active enforcement action until they submitted a planning application (No. A/NE-KTS/404) for a proposed petrol filling station at the site, which was rejected by the Committee on 8.4.2016.

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

#### Deliberation Session

40. A Member did not support the application and agreed with the assessments made by PlanD.

41. In response to a Member’s enquiry, the Chairman said that the main consideration of a section 12A application would be whether there were strong justifications to support the rezoning, and whether there were technical assessments to demonstrate that the proposal had no insurmountable technical problems. A Member did not support the application and considered that the applicants’ justification that the proposed development would bring convenience to the nearby residents was not sound as the existing residents should be aware of the rural setting when they chose to reside in the area.

42. A Member was doubtful that the applicant was not aware that the site was zoned “GB” and under active enforcement action given the extensive vegetation removal at the site at the time of purchasing the land, and opined that approval of the application would set an undesirable precedent.

43. After deliberation, the Committee decided not to agree to the application. The reasons were:

- “(a) the Site forms part of the “Green Belt” (“GB”) zone serving as a buffer between the village settlements/residential developments to the south and west and the woodland to the east. The applicant fails to provide strong justification to justify the proposed rezoning;
- (b) the applicant fails to demonstrate that the proposed rezoning for proposed commercial development would not cause adverse traffic and landscape impacts on the surrounding areas; and
- (c) approval of the rezoning application would set an undesirable precedent for similar rezoning applications within the “GB” zone. The cumulative effect of approving such similar applications would result in gradual degradation of landscape resources and character in the area and adverse traffic and landscape impacts on the surrounding areas.”

**Agenda Item 7**

**Section 12A Application**

[Open Meeting]

Y/FSS/14

Application for Amendment to the Approved Fanling/Sheung Shui Outline Zoning Plan No. S/FSS/22, To Rezone the Application Site from “Comprehensive Development Area” to “Comprehensive Development Area (1)”, Sheung Shui Lot 2 RP and Adjoining Government Land

(RNTPC Paper No. Y/FSS/14A)

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44. The Secretary reported that Ove Arup & Partners Hong Kong Limited (Arup), ADI Limited (ADI), Ramboll Hong Kong Limited (Ramboll) and Dennis Lau & Ng Chun Man Architects & Engineers Limited (DLN) were four of the consultants of the applicant. The following Members had declared interest on the item:

- Mr Ivan C.S. Fu - having current business dealings with Arup, ADI and Ramboll;
- Mr K.K. Cheung - his firm having current business dealings with Arup; and
- Mr Stephen L.H. Liu - having past business dealings with DLN.

45. The Committee noted that the applicant had requested deferment of consideration of the application and agreed that as Messrs Ivan C.S. Fu and K.K. Cheung had no involvement in the application, they could stay in the meeting. Since the interest of Mr Stephen L.H. Liu was indirect, the Committee also agreed that he could stay in the meeting.

46. The Committee noted that the applicant's representative requested on 8.8.2018 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address the comments of the Transport Department (TD). It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address the comments of government departments.

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

**Sai Kung and Islands District**

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

**Agenda Item 8**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/297      Proposed Public Utility Installation (Underground Cables) and  
Excavation and Filling of Land in “Conservation Area” Zone,  
Government Land in D.D. 247, Ngau Pui Wo, Sai Kung  
(RNTPC Paper No. A/SK-HC/297)

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

Dr Jeanne C.Y. Ng                    -    being the Director – CLP Research Institute of CLP;

Mr K.K. Cheung                        -    his firm having current business dealings with CLP and  
Kum Shing; and

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

49.            The Committee agreed that as the interest of Dr Jeanne C.Y. Ng was direct, she should be invited to leave the meeting temporarily for this item.    As the interests of Messrs K.K. Cheung and Stephen L.H. Liu were indirect, the Committee agreed that they could stay in the meeting.

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed public utility installation (underground cables) and excavation and filling of land;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual providing views on the application. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. Although there was a general presumption against development within the “Conservation Area” zone, the proposed public underground cables and associated works were essential facilities for supplying electricity for the residents of Ngau Pui Wo. In view of the small scale of the proposed development, no adverse impacts on the surrounding areas were anticipated and concerned government departments had no objection to or no adverse comments on the application. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

51. Members had no question on the application.

## Deliberation Session

52. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 17.8.2022, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed.

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

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

## **Agenda Item 9**

### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/298            Temporary Private Garden for a Period of 3 Years in “Village Type Development” Zone and an area shown as ‘Road’, Government Land in D.D. 244, Ho Chung New Village, Sai Kung  
(RNTPC Paper No. A/SK-HC/298)

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### Presentation and Question Sessions

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

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

objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received providing views on the application. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 10 of the Paper. Although the site fell within an area partly zoned “Village Type Development” (“V”) and partly shown as ‘Road’, it only occupied a small area (5m<sup>2</sup>) at the fringe of the “V” zone and there was no implementation programme for road works in the area shown as ‘Road’. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the site. The applied use was considered not incompatible with the surrounding land uses which were predominantly occupied by village type houses. Adverse impacts on the surrounding areas were not anticipated. The site formed part of a previously approved application (No. A/SK-HC/254) submitted for the same use by the same applicant. Since the approval of the previous application, there was no change in planning circumstances. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

55. Members had no question on the application.

#### Deliberation Session

56. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.8.2021, on the terms of the application as submitted to the Town Planning Board.

57. 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]

A/SK-SKT/18            Proposed 19 Houses and Minor Relaxation of Plot Ratio Restriction (from 0.75 to 0.756) in “Residential (Group E)2” and “Green Belt” Zones, Lots 8 S.B, 9 S.A and 9 S.B in D.D. 212 and Adjoining Government Land, Hong Kin Road, Sai Kung  
(RNTPC Paper No. A/SK-SKT/18B)

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58.            The Committee noted that the applicant requested on 30.7.2018 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address departmental comments. It was the third time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information, including Environmental Assessment.

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

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

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

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

[Ms Jessica H.F. Chu, District Planning Officer/Shan Tin, Tai Po and North (DPO/STN), Mr Tim T.Y. Fung and Ms Kathy C.L. Chan, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

**Agenda Item 11**

**Section 16 Application**

[Open Meeting]

A/ST/947 Columbarium with Ancillary Facility in “Government, Institution or Community” Zone, No. 169 Sheung Wo Che Village, Sha Tin  
(RNTPC Paper No. A/ST/947A)

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60. The Secretary reported that Arthur Yung and Associates Company Limited (AYA) was one of the consultants of the applicant and Mr K.K. Cheung had declared an interest on the item as his firm was having current business dealings with AYA.

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

62. The Committee noted that after issuance of the paper, the applicant’s representative wrote to the Secretary of the Board on 14.8.2018 and requested the Board to defer making a decision on the application for two months so as to allow time for preparation of further information to address the departmental comments. The deferment letter was tabled at the meeting for Members’ consideration. It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information, including a Traffic Impact Assessment, to address departmental comments.

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

### **Agenda Item 12**

#### **Section 16 Application**

[Open Meeting]

A/NE-HT/9                      Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Barbecue Spot, Play Area, Handicraft Making and Refreshment Kiosk) for a Period of 3 Years in "Agriculture" Zone, Lots 1091 RP, 1134 S.A, 1134 RP (Part), 1135, 1136, 1137, 1138 and 1157 in D.D. 76, Hok Tau, Fanling  
(RNTPC Paper No. A/NE-HT/9)

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64.            The Committee noted that the applicant's representative requested on 9.8.2018 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address departmental comments. It was the first time the applicants requested deferment of the application.

65.            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 applicants was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the

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

### **Agenda Item 13**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/121            Temporary Place of Recreation, Sports or Culture (Hobby Farm and Ancillary Barbecue Site) for a Period of 3 Years in “Agriculture” and “Green Belt” Zones, Lots 2120, 2122 S.A and 2122 S.B in D.D. 91 and Adjoining Government Land, Tai Lung Hang Village, Ping Kong, Sheung Shui  
(RNTPC Paper No. A/NE-PK/121D)

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

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

- (a) background to the application;
- (b) the temporary place of recreation, sports or culture (hobby farm and ancillary barbecue site) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The District Lands Officer/North, Lands Department (DLO/N, LandsD) advised that unauthorised structures were erected on the site without prior approval and illegal occupation of Government land was also found. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had strong reservation on the coach and car parking areas from the landscape planning perspective as vegetation removal had taken place prior to obtaining planning permission and the approval of the application would set an

undesirable precedent, causing cumulative adverse impact on landscape resource and character in the “Green Belt” (“GB”) zone. The District Officer (North), Home Affairs Department conveyed that the Chairman of Sheung Shui District Rural Committee (SSDRC) and the Resident Representative (RR) of Ping Kong supported the application, and the incumbent North District Council (NDC) members of Sheung Shui Rural constituency and the Indigenous Inhabitant Representative of Ping Kong had no comment on the application. Major views were set out in paragraph 10.1.13 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, 76 public comments from a NDC member, the Chairman of SSDRC, the Chairman of “Association of Ping Kong Area Residents”, Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and individuals were received. Amongst them, 46 comments supported and 24 objected to the application. The remaining six comments indicated no comment on the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. Whilst a substantial area of the site used for agricultural and related education purposes fell within an area zoned “Agriculture”, a small part of the site currently occupied by barbecue areas, animal shed, rain shelters and car and coach parking areas were zoned “GB” where there was a general presumption against development. The barbecue sites and coach and car parking areas were not in line with the planning intention of the “GB” zone and there were no strong justifications in the submission for a departure from the planning intention, even on a temporary basis. In addition, about 48.1% of the site was on government land, there were no strong justifications in the submission for using a large piece of government land in support of the applied use, even on a temporary basis. Although the applied use was not incompatible with the surrounding uses which were of rural agricultural

landscape character, CTP/UD&L, PlanD had strong reservation on the application from landscape planning perspective. The application did not comply with Town Planning Board Guidelines No. 10 in that the coach and car parking areas at the southern portion of the site would have adverse landscape impact. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

67. Noting that DLO/N, LandsD reserved the right to take necessary lease enforcement and land control action against the unauthorised structures and the illegal occupation of government land, a Member enquired whether enforcement action would be taken. In response, Mr Tim T.Y. Fung, STP/STN, said that LandsD had advised that lease enforcement action would be taken.

