

TOWN PLANNING BOARD

**Minutes of 626th Meeting of the
Rural and New Town Planning Committee held at 2:30 p.m. on 17.5.2019**

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Ivan C.S. Fu

Dr F.C. Chan

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Mr K.W. Leung

Dr Jeanne C.Y. Ng

Chief Traffic Engineer/New Territories East,
Transport Department
Mr Ken K.K. Yip

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

Assistant Director (Environmental Assessment),
Environmental Protection Department
Mr Terence S.W. Tsang

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

Deputy Director of Planning/District
Miss Fiona S.Y. Lung

Secretary

Absent with Apologies

Mr H.W. Cheung

Vice-chairman

Mr David Y.T. Lui

Mr K.K. Cheung

Dr C.H. Hau

Dr Lawrence K.C. Li

Mr L.T. Kwok

Mr Ricky W.Y. Yu

In Attendance

Assistant Director of Planning/Board
Ms April K.Y. Kun

Chief Town Planner/TPB
Mr Kepler S.Y. Yuen

Town Planner/TPB
Mr Harris K.C. Liu

Agenda Item 1

Confirmation of the Draft Minutes of the 625th RNTPC Meeting held on 3.5.2019

[Open Meeting]

1. The draft minutes of the 625th RNTPC meeting held on 3.5.2019 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

General

[Mr Derek W.O. Cheung, Ms Donna Y.P. Tam, Ms Jessica H.F. Chu, Mr Tom C.K. Yip, Mr David Y.M. Ng, District Planning Officers (DPOs), and Mr Edward H.C. Leung, Senior Town Planner/Metro District Planning Division Headquarters (STP/MHQ), were invited to the meeting at this point.]

Agenda Item 3

[Open Meeting]

Review of Sites Designated “Comprehensive Development Area” on Statutory Plans in the New Territories for the Years 2017/2019

(RNTPC Paper No. 3/19)

Presentation and Question Sessions

3. Mr Edward H.C. Leung, STP/MHQ, introduced the background of the review of “Comprehensive Development Area” (“CDA”) sites. According to Town Planning Board

Guidelines No. 17A, the review of “CDA” sites designated for more than three years should be conducted on a biennial basis. The review would assist the Committee in considering the rezoning of suitable “CDA” sites to other appropriate zonings and monitoring the progress of “CDA” developments. The last review was conducted in 2017.

4. With the aid of a PowerPoint presentation, Mr Edward H.C. Leung presented the results of the latest review on “CDA” sites in the New Territories as detailed in the Paper and made the following main points:

- (a) there were a total of 62 “CDA” sites in the New Territories by the end of March 2019, including two “CDA” sites designated for less than three years. The current review had examined the remaining 60 “CDA” sites which had been designated for more than three years;

“CDA” Sites with No Approved Master Layout Plan (MLP)

- (b) there were 19 “CDA” sites which had been designated for more than three years with no approved MLP. Among which, 11 of them were proposed to be retained and eight sites would be subject to review;

Sites Proposed for Retention

- (c) one site was currently covered by a planning and engineering study pending Government’s review on the way forward. Four sites were actively being pursued with MLPs being prepared. Approved MLPs for three sites had lapsed and the applicants were reviewing their development proposals. Three sites were subject to various planning concerns which needed to be properly addressed. Detailed justifications for retaining the 11 “CDA” sites were set out in Appendix I of the Paper;

Sites Subject to Review

- (d) the remaining eight “CDA” sites, including Lok On Pai Ex-Desalting Plant, Tuen Mun (NTW 9), Tan Kwai Tsuen Road, Yuen Long (NTW 21), Long Ha, Kam Tin (NTW 40), South-East of Tong Fong Tsuen and West of Ping Ha Road, Ping Shan (NTW 43), three sites bounded by Long Tin Road,

Long Ping Road and West Rail Viaduct (NTW 50, NTW 51 and NTW 52) and Tseung Kwan O Area 92 (TKO 1), would be subject to review mainly for the reasons of increasing development intensity, facilitating early implementation, as well as resolving traffic and infrastructural constraints and industrial/residential interface issue. Detailed justifications for reviewing the eight “CDA” sites were set out in Appendix II of the Paper;

“CDA” Sites with Approved MLP

- (e) there were 41 “CDA” sites that had been designated for more than three years with approved MLP. Among which, 30 “CDA” sites were proposed to be retained, six sites had already agreed for rezoning and five sites were proposed for rezoning;