#### Deliberation Session

68. 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 “Green Belt” (“GB”) zone which is intended 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 no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the development is not in line with Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the development would affect the existing natural landscape; and
- (c) the approval of the application will set an undesirable precedent for similar applications within the “GB” zones. The cumulative effect of approving such applications would result in a general degradation of the landscape

quality of the area.”

#### **Agenda Item 14**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/133            Proposed Temporary Warehouse for a Period of 3 Years in  
“Agriculture” Zone, Lot 2166 S.B & GL (Part) in D.D. 91, Ping Kong,  
Sheung Shui  
(RNTPC Paper No. A/NE-PK/133)

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

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

- (a) background to the application;
- (b) the proposed temporary warehouse for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservations on the application as the approval of the application would set an undesirable precedent and encourage similar applications leading to a gradual degradation of the landscape character in the area. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from agriculture point of view as the site possessed potential for agricultural rehabilitation. The District Officer (North), Home Affairs Department conveyed that the Chairman of Sheung Shui District Rural Committee (SSDRC), the incumbent North District Council members of the subject constituency, the

Indigenous Inhabitant Representative and Resident Representative of Ping Kong and the Chairman of “Association of Ping Kong Area Residents” (APKAR) objected to the application. Major grounds of objection were set out in paragraph 9.1.10 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 period, six public comments from the Chairmen of SSDRC and APKAR, Designing Hong Kong, Kadoorie Farm and Botanic Garden, a villager and an individual were received objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application. There were no strong planning justifications provided to merit a departure from the planning intention of the “AGR” zone, even on a temporary basis. Approval of the application would set an undesirable precedent and encourage similar applications in the “AGR” zone which would lead to gradual degradation of the landscape character of the area. The applicant also failed to demonstrate that the proposed development would not generate adverse traffic and environmental impacts on the surrounding area. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

70. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposed temporary use under 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 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 such planning intention, even on a temporary basis;
- (b) the applicant fails to demonstrate in the submission that the proposed development would not cause adverse traffic and environmental impacts on the surrounding areas; and
- (c) the approval of the application would set an undesirable precedent the approval of the application will set an undesirable precedent for similar applications within the same “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.”

### **Agenda Item 15**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/590      Proposed Temporary Private Vehicle Park for Light Goods Vehicle and Heavy Goods Vehicle and Loading/Unloading Area for a Period of 3 Years in “Agriculture” Zone, Lots 2264 (Part) and 2265 (Part) in D.D. 76, Sha Tau Kok Road - Ma Mei Ha, Fanling  
(RNTPC Paper No. A/NE-TKL/590A)

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

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

- (a) background to the application;
- (b) the proposed temporary private vehicle park for light goods vehicle and heavy goods vehicle and loading/unloading area for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site. 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 and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as approval of the application would set an undesirable precedent to encourage more applications for similar use in the “Agriculture” (“AGR”) zone. The District Officer (North), Home Affairs Department conveyed that the incumbent North District Council (NDC) member of the subject constituency cum member of the Fanling Hung Shing Temple Management Committee indicated no comment on the application whereas the Chairman of the Fanling District Rural Committee (FDRC) cum the Resident Representative of Ko Po objected to the application. Major views were 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, five public comments from a NDC member, the Chairmen of FDRC and Sheung Shui District Rural Committee, the Kadoorie Farm and Botanic Garden Corporation and an individual were received. Amongst them, three had no comment on the application while the remaining two objected to the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the 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 applied use was not in line with the planning

intention of the “AGR” zone and DAFC did not support the application, the proposed use was not entirely incompatible with the surrounding land uses predominated by vacant land, warehouse/open storage uses, fallow agricultural land and temporary structures. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone. Although CTP/UD&L, PlanD had reservation on the application, no tree or significant landscape resources was found within the site and relevant approval conditions were recommended to address the landscape concerns. 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 approve the application on a temporary basis for a period of 3 years until 17.8.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:30 p.m. and 8:00 a.m. on Mondays to Fridays and between 1:30 p.m. and 8:00 a.m. on Saturdays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no construction materials should be stored within the Site during the planning approval period;
- (d) no car washing, vehicle repair, dismantling, plant spraying or other workshop activities is allowed in the Site at any time during the planning approval period;

- (e) the provision of boundary fencing on the Site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.2.2019;
- (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 17.2.2019;
- (g) in relation to (f) 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 17.5.2019;
- (h) 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 17.2.2019;
- (i) in relation to (h) 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 17.5.2019;
- (j) the submission of traffic management measures within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 17.2.2019;
- (k) in relation to (j) above, the implementation of traffic management measures within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 17.5.2019;
- (l) 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;
- (m) if any of the above planning conditions (e), (f), (g), (h), (i), (j) or (k) is not

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

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

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

### **Agenda Item 16**

#### **Section 16 Application**

[Open Meeting]

A/NE-TKL/600 Proposed Temporary Vehicle Repair Workshop with Ancillary Site Office for Contractor Vehicles serving Public Works for a Period of 3 Years in “Agriculture” Zone, Lot 1 (Part) in D.D. 84, Ping Che, Ta Kwu Ling  
(RNTPC Paper No. A/NE-TKL/600)

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76. The Committee noted that the applicant’s representative requested on 8.8.2018 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address the comments of the Transport Department and Environmental Protection Department. It was the first time the applicant requested deferment of the application.

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

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

### **Agenda Item 17**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/640            Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” and “Village Type Development” Zones, Lot 1534 S.F in  
D.D.19, Ha Tin Liu Ha Tsuen, Lam Tsuen, Tai Po  
(RNTPC Paper No. A/NE-LT/640)

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

78.            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) the proposed house (New Territories Exempted House (NTEH) – Small House)
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. 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 from the Hong Kong Bird Watching Society and an individual were received objecting to the application. Major objection grounds were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” zone and DAFC did not support the application. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories, although more than 50% of the footprint of the proposed Small House fell within the village ‘environs’ of Ha Tin Liu Ha and the proposed development within water gathering grounds would be able to be connected to public sewage system, there was sufficient land within the “Village Type Development” (“V”) zone to meet the outstanding Small House applications. It was 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. The planning circumstances of the current application were similar to the two previous and three similar applications rejected by the Committee/the Town Planning Board on review. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

79. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the current submission for a departure from the planning intention; and

- (b) land is still available within the “Village Type Development” (“V”) zone of Ha Tin Liu Ha, Sheung Tin Liu Ha and Ko Tin Hom 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 18**

#### **Section 16 Application**

[Open Meeting]

A/NE-LT/641                      Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 702 S.A ss.2 and 704 S.A ss.2 in D.D. 19, She Shan Tsuen, Lam Tsuen, Tai Po  
(RNTPC Paper No. A/NE-LT/641)

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81.                      The Committee noted that the applicant’s representative requested on 8.8.2018 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information in support of the application. It was the first time the applicant requested deferment of the application.

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

**Agenda Item 19**

**Section 16 Application**

[Open Meeting]

A/NE-TK/649                      Proposed Public Utility Installation (Solar Energy System) in  
“Agriculture” Zone, Lot 646 S.A in D.D. 23, Po Sam Pai Village,  
Shuen Wan, Tai Po  
  
(RNTPC Paper No. A/NE-TK/649)

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83.            The Committee noted that the applicant requested on 2.8.2018 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information in support of the application. It was the first time the applicant requested deferment of the application.

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

**Agenda Item 20**

**Section 16 Application**

[Open Meeting]

A/NE-TK/650                      Temporary Private Car Park for a Period of 3 Years in “Village Type  
Development” Zone, Lots 1103 S.B and 1103 RP in D.D. 23, Po Sam  
Pai, Tai Po  
  
(RNTPC Paper No. A/NE-TK/650)

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85.            The Committee noted that the applicant requested on 9.8.2018 deferment of

consideration of the application for a period of two months so as to allow time for preparation of further information to address departmental and public comments. It was the first time the applicant requested deferment of the application.

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

### **Agenda Item 21**

#### **Section 16 Application**

[Open Meeting]

A/TP/652                      Religious Institution and Columbarium with Ancillary Quarters in "Green Belt" Zone, Lot 1171 (Part) in D.D. 6 and Adjoining Government land, Shek Lin Road, Shek Kwu Lung, Tai Po  
(RNTPC Paper No. A/TP/652)

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

88. The Committee noted that the applicant's representative requested on 28.7.2018 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information in response to departmental comments. It was the first time the applicant requested deferment of the application.

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

## **Agenda Item 22**

[Open Meeting]

Variation of Approval Condition (c) of the Planning Permission for the Approved House (New Territories Exempted Houses - Small House) at Yuen Leng, Kau Lung Hang, Tai Po under Application No. A/NE-KLH/459  
(RNTPC Paper No. 1/18)

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90. Ms Jessica H.F. Chu, DPO/STN, presented the request from the applicant to review approval condition (c) of the planning permission under application No. A/NE-KLH/459 and covered the following aspects as detailed in the Paper:

- (a) background – application No. A/NE-KLH/459 for a New Territories Exempted House – Small House was approved with conditions by the Committee on 17.1.2014. Amongst other approval conditions, approval condition (c) related to the connection of the foul water drainage system of the proposed house to the planned public sewerage system in the area was imposed with a view that the proposed Small House should be connected to future public sewers when available;
- (b) justifications from the applicant – the applicant had requested the Committee to review approval condition (c) in view that there was no fixed programme for the concerned public sewerage works and the applicant had incorporated septic tank and soakaway system, which was acceptable to

Water Supplies Department and Environmental Protection Department, in developing the Small House;

- (c) departmental comments – departmental comments were set out in paragraph 4 of the Paper. The Director of Environmental Protection (DEP) pointed out that the planned sewerage scheme for Yuen Leng Village was de-gazetted due to conflicting views among some of the land owners over the extent of proposed land resumption. The Chief Engineer/New Territories East, Water Supplies Department (CE/NTE, WSD) pointed out that the proposed Small House had been built with septic tank and soakaway system within the site and the “Village Type Development” (“V”) zone. The use of septic tank and soakaway system as an interim measure was in line with the Environmental Protection Department’s requirements and WSD was satisfied with the septic tank and soakaway system provided within the site and “V” zone. Other concerned government departments had no comment on the request; and
- (d) the Planning Department (PlanD’s) views- as there was currently no fixed timetable for implementing the sewerage scheme for Yuen Leng, it was considered not practicable to request the applicant to fulfil approval condition (c) on sewerage connection. Both DEP and WSD had no objection to the applicant’s proposal of providing a septic tank and soakaway system at the site as an interim measure pending the availability of the public sewers. PlanD suggested to revise approval condition (c) to require provision of septic tank and soakaway system.

91. In response to a Member’s enquiry, Ms Jessica H.F. Chu, DPO/STN, said that the site straddled between the “Village Type Development” (“V”) zone and “Agriculture” zone, and fell within the upper indirect water gathering ground. There were no rivers located in proximity to the site and the blue line shown on Plan 2 of the Paper was the existing water mains.

92. After deliberation, Members agreed to vary approval condition (c) of the planning permission under application No. A/NE-KLH/459 as follows:

- “(c) the provision of septic tank and soakaway system to the satisfaction of the Director of Water Supplies or of the Town Planning Board.”

### **Agenda Item 23**

[Open Meeting]

Deletion of Approval Condition (f) of the Planning Permission for the Approved Houses (New Territories Exempted Houses - Small Houses) at Hang Ha Po, Lam Tsuen, Tai Po under Application No. A/NE-LT/212-2  
(RNTPC Paper No. 2/18)

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93. Ms Jessica H.F. Chu, DPO/STN, presented the proposal to delete approval condition (f) of the planning permission under Application No. A/NE-LT/212-2 and covered the following aspects as detailed in the Paper:

- (a) background – application No. A/NE-LT/212 for seven New Territories Exempted Houses – Small Houses was approved with conditions by the Committee on 8.10.1999. Amongst other approval conditions, approval condition (c) related to the provision of septic tank and soakaway pits for foul effluent disposal and the sewerage connection at a distance of not less than 30m from any watercourses was imposed. On 28.10.2005, the application for an extension of time for commencement of development (application No. A/NE-LT/212-1) was approved. Taking into account the comments of the Water Supplies Department (WSD), an additional approval condition (f) related to the connection of the foul water drainage system to public sewers was imposed. On 18.1.2008, an application (No. A/NE-LT/212-2) for amendments to the approved scheme was approved with the same set of approval conditions as application No. A/NE-LT/212-1. Subsequently, five Small Houses were built with septic tank and soakaway pits in accordance to approval condition (c). However, compliance with approval condition (f) was still outstanding as there was no existing/planned public sewerage system in the vicinity of the site for

connection. As such, it was proposed that approval condition (f) should be deleted;

- (b) departmental comments – departmental comments were set out in paragraph 3 of the Paper. Concerned government departments had no objection to or no adverse comment on the proposed deletion of the approval condition; and
- (c) the Planning Department (PlanD's) views- as there was no existing/planned public sewerage system in the vicinity of the site for connection, it was considered not practicable to request the applicant to fulfil approval condition (f) on sewerage connection. Relevant government departments had no objection to or no comment on the deletion of approval condition (f).

94. Noting that the site was located adjacent to She Shan River, a Member asked whether relevant government departments had any comment in this regard. In response, Ms Jessica H.F. Chu, DPO/STN, said that approval condition (c) required the applicant to provide septic tank and soakaway pits at a distance of not less than 30m from any watercourses. The septic tank and soakaway system of the proposed Small Houses were located more than 30m away from She Shan River and the Environmental Protection Department and WSD considered such provision was acceptable and the relevant approval condition was complied with.

95. After deliberation, Members agreed to delete approval condition (f) of the planning permission under application No. A/NE-LT/212-2.

[The Chairman thanked Ms Jessica H.F. CHU, DPO/STN, Mr Tim T.Y. Fung and Ms Kathy C.L. Chan, STPs/STN, for their attendance to answer Members' enquiries. They left the meeting at this point.]

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

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

**Agenda Item 24**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/237      Proposed Redevelopment of 4 Houses (New Territories Exempted Houses) in “Agriculture” and “Conservation Area” Zones, Lots 1504 (Part) and 1505 in D.D. 112, Tsing Tam Village, Shek Kong, Yuen Long  
  
(RNTPC Paper No. A/YL-SK/237)

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96.            The Secretary reported the application was submitted by Ms Lam Ka Fun, Anita (one of the applicants), who was the Assistant Director (Regional 2) of the Lands Department (LandsD). Mr Albert K.L. Cheung, being the Assistant Director (Regional 3) of LandsD, had declared an interest on the item as he was a colleague of Ms Lam. Since Mr Albert K.L. Cheung had no discussion with Ms Lam on the application, the Committee agreed that he could stay in the meeting.

**Presentation and Question Sessions**

97.            With the aid of a PowerPoint presentation, Ms Maggie M.Y. Chin, DPO/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
  
- (b) the proposed redevelopment of four houses (New Territories Exempted

Houses (NTEHs));

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The District Officer (Yuen Long), Home Affairs Department conveyed that two comments from the village representatives (VRs) of Shui Tsan Tin Tsuen, Yuen Kong San Tsuen and Yuen Kong Tsuen objected to the application. Major views were set out in paragraph 9.1.12 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, eight public comments from a Legislative Council member, Pat Heung Rural Committee, VRs of Shui Tsan Tin Tsuen and individuals were received objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The application was a revision to the previous scheme under application No. A/YL-SK/201 approved by the Committee in 2014. While the proposed development was not in line with the planning intention of the “Agriculture” zone and there was a general presumption against development in the “Conservation Area” (“CA”) zone, the site only involved a small area of the “CA” zone and DAFC had no objection to the application. The application site had building entitlement and it was the existing practice of the Committee to take into account building entitlement under the lease in considering planning application for house development. The proposed development was considered not incompatible with the surrounding environment which was predominated by residential dwellings/structures, fallow/cultivated agricultural land and vacant/unused land. Concerned government departments had no objection to or adverse comments on the application. The site was the subject of two previous applications for NTEHs approved with conditions by the Committee.

Approval of the current application was in line with the Committee's decisions. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

98. In response to the Chairman's enquiry, Ms Maggie M.Y. Chin said that about 14.2m<sup>2</sup> of the north-eastern part of the application site was zoned "CA". Compared with the previously approved scheme under application No. A/YL-SK/201, the two NTEHs at the northern part of the application site was shifted to the east to occupy the entire Lot 1505, which had house entitlement under the lease. The gross floor area of the proposed development remained the same as the previously approved scheme.

99. Some Members raised the following questions:

- (a) whether the current application was an amendment to the previously approved application; and
- (b) whether there were similar applications approved in "CA" zone.

100. In response, Ms Maggie M.Y. Chin made the following points:

- (a) the current application was regarded as an amendment to a previously approved scheme as it mainly involved revision to the layout of the proposed NTEHs; and
- (b) there were no similar applications for NTEHs in the same "CA" zone in the area. However, the Committee had previously approved planning applications for 'House' use in the "CA" zone in other areas. One of the main considerations of those planning applications was whether the lots involved had building entitlement under the lease.

#### Deliberation Session

101. A Member had no objection to the application but was concerned about the potential visual impact on the area. However, Members noted that the application site was

located at the foot of a hill and the building height and covered area was the same as that of the previously approved application (No. A/YL-SK/201). It was thus considered not incompatible with the surrounding environment which was rural in character with some residential dwellings, agricultural land and ponds.

102. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 17.8.2022, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) provision of septic tank, as proposed by the applicants, at a location to the satisfaction of the Director of Lands or of the TPB;
- (b) the submission and implementation of tree preservation and landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (c) the submission and implementation of a revised drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (d) the submission and implementation of a natural terrain hazard study to the satisfaction of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department or of the TPB.”