Sites Proposed for Retention

- (f) the 30 “CDA” sites with approved MLP were proposed for retention to ensure that the developments were properly implemented in accordance with the approved MLPs and approval conditions. Detailed justifications for the retention of these sites were set out in Appendix III of the Paper;

Sites Already Agreed for Rezoning

- (g) the Committee had agreed to rezone six “CDA” sites, including residential developments at Tak Yip Street, Yuen Long (NTW 20), Castle Peak Road, Hung Shui Kiu, Yuen Long (NTW 22), the junction of Fuk Hang Tsuen Road and Lam Tei Main Street, Tuen Mun (NTW 29), east of Ping Ha Road and north of Castle Peak Road, Ping Shan (NTW 44), the junction of Yuen Lung Street and Yuen Ching Road, Yuen Long (YL 1) and the “CDA” site at the Che Kung Temple Station, Ma On Shan Rial, Sha Tin (NTE 22), to appropriate zonings to reflect their as-built conditions. The current progress of rezoning of these six “CDA” sites were set out in Appendix IV of the Paper; and

Sites with Potential for Rezoning

- (h) since the developments thereon had been completed, five “CDA” sites were

proposed to be rezoned to appropriate zonings to reflect their as-built conditions and approved use subject to full compliance with approval conditions and when opportunity arose. These five “CDA” sites included Tuen Mun Area 56, Tuen Mun (NTW 33), Tai Po Tsai, Clear Water Bay (SK-A2), north-west of Mei Fuk Street, Sai Kung (SK 5), north of West Rail Long Ping Station (YL 4) and Park Island, Tung Wan and Tung Wan Tsai in Ma Wan (TW 32). Detailed justifications were set out in Appendix V of the Paper.

5. The Chairman recapitulated that the review of “CDA” sites designated for more than three years had been undertaken regularly since 1999 in order to monitor the progress of developments. For “CDA” sites with approved MLP, questionnaires would be sent to the developers or their agents to have a better understanding on progress of their implementation. For “CDA” sites with no MLP approved, the review would look into the difficulties hindering implementation and appropriate measures to resolve those difficulties would be explored. For instance, previously a large “CDA” site with no implementation progress for many years was sub-divided into several “CDA” sites upon review, and application for development at the sub-divided “CDA” sites had subsequently been received. In sum, among the total of 60 “CDA” sites in New Territories, 41 sites with approved MLP were in different development stages. For the remaining 19 “CDA” sites with no approved MLP, recommendations had been made in respect of their implementation progress.

6. Noting that some “CDA” sites with no approved MLP, for example the Lok On Pai Ex-Desalting Plant site, were subject to traffic constraints, a Member asked whether relevant departments would be engaged to resolve the traffic issue. The Chairman explained that the Planning Department (PlanD) would work with relevant departments to resolve site constraints. Regarding the Lok On Pai Ex-Desalting Plant site, Mr David Y.M. Ng, DPO/TM&YLV, supplemented that the site with an area of about 9 ha was accessible from Tsing Fat Street connecting to Castle Peak Road (Tai Lam). In view of the proposed scale of development at the site with limited traffic and infrastructure support, additional public transportation and infrastructural services as well as government, institution and community facilities might be required to serve future residents at the site. PlanD would liaise with relevant departments to address the traffic and infrastructure constraints to facilitate early implementation of development at the site.

7. Another Member enquired whether recommendations or advice raised by non-governmental organisations (NGOs) and think tanks had been taken into account in the review and the site areas of “CDA” sites. In response, the Chairman said that questionnaires were sent to the developers or their agents for the “CDA” sites designated for more than three years with approved MLP in order to have a better understanding on the implementation of the sites. Feedbacks of the questionnaires were summarised in paragraph 4.2.2 of the Paper. Regarding comments of some NGOs or think tanks concerning the slow progress of some “CDA” sites, the purpose of this review was to closely monitor the progress of developments. The site areas of “CDA” sites was shown in the appendices of the Paper.