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

**Agenda Item 25**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/FLN/16                      Temporary Public Vehicle Park (including Container Vehicle) and Goods Distribution and Storage Use for a Period of 3 Years in “Government, Institution or Community” and “Other Specified Uses” annotated “Port Back-up Uses” Zones and an area shown as ‘Road’, Lots 164 (Part), 167 RP, 167 S.B and 176 RP (Part) in D.D. 52, Sheung Shui Wa Shan, Fu Tei Au, Sheung Shui  
  
(RNTPC Paper No. A/FLN/16B)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) temporary public vehicle park (including container vehicle) and goods distribution and storage use for a period three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were domestic uses in the vicinity of the site. The District Officer/North, Home Affairs Department conveyed that the incumbent North District Council (NDC) member of the subject constituency cum Indigenous Inhabitant Representative (IIR) of Sheun Shui Heung, the Chairman of Sheung Shui District Rural Committee and two other IIRs and Resident Representative (RR) of Sheung Shui Heung and IIR of Wa Shan Tsuen had no comments on the application, while the RR of Wa Shan Tsuen objected to the application. Major views were set out in paragraph 10.1.11 of the Paper. Other concerned government departments had no objection to or no comment on the

application;

- (d) during the first three weeks of the statutory publication period, seven public comments from NDC members and an individual were received. Amongst them, six had no comment on the application while the remaining one objected to the application. Major views were set out in paragraph 11 of the Paper; and
  
- (e) the Planning Department (PlanD)'s views – PlanD considered 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 applied use was generally in line with the planning intention of the “Other Specified Uses” annotated “Port Back-up Uses” on the Fu Tei Au and Sha Ling Outline Zoning Plan (OZP). Although part of the site fell within “Government, Institution or Community” (“G/IC”) zone and an area shown as ‘Road’ on the Fanling North OZP, approval of the application on a temporary basis would not frustrate the long-term planning intention of the “G/IC” zone and the implementation of the planned road projects. The applied use was not incompatible with the surrounding land uses which comprised mainly car parks, vehicle repair workshops, open storage yards and warehouses uses. The applied use was generally in line with Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up uses. Although DEP did not support the application as there were sensitive uses in the vicinity of the site, there was no environmental complaint received in the past three years. Relevant approval conditions were recommended to mitigate any potential environmental impacts. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

105. Members had no question on the application.

Deliberation Session

106. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.8.2021, 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 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) the peripheral fencing of the Site should be maintained at all times during the planning approval period;
- (d) the existing trees on the Site should be maintained at all times during planning approval period;
- (e) the submission of drainage proposals within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.2.2019;
- (f) in relation to (e) above, the implementation of drainage proposals within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.5.2019;
- (g) the submission of proposals for fire service installations and water supplies for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2019;
- (h) in relation to (g) above, the provision of fire service installations and water supplies for fire-fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.5.2019;

- (i) if any of the above planning conditions (a), (b), (c) or (d) 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; 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.”

## **Agenda Item 26**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/614      Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lots 942 S.B RP and 942 S.C RP in D.D. 109, Tai  
Kong Po Tsuen, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-KTN/614)

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### **Presentation and Question Sessions**

107.      Ms Carmen S.Y. Chan, TP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House)
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V 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, four public comments from individuals were received objecting to the application. Major grounds of objection were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone, the Director of Agriculture, Fisheries and Conservation had no strong view on the application and the proposed Small House was not incompatible with the surrounding uses predominated by residential dwellings / structures / village houses. Adverse traffic, drainage, environmental and landscape impacts was not anticipated. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, the site fell entirely within the village ‘environs’ (‘VE’) of Tai Kong Po. As there was no “Village Type Development” zone for Tai Kong Po, sympathetic consideration could be given to the application. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

108. Members had no question on the application.

#### Deliberation Session

109. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 17.8.2022, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

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

satisfaction of the Director of Planning or of the TPB; and

- (c) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

### **Agenda Item 27**

#### **Section 16 Application**

[Open Meeting]

A/YL-KTN/615 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lots 1775 RP, 1785 RP and 1790 RP (Part) in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/615)

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111. The Committee noted that the applicant’s representative requested on 14.8.2018 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address departmental comments. It was the first time the applicant requested deferment of the application.

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

**Agenda Items 28 and 29**

**Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/616 Proposed Temporary Animal Boarding Establishment for a Period of 3 Years in “Agriculture” Zone, Lot 748 (Part) in D.D. 107, Fung Kat Heung, Yuen Lon  
(RNTPC Paper No. A/YL-KTN/616)

A/YL-KTN/617 Proposed Temporary Animal Boarding Establishment for a Period of 3 Years in “Agriculture” Zone, Lot 1554 RP (Part) in D.D. 107, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/617)

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113. The Committee noted that the two section 16 applications for proposed temporary animal boarding establishment for a period of three years 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**

114. Ms Carmen S.Y. Chan, TP/FSYLE, presented the applications and covered the following aspects as detailed in each of the Papers:

- (a) background to the application;
- (b) the proposed temporary animal boarding establishment for a period of three years at each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Papers. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on application No. A/YL-KTN/616 as the proposed use was considered not compatible with the existing land use. The Director of Agriculture,

Fisheries and Conservation (DAFC) did not support the applications as the sites were highly favourable for high-value farming activities such as plant nurseries and greenhouse cultivation. Other concerned government departments had no objection to or no adverse comments on the applications;

- (d) during the first three weeks of the statutory publication period, three public comments from the Hong Kong Bird Watching Society (HKBWS), Designing Hong Kong (DHK) and individual were received objecting to application No. A/YL-KTN/616, while five public comments from the Kadoorie Farm & Botanic Garden Corporation, HKBWS, DHK and individuals were received objecting to application No. A/YL-KTN/617. Major grounds of objection were set out in paragraph 10 of the Papers; and
- (e) the PlanD's views – PlanD considered that the temporary uses could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Papers. Although the proposed use was not in line with the planning intention of the “AGR” zone and DAFC did not support the applications, the proposed uses were not incompatible with the surrounding areas which were rural in character. The proposed uses were temporary in nature and approval of the applications on temporary basis for a period of three years would not jeopardise the long-term planning intention of the “AGR” zone. Concerned government departments had no objection to or no adverse comments on the applications. To address the concerns of CTP/UD&L, PlanD on application No. A/YL-KTN/616, relevant approval conditions on submission and implementation of landscape proposal were recommended. In addition, to minimise the possible environmental nuisance caused by the proposed developments under both applications, relevant approval conditions were also recommended. Similar applications were approved with conditions by the Committee in the same “AGR” zone. Approval of the applications would be in line with the Committee's previous decisions. Regarding public comments, the comments of government departments and the assessments above were relevant.

115. Members had no question on the application.

Deliberation Session

116. After deliberation, the Committee decided to approve the applications on a temporary basis for a period of 3 years until 17.8.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

***For Application No. A/YL-KTN/616***

- “(a) no operation between 6:00 p.m. and 10:00 a.m. (except for overnight animal boarding establishment), as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) all animals shall be kept inside the enclosed structures, 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 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 landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.2.2019;
- (f) in relation to (e) above, the implementation of the landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.5.2019;
- (g) the submission of fire service installations proposal within 6 months from

the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2019;

- (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 17.5.2019;
- (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;
- (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; and
- (k) 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.”

***For Application No. A/YL-KTN/617***

- “(a) no operation between 6:00 p.m. and 9:00 a.m. (except 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 structures between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, 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 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 landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.2.2019;
- (f) in relation to (e) above, the implementation of the landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.5.2019;
- (g) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.2.2019;
- (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 installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2019;
- (j) in relation to (i) 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 17.5.2019;
- (k) if any of the above planning conditions (a), (b), (c), (d) 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 (e), (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

- (m) upon 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.”

117. The Committee also agreed to advise the applicants to note the advisory clauses as set out at Appendix IV of the RNTPC Paper No. A/YL-KTN/616 for application No. A/YL-KTN/616 and Appendix V of the RNTPC Paper No. A/YL-KTN/617 for application No. A/YL-KTN/617.

### **Agenda Item 30**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/619 Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 5 Years in “Village Type Development” Zone, Lots 594 RP and 595 RP in D.D. 109, Chi Ho Road, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/619)

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

118. Ms Carmen S.Y. Chan, TP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary public vehicle park (excluding container vehicle) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, two public comments from individuals were received objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of five years based on the planning assessments set out in paragraph 11 of the Paper. Although the proposed use was not in line with the planning intention of the “Village Type Development” (“V”) zone, the District Lands Officer/Yuen Long, Lands Department advised that no Small House application had been approved or under processing at the site. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. The applied use was also not incompatible with the surrounding area which was rural in character mixed with residential dwellings, agricultural land and unused land. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

119. A Member asked why a temporary approval of five years, instead of three years was recommended for the application. In response, Ms Carmen S.Y. Chan, TP/FSYLE, said that according to the Notes of the Outline Zoning Plan, ‘public vehicle park (excluding container vehicle)’ was a Column 2 use under the “V” zone. The applicant could choose to apply to the Town Planning Board to use the site either temporarily or permanently for the proposed use. In the subject application, the applicant had proposed to use the site for temporary public car park (excluding container vehicle) for a period of five years.

#### Deliberation Session

120. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 17.8.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no dismantling, maintenance, repairing, cleansing, paint spraying or other

workshop activities, as proposed by the applicant, are allowed on the Site at any time during the planning approval period;

- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (c) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the Site at any time during the planning approval period;
- (d) a notice should be posted at a prominent location of the Site to indicate that 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 all times during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.2.2019;
- (g) in relation to (f) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.5.2019;
- (h) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.2.2019;
- (i) in relation to (h) above, the implementation of the drainage proposal within

9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.5.2019;

- (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 fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2019;
- (l) in relation to (k) 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 17.5.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (f), (g), (h), (i), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon 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.”

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

**Agenda Item 31**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/768            Proposed Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years in “Residential (Group D)” Zone, Lots 29 (Part), 33 (Part) and 35 (Part) in D.D. 111 and Adjoining Government Land, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/768B)

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**Presentation and Question Sessions**

122.            Ms Carmen S.Y. Chan, TP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary public vehicle park for private car and light goods vehicle for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as vegetation had been cleared within the site in 2017 prior to submission of the application. Approval of the application would set an undesirable precedent to encourage vegetation clearance prior to application. 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, five public comments from representative of indigenous villagers of Sheung Che Tsuen and individuals objecting to the application were received. Major grounds of objections were set out in paragraph 10 of the Paper; and

- (e) the PlanD's views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, the proposed use could serve the nearby parking demand and there was no known programme for long-term development at the site. The approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone. The proposed use was not incompatible with the surrounding land uses. To address CTP/UD&L, PlanD's concern, relevant approval conditions on submission and implementation of a tree preservation and landscape proposal had been recommended. Regarding the public comments, the comments of relevant government departments and the planning assessments above were relevant.

123. Members had no question on the application.

#### Deliberation Session

124. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.8.2021, 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 (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the Site at any time 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) a notice should be posted at a prominent location of the Site to indicate that 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 all times during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the provision of the boundary fence for the Site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.2.2019;
- (g) the submission of tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.2.2019;
- (h) in relation to (g) above, the implementation of tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.5.2019;
- (i) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.2.2019;
- (j) in relation to (i) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.5.2019;
- (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 17.2.2019;

- (l) in relation to (k) 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 17.5.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (f), (g), (h), (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

### **Agenda Item 32**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/793      Renewal of Planning Approval for Temporary “Open Storage of Vehicles and Container Trailers/ Tractors Park” for a Period of 3 Years in “Agriculture” Zone, Lots 617 RP and 618 RP in D.D. 103, Ko Po San Tsuen, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/793)

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Presentation and Question Sessions

126. Ms Ivy C.Y. Cheung, TP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the renewal of planning approval for temporary open storage of vehicles and container trailers / tractors park for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity 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 from an individual was received objecting to the application. Major grounds of objection were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone, it was not incompatible with the surrounding areas which were mixed with vacant / unused land, residential structures / dwellings, open storage / storage yard and the Au Tau Water Treatment Works. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “AGR” zone. The application was generally in line with Town Planning Board (TPB) Guidelines No. 13E in that the site fell within Category 3 areas and previous approval for the same applied use had been granted. Although DEP did not support the application as there were sensitive receivers in the vicinity, no environmental complaint was received in the past three years. Relevant approval conditions were recommended to mitigate any potential

environmental impacts. The application was also in line with TPB Guidelines No. 34B in that there had been no major change in the planning circumstances since the last approval and all approval conditions of the last application had been complied with. Approval of the application was in line with the Committee's previous decisions. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

127. Members had no question on the application.

### Deliberation Session

128. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 6.10.2018 until 5.10.2021, 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 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out 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) the existing trees and landscape plantings on the Site shall be maintained at all times during the planning approval period;
- (e) the existing drainage facilities on site shall be maintained at all times during the planning approval period;
- (f) the submission of the records of the existing drainage facilities on Site

within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.1.2019;

- (g) the provision of fire extinguisher(s) within a valid fire certificate (FS 251) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.11.2018;
- (h) the submission of fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.4.2019;
- (i) in relation to (h) above, the provision of fire service installations within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.7.2019;
- (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.”

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

**Agenda Item 33**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/794      Temporary Open Storage of Vehicles and Vehicle Parts with Ancillary Office for a Period of 3 Years in “Residential (Group D)” Zone, Lot 688 S.B in D.D.106, Shek Kong Airfield Road, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/794)

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**Presentation and Question Sessions**

130.      Ms Ivy C.Y. Cheung, TP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary open storage of vehicles and vehicle parts with ancillary 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 sensitive receivers in the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received objecting to 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. Although the applied

use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no known programme for long-term development at the site. The approval of the application on a temporary basis of three years would not jeopardise the long-term planning intention of the “R(D)” zone. The applied use was not incompatible with the surrounding areas which were rural in character predominated by open storage / storage yards, workshop, warehouse, residential structures / dwellings and unused land. The applied use was generally in line with Town Planning Board Guidelines No. 13E in that the site fell within Category 3 areas; it was the subject of previous planning approvals for similar uses; and concerned government departments had no objection to or no adverse comments on the application, except DEP. Although DEP did not support the application as there were sensitive uses in the vicinity, there were no environmental complaints received in the past three years. Relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances. Previous and similar applications were approved with conditions by the Committee in the same and adjoining “R(D)” zones. Approval of the application would be in line with the Committee’s previous decisions. Regarding public comments, the comments of government departments and the planning assessments above were relevant.

131. Members had no question on the application.

#### Deliberation Session

132. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.8.2021, 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 Sundays and public holidays, as proposed by the applicant,

is allowed on the Site during the planning approval period;

- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities, as proposed by the applicant, shall be carried out on the Site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, 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 maintenance of all existing trees and landscape plantings within the Site to satisfactory condition at all times during the planning approval period;
- (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 17.2.2019;
- (h) in relation to (g) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.5.2019;
- (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 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 28.9.2018;
- (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 17.2.2019;

- (l) in relation to (k) 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 17.5.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (g), (h), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

### **Agenda Item 34**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/239          Proposed Temporary Logistics Centre for a Period of 3 Years in  
“Industrial (Group D)” Zone, Lot 595 in D.D. 114, Shek Kong, Yuen  
Long  
(RNTPC Paper No. A/YL-SK/239)

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**Presentation and Question Sessions**

134. Ms Ivy C.Y. Cheung, TP/FSYLE, drew Members' attention that a replacement page (Drawing A-2) was tabled at the meeting for Members' reference. She then presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary logistics centre for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 11 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, four public comments from the Vice-chairman of Sheung Tsuen Village Committee (STVC), STVC and Sheung Tsuen Indigenous Villager Representatives were received objecting to the application. Major objection grounds were set out in paragraph 12 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 13 of the Paper. The proposed use for storage, logistic and office uses was not in conflict with the planning intention of the “Industrial (Group D)” zone and not incompatible with the surrounding areas which was rural in character predominated by workshops, warehouse, open storage/storage yards, vacant/unused land and residential structures/dwellings. The application was generally in line with Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up uses. Relevant proposals had been submitted to demonstrate that the proposed use would not generate adverse impacts. Concerned

government departments had no objection to or no adverse comments on the application, except DEP. Although DEP did not support the application, there was no environmental complaint received in the past three years. Relevant approval conditions were recommended to mitigate any potential environmental impacts. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

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 until 17.8.2021, 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. to 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) 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 dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the Site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;

- (f) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.2.2019;
- (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 17.5.2019;
- (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 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 17.2.2019;
- (j) in relation to (i) above, the provision 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 17.5.2019;
- (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; and
- (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.”

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 35**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/266 Proposed Temporary Social Welfare Facility (Youth Centre) for a Period of 3 Years in “Conservation Area” and “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zones, Former Tai Sang Wai Public School, Tai Sang Wai, Yuen Long  
(RNTPC Paper No. A/YL-NSW/266)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary social welfare facility (youth centre) 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, one public comment from an individual was received providing views on the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Other Specified Uses” annotated “Comprehensive Development to include

Wetland Restoration Area” (“OU(CDWRA)”) and “Conservation Area” (“CA”) zones, there was no immediate development proposal for the site. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “OU(CDWRA)” and “CA” zones. The proposed use was considered not incompatible with the land uses of the surrounding areas mainly occupied by a mix of villages and residential dwellings, ponds, scattered vehicle parks and warehouses. Concerned government departments had no objection to or no adverse comments on the application and relevant conditions had been recommended to address the technical comments of concerned departments and to minimise any potential environmental impacts on the surrounding areas. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

139. Members had no question on the application.

#### Deliberation Session

140. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.8.2021, 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 2:00 p.m. on Mondays to Sundays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period;
- (c) the maintenance of landscape planting on-site at all time during the planning approval period;
- (d) the maintenance of drainage facilities on-site at all time during the planning approval period;

- (e) the submission of records of the existing drainage facilities on site within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 17.11.2018;
- (f) the submission of fire service installations and water supplies for firefighting proposal within 6 months to the satisfaction of Director of Fire Services or of the TPB by 17.2.2019;
- (g) in relation to (f) above, the provision of fire service installations and water supply for firefighting within 9 months to the satisfaction of Director of Fire Services or of the TPB by 17.5.2019;
- (h) if any of the above planning condition (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning condition (e), (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.”

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

**Agenda Item 36**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/528            Temporary Open Storage of Second Hand Motor Vehicles (including Medium Goods Vehicles and Container Tractors but excluding Trailers) for Sale and a Covered Works Area for a Period of 3 Years in “Residential (Group D)” Zone, Lots 52 RP (Part), 61 (Part), 62 (Part), 64 RP (Part) and 65 RP in D.D. 105 and Adjoining Government Land, San Tin, Yuen Long  
  
(RNTPC Paper No. A/YL-ST/528)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the temporary open storage of second hand motor vehicles (including medium goods vehicles and container tractors but excluding trailers) for sale and a covered works area for a period of 3 three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the

temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no immediate development proposal for the site. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone. The applied use was not incompatible with the surrounding areas comprising mainly vehicle parks, open storage yards and scattered residential dwellings. The application was in line with Town Planning Board Guidelines No. 13E in that the site fell within Category 3 areas where previous planning approvals for the same use had been approved by the Committee; the applicant had complied with all the approval conditions of the previous permissions; and there were no adverse comments from concerned government departments, except DEP. Although DEP did not support the application, there was no environmental complaint related to the site in the past three years. Relevant approval conditions were recommended to mitigate any potential environmental impacts. Previous and similar applications were approved with conditions by the Committee in the same “R(D)” zone. Approval of the application would be in line with the Committee’s previous decisions.