8. After deliberation, the Committee decided to :

- “(a) note the findings of the review of the sites designated “CDA” on statutory plans in the New Territories;
- (b) agree to the proposed retention of the “CDA” designation for the sites mentioned in paragraphs 4.1.1 and 4.2.1 and detailed at Appendices I and III of the Paper;
- (c) note the sites which are subject to review mentioned in paragraph 4.1.3 and detailed at Appendix II of the Paper;
- (d) note the agreement of the Committee to rezone the sites mentioned in paragraph 4.2.2 and detailed at Appendix IV of the Paper; and
- (e) agree to the proposed rezoning of the sites mentioned in paragraph 4.2.3 and detailed at Appendix V of the Paper.”

[The Chairman thanked Mr Derek W.O. Cheung, Ms Donna Y.P. Tam, Ms Jessica H.F. Chu, Mr Tom C.K. Yip, Mr David Y.M. Ng, DPOs, Mr Edward H.C. Leung, STP/MHQ, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Sha Tin, Tai Po and North District

Agenda Item 4

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/NE-LK/1 Application for Amendment to the Approved Luk Keng and Wo Hang Outline Zoning Plan No. S/NE-LK/11, To Rezone the Application Site from “Agriculture” and “Recreation” to “Comprehensive Development Area”, Various Lots in D.D. 39 and Adjoining Government Land, Ha Wo Hang, Sha Tau Kok
(RNTPC Paper No. Y/NE-LK/1D)

9. The Secretary reported that Landes Limited (Landes) 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 Landes. The Committee agreed that Mr Ivan C.S. Fu could stay in the meeting as he had no involvement in the application.

Presentation and Question Sessions

10. The following representatives from government departments and the applicant were invited to the meeting at this point:

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|---------------------|---|
| Ms Jessica H.F. Chu | - District Planning Officer/Shan Tin, Tai Po and North, Planning Department (DPO/STN, PlanD) |
| Mr Tim T.Y. Fung | - Senior Town Planner/Shan Tin, Tai Po and North (STP/STN), PlanD |
| Ms Aidia S.W. Chan | - Senior Nature Conservation Officer/North, Agriculture, Fisheries and Conservation Department (SNCO/North, AFCD) |

Ms Chole C.U. Ng - Nature Conservation Officer/North, AFCD

Ms Tam Pui Wai	}	Applicant's Representatives
Mr Andrew Suen		
Mr Antony Wong		
Mr Daniel Yeung		
Mr Ted Lam		
Mr Mike Pang		
Mr Siu Lung Ng		
Mr Thomas Luk		
Miss Joyce Lee		
Mr Chris Tse		
Miss Tiffany Yeung		

11. 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) background to the application;
- (b) the proposed rezoning of the site from "Agriculture" ("AGR") and "Recreation" ("REC") to "Comprehensive Development Area" ("CDA") to facilitate a proposed residential development cum nature conservation centre (NCC);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) had reservation on the application as the site possessed high potential for agricultural rehabilitation. Besides, the fallow agricultural land (most of which had become wetland) and the stream within the site were ecologically sensitive, and there were fung shui woodlands and lowland secondary woodland located in the vicinity of the site. The submitted Ecological Impact Assessment (EcoIA) failed to

demonstrate there would be no adverse ecological impact. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD also had reservation on the application in that the proposed development would significantly alter the rural landscape character even though a NCC was proposed, and approval of the application might set an undesirable precedent. The Commissioner for Transport (C for T) could not render support to the application at this stage as further assessment and information was required. The Chief Highways Engineer/New Territories East, Highways Department (CHE/NTE, HyD) and the District Officer (North) (DO(N)) had doubt on the proposed 24-hour unrestricted access for vehicles and pedestrians serving the nearby villages. The Commissioner of Police (C of P) was concerned about the additional traffic load for Sha Tau Kok Road. DO(N) also conveyed objections received from the Chairman and First Vice-Chairman cum the Indigenous Inhabitant Representative (IIR) of Ha Wo Hang and Vice Chairman of Sha Tau Kok District Rural Committee (STKDRC), the North District Council (NDC) member of Sha Ta Constituency, the IIR and Resident Representative (RR) of Tai Long and the IIRs and RRs of Sheung Wo Hang and Au Ha, the RR of Ha Wo Hang and the IIR of Ma Tseuk Leng Sheung. Their major concerns were set out in paragraph 9.1.15(a) of the Paper. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication periods, a total of 365 public comments were received, in which 27 supporting the application, and two expressing concerns were submitted by individuals. 12 submissions indicating no comments were submitted by the Chairman of Sheung Shui District Rural Committee, a NDC member and individuals. 324 objecting comments were submitted by a Legislative Council member, two NDC members, STKDRC, IIRs and RR of Sheung Wo Hang Village, villagers from Ha Wo Hang and Au Ha, World Wide Fund for Nature Hong Kong, Kadoorie Farm and Botanic Garden Corporation, The Hong Kong Bird Watching Society, The Conservancy Association, Green Sense, Designing Hong Kong Limited and individuals. Major views and