143. Members had no question on the application.

#### Deliberation Session

144. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.8.2021, 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. on weekdays and between 1:00 p.m. and 9:00 a.m. on Saturday, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sunday and public holiday, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) no cutting, dismantling, repairing and workshop activity, including container repairs and vehicle repairs, is allowed on the site at any time during the planning approval period;
- (d) no heavy goods vehicle and container tractor with trailer is allowed to access the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period;
- (f) the paving and boundary fencing on the site shall be maintained at all times during the planning approval period;
- (g) all landscape planting within 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 as-built drainage plans and photographic records of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.11.2018;
- (j) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 28.9.2018;
- (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 17.2.2019;
- (l) in relation to (k) above, the implementation 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 17.5.2019;

- (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 application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

[The Chairman thanked Ms Maggie M.Y. Chin, DPO/FSYLE, Mr Otto K.C. Chan and Ms Emily P.W. Tong, STPs/FSYLE and Ms Carmen S.Y. Chan and Ms Ivy C.Y. Cheung, TPs/FSYLE for their attendance to answer Members’ enquiries. They left the meeting at this point.]

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

**Tuen Mun and Yuen Long West District**

**Agenda Item 37**

**Section 16 Application**

[Open Meeting]

A/YL-PN/55                      Temporary Animal Boarding Establishment for a Period of 3 Years in  
“Agriculture” Zone and an area shown as ‘Road’, Government Land in  
D.D. 135, Sheung Pak Nai, Yuen Long  
(RNTPC Paper No. A/YL-PN/55)

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146.            The Committee noted that the applicant’s representative requested on 30.7.2018 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address departmental comments. It was the first time the applicant requested deferment of the application.

147.            After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within 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, 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 38**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/15                      Proposed Religious Institution (Redevelopment of Seminary) in  
“Village Type Development” Zone, Lots 171 (Part), 172 (Part), 173,  
174 and 175 RP (Part) in D.D. 121, 130 Hung Uk, Yuen Long  
(RNTPC Paper No. A/HSK/15C)

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148.            The Secretary reported that Ramboll Hong Kong Limited (Ramboll) was one of the consultants of the applicant. Mr Ivan C.S. Fu had declared an interest on the item as he had current business dealings with Ramboll. The Committee noted that Mr Ivan C.S. Fu had already left the meeting.

**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed religious institution (redevelopment of seminary);
- (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, five public comments from villagers of Hung Uk Tsuen and individuals were received objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper.

Although the planning intention of the “Village Type Development” (“V”) zone was for development of Small Houses by indigenous villagers, most of the site was owned by the applicant and had long been used for a seminary. The applicant had no intention to develop the site into New Territories Exempted Houses (NTEHs) and the owner of the remaining portion of the site had given consent to the applicant to use that portion of the site for the proposed use. It was considered that the proposed redevelopment was generally acceptable having regard to the site history and the nature of the proposed uses. The District Lands Officer/Yuen Long, Lands Department (LandsD) advised that the land available in the “V” zone could accommodate the outstanding Small House application and the 10-Year Small House demand. The proposed use was also considered not incompatible with the surrounding land uses and would unlikely create adverse traffic, environmental and drainage impacts on the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application and approval conditions were recommended to address the technical comments of concerned departments. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

150. In response to a Member’s enquiry, Ms Stella Y. Ng, STP/TMYLW, said that there were no domestic uses in the proposed redevelopment. The rooms marked ‘LR’ in Drawing A-3 of the Paper referred to Lecturer Room.

#### Deliberation Session

151. In response to a Member’s enquiry, Mr Albert K.L. Cheung, Assistant Director (Regional 3), LandsD, supplemented that the site fell within “V” zone where, under the prevailing policy, it was primarily reserved for development of Small Houses by indigenous villagers. Land exchange for the proposed use would not normally be entertained. Should the applicant wish to implement the proposed development, policy support from relevant bureau would be required for the land exchange application.

152. After deliberation, the Committee decided to approve the application, on the

terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 17.8.2022, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the design and provision of vehicular access, and parking and loading/unloading facilities of the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB;
- (c) the submission and implementation of a revised drainage and sewerage proposal and the maintenance of the proposed drainage facilities to the satisfaction of the Director of Drainage Services or of the TPB;
- (d) the submission and implementation of a revised tree preservation and landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (e) the submission of a Quantitative Risk Assessment and implementation of mitigation measures identified therein to the satisfaction of the Director of Electrical and Mechanical Services or of the TPB.”

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

**Agenda Item 39**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/87                      Temporary Shop and Services (Estate and Property Agency) for a Period of 3 Years in “Government, Institution or Community” Zone, Lot 1024 S.A RP (Part) in D.D. 124, Hung Chi Road, Hung Shui Kiu, Yuen Long  
(RNTPC Paper No. A/HSK/87)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary shop and services (estate and property agency) 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, one public comment from an individual was received objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not in line with the planning intention of the “Government, Institution or Community” zone, 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 jeopardise the long-term development of the site. The proposed use was also not incompatible with the surrounding land uses and would unlikely create significant adverse traffic, environmental, drainage and landscape impacts on the surrounding areas. Concerned departments had no objection to or no adverse comments on the application and approval conditions were recommended to address the technical comments of concerned departments. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

155. Members had no question on the application.

#### Deliberation Session

156. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.8.2021, 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 10:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation between 1:00 p.m. and 7:00 p.m. on Saturdays and Sundays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no operation on public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services

or of the TPB by 17.2.2019;

- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.5.2019;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2019;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.5.2019;
- (j) 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;
- (k) if any of the above planning conditions (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

**Agenda Item 40**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/88                      Temporary Warehouse for Storage of Vehicles and Vehicle Parts for a Period of 3 Years in “Government, Institution or Community” Zone, Lots 208 (Part), 209 and 210 (Part) in D.D. 127 and Adjoining Government Land, Ping Shan, Yuen Long  
(RNTPC Paper No. A/HSK/88)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the temporary warehouse for storage of vehicles and vehicle parts for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The District Officer (Yuen Long), Home Affairs Department conveyed that the village representative of Hung Uk Tsuen objected to the application on the grounds set out in paragraph 9.1.12 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, one public comment from an individual was received objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied

use was not in line with the planning intention of the “Government, Institution or Community” zone, 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 jeopardise the long-term development of the site. The applied use was also not incompatible with the surrounding land uses and would unlikely create significant adverse traffic, environmental, drainage and landscape impacts to the surrounding areas. Concerned departments had no objection to or no adverse comment on the application and approval conditions were recommended to address the technical comments of concerned departments. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

159. Members had no question on the application.

#### Deliberation Session

160. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.8.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 5:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as 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 washing, vehicle repair, dismantling, paint spraying or other

workshop activity is allowed on the Site, as proposed by the applicant, at any time during the planning approval period;

- (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 a revised drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.2.2019;
- (g) in relation to (f) above, the implementation of the accepted drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.5.2019;
- (h) in relation to (g) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2019;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.5.2019;
- (k) the provision of boundary fencing on the Site within 6 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 17.2.2019;
- (l) 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;

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

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

#### **Agenda Item 41**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/564            Renewal of Planning Approval for Temporary Public Vehicle Park for Medium Size Buses (24-seats) and Private Cars for a Period of 3 Years in “Village Type Development” Zone, Lots 449 RP (Part), 450 (Part) and 452 RP (Part) in D.D. 122 and Adjoining Government Land, Hang Mei Tsuen, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/564)

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

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary public vehicle park for medium size buses (24 seats) and private cars 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, one public comment from an individual was received objecting to the application. Major grounds of objection were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Village Type Development” (“V”) zone, there was no Small House application at the site. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. The continued use of the site for the applied use was considered not incompatible with the surrounding land uses. The application was generally in line with the Town Planning Board Guidelines No. 34B in that there was no change in planning circumstance since the previous temporary approval was granted, all approval conditions under the previous approval had been complied with, and the approval period sought was the same as that of the previous approval. Regarding the public comments, the comments of government departments and the 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 from 25.8.2018 until 24.8.2021, 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. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) only medium size buses (24 seats) and private cars as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter/be parked on the site at all times during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site to indicate that only medium size buses (24 seats) and private cars as defined in the Road Traffic Ordinance, are allowed to enter/be parked on the site at all times during the planning approval period;
- (d) warning signs shall be provided at the access road, as proposed by the applicant, at all times during the planning approval period;
- (e) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (f) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the site at any time during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (h) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (i) the maintenance of the landscape screen planting including trees and shrubs at all times during the planning approval period;
- (j) the submission of 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 25.11.2018;

- (k) the submission of fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 25.2.2019;
- (l) in relation to (k) above, the implementation of fire service installations proposal with 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 25.5.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

**Agenda Item 42**

**Section 16 Application**

[Open Meeting]

A/YL-PS/565            Proposed Residential Development (Flat and House) in  
“Comprehensive Development Area” Zone, Various Lots in D.D. 122  
and Adjoining Government Land, North of Long Ping Road and Long  
Tin Road, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/565)

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166.            The Secretary reported that Landes Limited was one of the consultants of the applicant and Mr Ivan C.S. Fu had declared an interest on the item as his firm was having current business dealings with Landes. The Committee noted that Mr Ivan C.S. Fu had already left the meeting.

167.            The Committee noted that the applicant’s representative requested on 27.7.2018 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address departmental comments. It was the first time the applicant requested deferment of the application.

168.            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, 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-PS/566            Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years  
in “Village Type Development” Zone, Lots 477 S.A (Part), 477 RP  
(Part), 483 S.B (Part) and 483 RP (Part) in D.D. 123, Tai Tseng Wai,  
Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/566)

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

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

- (a) background to the application;
- (b) the temporary public vehicle park (private cars) 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, one public comment from an individual was received objecting to the application. Major grounds of objection were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Village Type Development” (“V”) zone, it could provide vehicle parking spaces to meet any such parking demand in the area. Whilst there were two Small House applications under processing on the site, the District Lands Officer/Yuen

Long, Lands Department, advised that they were still at a preliminary stage. Approval of the application on a temporary basis would not frustrate the planning intention of the “V” zone. The applied use was also not incompatible with the surrounding land uses comprising residential dwellings and sites for parking of vehicles. The site was the subject of a previously approved application No. A/YL-PS/501 submitted by the same applicant for the same use. However, the application was subsequently revoked due to non-compliance with approval conditions on the implementation of drainage and landscape and tree preservation proposals. Shorter compliance periods were therefore recommended in order to closely monitor the progress of compliance with approval conditions. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

170. Members had no question on the application.

#### Deliberation Session

171. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.8.2021, 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. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) only private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the Site, as proposed by the applicant, at all times during the planning approval period;
- (c) a notice shall be posted at a prominent location of the Site at all times to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is

allowed to be parked/stored on the Site, as proposed by the applicant, at any time during the planning approval period;

- (e) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the Site, as proposed by the applicant, at any time during the planning approval period;
- (f) a notice shall be posted at a prominent location of the Site to remind drivers on pedestrian safety on the access road to the Site at all times during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (h) the implementation of the accepted drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.2.2019;
- (i) in relation to (h) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (j) the submission of a fire service installations proposal within 3 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.11.2018;
- (k) in relation to (j) above, the implementation of the 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 17.2.2019;
- (l) the implementation of the accepted landscape proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 17.2.2019;
- (m) the provision of boundary fencing on the Site within 3 months from the

date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 17.11.2018;

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

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

#### **Agenda Item 44**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/89                      Proposed Pond Filling for Temporary Open Storage of Construction Materials and Recycled Materials Collection Centre for a Period of 3 Years in “Government, Institution or Community” Zone and an area shown as ‘Road’, Lot 256 (Part) in D.D. 125, San Wai, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/89)

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Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed pond filling for temporary open storage of construction materials and recycled materials collection 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 did not support the application as there were sensitive receivers in the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, two public comments from individuals were received objecting to the application. Major grounds of objections were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the proposed use was not in line with the planning intention of the “Government, Institution or Community” (“G/IC”) zone 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 jeopardise the long-term development of the site. The applied use was also not incompatible with the surrounding uses which were predominantly occupied for warehouse and open storage uses. Although the proposed development was generally not in line with Town Planning Board Guidelines No. 13E in that the site fell within Category 4 areas, where applications would normally be rejected except under exceptional circumstances, the site was rezoned from “Green

Belt” to “G/IC” and an area shown as ‘Road and similar application was approved within the same “G/IC” zone. Although DEP did not support the application as there were sensitive uses in the vicinity, there was no environmental complaint received in the past three years. Relevant approval conditions had been recommended to address the concerns on possible environmental nuisances. Regarding public comments, the comments of government departments and the planning assessments above were relevant.

174. Members had no question on the application.

#### Deliberation Session

175. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.8.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no part of the pond shall be filled to a depth exceeding 1.2m, as proposed by the applicant;
- (b) no operation between 6:00 p.m. and 8:00 a.m. on Mondays to Saturdays, 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 vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) no pond/land filling on Site should be allowed until the flood mitigation measures are implemented to the satisfaction of the Director of Drainage Services or of the TPB;

- (f) the submission of a revised drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.2.2019;
- (g) in relations to (f) above, the implementation of the revised drainage proposal and the proposed flood mitigation measures within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.5.2019;
- (h) in relations to (g) above, the implemented drainage facilities on Site shall be maintained at all times during the planning approval period;
- (i) the submission of a landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.2.2019;
- (j) in relations to (i) above, the implementation of the landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.5.2019;
- (k) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.9.2018;
- (l) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2019;
- (m) in relation to (l) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.5.2019;
- (n) the provision of fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by

17.2.2019;

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

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

#### **Agenda Item 45**

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

[Open Meeting]

A/YL-LFS/316      Proposed Temporary Public Vehicle Park (Private Car and Coach) for a Period of 3 Years in “Residential (Group D)” Zone, Lot 588 in D.D. 128, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/316A)

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177. The Committee noted that the applicant requested on 2.8.2018 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address the comments of the Transport Department. It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

#### **Agenda Item 46**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/324 Proposed Flat with Shop and Services and Minor Relaxation of Building Height Restrictions in "Village Type Development" Zone, Lots 1477 S.A, 1477 S.N, 1477 S.O and 1477 S.P in D.D. 129, Mong Tseng Wai, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/324)

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

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

- (a) background to the application;
- (b) the proposed flat with shop and services and minor relaxation of building height restrictions;
- (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) and the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD) considered that the proposed development was incompatible with the surrounding development and approval of the application would set an undesirable precedent. The District Officer (Yuen Long), Home Affairs Department conveyed that one local objection was received. Major grounds of objection were set out in paragraph 9.1.10 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 period, 10 public comments from villagers and individuals were received. Amongst them, four comments supported the application while the remaining six comments objected to the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Village Type Development” zone which was primarily intended for development of Small Houses by indigenous villagers. There were no strong justifications to deviate from the planning intention and approval of the application would set an undesirable precedent and encourage similar developments to proliferate in the area. The cumulative effect would reduce the land reserved for Small House development. The proposed development was not in line with the Town Planning Board Guidelines No. 12C in that the site fell within the Wetland Buffer Area and no ecological impact assessment was submitted to demonstrate that the development would not have adverse ecological impact on the surrounding area. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

180. Members had no question on the application.

### Deliberation Session

181. Noting that the layout of proposed development had shown a kitchen on each floor and separate access, a Member enquired whether there was control on the internal layout of Small Houses. In response, the Chairman said that the current application was for flat use instead of Small House. Mr Albert K.L. Cheung, Assistant Director (Regional 3), Lands Department supplemented that under Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121), any New Territories Exempted House (NTEH) (including Small House) could have a roof-over area not exceeding 65.03m<sup>2</sup> and a building height not exceeding 3 storeys (8.23m). The internal layout of NTEH was not subject to control.

182. 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 “Village Type Development” zone which is to designate both existing recognized and other 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;
- (b) there are no planning and design merits in the submission to support the request for minor relaxation of building height from 3 storeys (8.23m) to 4 storeys (13.16m);
- (c) there is insufficient information in the submission to demonstrate that the development would not have adverse ecological impact on the surrounding areas and not in line with the Town Planning Board Guidelines for Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance; and
- (d) approval of the application would set an undesirable precedent for similar residential developments to proliferate in the area.”

**Agenda Item 47**

**Section 16 Application**

[Open Meeting]

A/YL-LFS/325      Proposed Pond Filling for Permitted Rural Committee / Village Office  
(Mong Tseng Tsuen Village Office) and Open Space in “Village Type  
Development” Zone, Lot 1169 (Part) in D.D. 129, Mong Tseng Tsuen,  
Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/325)

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183.      The Committee noted that the applicant requested on 9.8.2018 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address departmental comments. It was the first time the applicant requested deferment of the application.

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

**Agenda Item 48**

**Section 16 Application**

[Open Meeting]

A/YL-TT/435            Temporary Public Vehicle Park for Private Car for a Period of 3 Years  
in “Village Type Development” Zone, Lot 1064 RP in D.D. 117, Wong  
Nai Tun Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TT/435)

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185.            The Committee noted that the applicant’s representative requested on 6.8.2018  
deferment of consideration of the application for a period of two months so as to allow time  
for preparation of further information to address the comments of the Transport Department.  
It was the first time the applicant requested deferment of the application.

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

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

**Agenda Item 49**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/436            Proposed Temporary Shop and Services (Vehicle Parts Shop) for a  
Period of 3 Years in “Village Type Development” Zone, Lot 1605 RP  
(Part) in D.D. 119, Kiu Hing Road, Yuen Long  
(RNTPC Paper No. A/YL-TT/436)

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Presentation and Question Sessions

187. 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) the proposed temporary shop and services (vehicle parts shop) 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, 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 the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, there was no Small House application approved or under processing at the site currently. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. The proposed use was not entirely incompatible with the surrounding uses which were predominated by scattered residential dwellings mixed with storage yards, car parks workshops and some agricultural land and unused land. Concerned government departments had no objection to or no adverse comments on the application and relevant approval conditions were recommended to address the technical requirements of relevant government departments. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

188. Members had no question on the application.

Deliberation Session

189. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.8.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 4:00 p.m. and 11:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, 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;
- (c) no car washing and car repairing activities, as proposed by the applicant, at any time during the planning approval period;
- (d) no vehicle is allowed to be parked at night within the Site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the provision of boundary fence on the Site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.2.2019;
- (g) the submission of a road connection or 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 17.2.2019;

- (h) in relation to (g) above, the implementation of the road connection or run-in/run-out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 17.5.2019;
- (i) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.2.2019;
- (j) in relation to (i) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.5.2019;
- (k) in relation to (j) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (l) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2019;
- (m) in relation to (l) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.5.2019;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e) or (k) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (o) if any of the above planning conditions (f), (g), (h), (i), (j), (l) or (m) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;  
and
- (p) upon 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.”

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

## **Agenda Item 50**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/906 Temporary Open Storage of Recycling Materials (Metal, Plastic and Paper) and Used Electrical/Electronic Appliances and Parts with Ancillary Packaging Activities for a Period of 3 Years in “Undetermined” and “Village Type Development” Zones, Lots 324 (Part), 325, 326 (Part), 327 S.E RP (Part), 1420 RP and 1421 (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/906)

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### **Presentation and Question Sessions**

191. 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) the proposed temporary open storage of recycling materials (metal, plastic and paper) and used electrical/electronic appliances and parts with ancillary packaging activities for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection did not support the application as there were sensitive 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 that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” zone which was generally intended for open storage use. Whilst the site fell within an area zoned “Special Residential – Public Rental Housing (with Commercial)”, “Local Open Space” and “District Open Space” and an area shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross Boundary Infrastructure and Development and the Project Manager (West), Civil Engineering and Development Department had no objection to the application. As regards the minor portion of the site falling within the “Village Type Development” (“V”) zone, that portion had been included in the seven previously approved applications and the District Lands Officer/Yuen Long, Lands Department advised that there was no Small House application within this part of the “V” zone currently. Approval of the application on a temporary basis would not frustrate the long-term development of the area. The application was also generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up uses. Although DEP did not support the application, there were no environmental complaints received in the past three years and relevant approval conditions were recommended to mitigate any potential environmental nuisances. Seven similar uses covering the site and a number of similar applications for open storage uses had been approved by the Committee. Approval of the application was considered in line with the Committee's previous decisions.

192. Members had no question on the application.

### Deliberation Session

193. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.8.2021, 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. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste, as proposed by the applicant, is allowed outside the concrete-paved covered structures on the Site at any time during the planning approval period;
- (d) no dismantling, repairing, cleansing or other workshop activities, except ancillary packaging activities, as proposed by the applicant, are allowed on the Site at any time during the planning approval period;
- (e) no loading/unloading activities are allowed at Structures No. 1 and 2 on the Site, as proposed by the applicant, at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing trees and landscape planting on the Site shall be maintained at all times during the planning approval period;

- (h) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (i) the 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 17.11.2018;
- (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 28.9.2018;
- (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 17.2.2019;
- (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 17.5.2019;
- (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.”

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

set out at Appendix VI of the Paper.

### **Agenda Item 51**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/907      Proposed Temporary Warehouse for Storage of Construction Materials, Construction Machinery and Scrap Metal for a Period of 3 Years in “Undetermined” Zone, Lots 1523 (Part), 1527 (Part), 1530 (Part), 1531 S.A, 1531 S.B and 1532 (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/907)

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

195.      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) the proposed temporary warehouse for storage of construction materials, construction machinery and scrap metal for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity and environmental nuisance was anticipated. 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 that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” zone which was generally for open storage use. Whilst the site fell within an area zoned “Special Residential – Public Rental Housing (with Commercial)”, “Residential – Zone 2 (with Commercial)”, “Government” and “Other Specified Uses” annotated “Mixed Use” on the Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross Boundary Infrastructure and Development and the Project Manager (West), Civil Engineering and Development Department had no objection to the application. Approval of the application on a temporary basis would not jeopardise the long-term development of the area. The proposed use was not incompatible with the surrounding uses which were mainly occupied by similar warehouse, open storage/storage yards and workshop uses. Although DEP did not support the application, there were no environmental complaints received in the past three years and relevant approval conditions were recommended to mitigate any potential environmental nuisances. Four previous applications and 39 similar applications in the vicinity of the site had been approved by the Committee. Approval of the subject application was in line with the Committee's previous decisions.

196. Members had no question on the application.

#### Deliberation Session

197. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.8.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

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

is allowed on the Site during the planning approval period;

- (c) no workshop activities, as proposed by the applicant, are allowed on the Site at any time during the planning approval period;
- (d) no heavy goods vehicle exceeding 24 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the provision of boundary fence on the Site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.2.2019;
- (g) the submission of landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.2.2019;
- (h) in relation to (g) above, the implementation of landscape and tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 17.5.2019;
- (i) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.2.2019;
- (j) in relation to (i) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.5.2019;
- (k) in relation to (j) above, the implemented drainage facilities on the Site

should be maintained at all times during the planning approval period;

- (l) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2019;
- (m) in relation to (l) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.5.2019;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e) or (k) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (o) if any of the above planning conditions (f), (g), (h), (i), (j), (l) or (m) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (p) upon 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.”

198. 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-TYST/908 Temporary Open Storage of Metal, Scrap Metal and Plastic with Ancillary Workshop for a Period of 3 Years in “Undetermined” Zone, Lots 1449 (Part), 1450 (Part), 1453, 1454 (Part), 1458 (Part) and 1459 (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/908)

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### **Presentation and Question Sessions**

199. 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) the temporary open storage of metal, scrap metal and plastic with ancillary workshop 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 that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” zone which

was generally for open storage use. Whilst the site fell within an area zoned “District Open Space” and an area shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross Boundary Infrastructure and Development and the Project Manager (West), Civil Engineering and Development Department had no objection to the application. The applied use was not incompatible with the surrounding uses which were mainly occupied by open storage/storage yards, warehouses and workshops. The applied use was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up uses. Although DEP did not support the application, there were no environmental complaints received in the past three years and relevant approval conditions were recommended to mitigate any potential environmental nuisances. Three similar uses covering the site and 122 similar applications for open storage uses had been approved by the Committee. Approval of the application was considered in line with the Committee’s previous decisions.

200. Members had no question on the application.

#### Deliberation Session

201. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.8.2021, 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., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any

other types of electronic waste, as proposed by the applicant, is allowed on the Site at any time during the planning approval period ;

- (d) no dismantling, repairing, cleansing or other workshop activities, except ancillary packing and consolidation activities in Structure 4, as proposed by the applicant, are allowed on the Site at any time during the planning approval period;
- (e) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing trees and landscape planting on the Site shall be maintained at all times during the planning approval period;
- (h) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.2.2019;
- (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 provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.9.2018;
- (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 17.2.2019;

- (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 17.5.2019;
- (m) 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;
- (n) if any of the above planning conditions (h), (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.”

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

### **Agenda Item 53**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/247 Temporary Shop and Services (Motor-vehicle Showroom) with Ancillary Offices for a Period of 6 Years in “Open Space” and “Village Type Development” Zones, Lot 104 RP (Part) in D.D. 115 and Adjoining Government Land, Yuen Long  
(RNTPC Paper No. A/YL/247)

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

203. 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) the temporary shop and services (motor-vehicle showroom with ancillary offices) for a period of six years;
- (c) departmental comments – 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 from a Yuen Long District Councillor and an individual. Amongst them, one provided comment on the application while the other had no comment on the application. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of six years based on the assessments set out in paragraph 10 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could provide shop and services to serve any such demand in the area. The District Lands Officer/Yuen Long, Lands Department advised that there was currently no Small House application under processing at the site. As regard the portion of the site falling within the “Open Space” zone, the Director of Leisure and Cultural Services advised that there was no implementation programme to develop the site into public open space at present. As such, approval of the application on a temporary basis would not frustrate the long-term planning intention area. The proposed development was not incompatible with the surrounding uses which mainly comprised residential uses, motor-vehicle showroom/car selling and unused land. Relevant approval conditions had been recommended to minimise potential nuisance and address the technical requirements of concerned government departments. Regarding the public comments, the comments of government departments and the

planning assessments above were relevant.

204. Members had no question on the application.

#### Deliberation Session

205. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 6 years until 17.8.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 9:00 p.m. and 11:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no car beauty, car washing, car repairing, car dismantling or other workshop activities, as proposed by the applicant, are allowed 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) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (e) 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 17.11.2018;
- (f) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2019;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the

satisfaction of the Director of Fire Services or of the TPB by 17.5.2019;

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

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

#### **Agenda Item 54**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/248                      Proposed Temporary Religious Institution (Church) for a Period of 5 Years in “Other Specified Uses” annotated “Public Car Park with Ground Floor Retail Shops” Zone, Shops No. 3 and 6, G/F, Denker Plaza, 16 Hi Yip Street, Tung Tau Industrial Area, Yuen Long  
(RNTPC Paper No. A/YL/248)

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

207. 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) the proposed temporary religious institution (church) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received providing views on the application. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of five years based on the assessments set out in paragraph 10 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Other Specified Uses” annotated “Public Car Park with Ground Floor Retail Shops (1)” zone, it could provide such service to serve any such demand in the area. The proposed use was not incompatible with other retail shop uses on the Ground Floor of the existing building. Whilst there was a previous planning application (No. A/YL/226) approved by the Committee on 10.11.2017 for redevelopment of the existing building into an 8-storey office cum public car parking building with Ground Floor retail shops, approval of the application on a temporary basis would not jeopardise the redevelopment plan of the existing building. Relevant approval conditions were recommended to address the technical requirements of concerned government departments. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

208. Members had no question on the application.

Deliberation Session

209. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 17.8.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission of a fire service installations and water supplies for firefighting proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2019;
- (b) in relation to (a) above, the implementation of the fire service installations and water supplies for firefighting proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.5.2019; and
- (c) if any of the above planning conditions (a) or (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

**Agenda Item 55**

Any Other Business

211.        There being no other business, the meeting closed at 6:15 p.m..