objection grounds were set out in paragraph 10.4 to 10.6 of the Paper; and

- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. Luk Keng and Wo Hang area was generally of high ecological value and the planning intention of the area was to enhance natural conservation of countryside and to preserve natural landscape and features of ecological significance. Since the site was generally undisturbed fallow agricultural land with a stream running through the site, DAFC had reservation on the application and retention of the “AGR” zoning was considered appropriate. Although various technical assessments were submitted in support of the application, the applicant failed to demonstrate that the proposed development would not cause adverse ecological and traffic impacts on the surrounding areas, and some concerned departments had reservation on or did not support the application. According to the applicant, the proposed development would be divided into three phases. However, there was insufficient information to demonstrate how the proposed phasing had taken due consideration of the development potential of the lots which were not under the applicant's ownership as well as the development potential of the unacquired lots and their access not being affected. Part of the site was involved in two rezoning requests No. Z/NE-LK/2 and Z/NE-LK/3, which were rejected by the Committee in 2004 and 2005 respectively. The planning circumstances of the current application were similar to those previously rejected rezoning requests. Approval of the current application might set an undesirable precedent for other similar development within the “AGR” zone, and resulting in further loss of agricultural land with high rehabilitation potential and a general degradation of rural character and natural landscape of the area. Regarding the public comments, comments of concerned departments and the planning assessments above were relevant.

12. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of PowerPoint presentation, Miss Joyce Lee made the following main points:

The Site and Its Surrounding Areas

- (a) the site, located at Wo Hang, was mainly occupied by abandoned agricultural land with a few temporary structures for rural industrial uses located in the northwest of the site. There was also a semi-natural stream, with man-made u-channel and weirs, and three existing ponds within the site;

- (b) the site was accessible via Sha Tau Kok Road – Wo Hang connecting to Fanling Highway. It could access to Fanling town centre by various means of public transportation;

Previous Planning Applications

- (c) the current application had taken due consideration of the comments received in the previously rejected rezoning requests and had formulated a more compatible development scheme. For example, a 3m-wide setback along the existing stream and fence wall with 1.8m to 4m in height along Sha Tau Kok Road were proposed to protect the stream course and to minimise noise impact respectively. Suitable mitigation measures were proposed to minimize potential impacts on surrounding areas, not to affect fung shui woodlands and lowland secondary woodland and to upgrade the existing village track and footpath;

The Proposed Development and Design Merits

- (d) the site comprised Site A for the proposed residential development with 136 houses and Site B for the proposed NCC. 24-hour unrestricted vehicular and pedestrian access would also be provided within Site A for replacing the existing local roads and footpaths serving local villagers. The proposed NCC at Site B would provide 193 guest rooms for short-term accommodations and act as a base for community outreach and education programme. The three existing ponds within Site B would be retained together with an additional man-made pond to enhance natural environment and scenery;

- (e) various mitigation measures, such as introducing silt fencing, prohibiting vehicle washing and minimising the use of chemical applications, were proposed during construction and operation stages to minimise the potential environmental and ecological impacts. Besides, about 70% of existing trees would be retained in-situ. Although about 81 trees within the site were proposed to be felled, 639 compensation trees would be provided (equivalent to a compensation ratio of 1:7). The expected total trees within the site would be about 801, equivalent to an increase of 226% of existing number of trees;
- (f) the proposed development would be divided into three phases. The first phase comprised main residential cluster (part of Site A), access road to Sha Tau Kok Road, communal facilities (e.g. visitor carparks and clubhouse) and other essential facilities (e.g. transformer room). The second phase included the proposed NCC and rehabilitation of existing ponds and natural habitats. The third phase would be the remaining portion of Site A;

Planning Justifications

- (g) there was minimal chance to rehabilitate the site for cultivation as the site had been abandoned for a long period of time. Chemicals, which might be harmful to the ecosystem and water quality, would be required to restore its agricultural function;
- (h) the proposed residential use could not only meet the keen housing demand, but also demonstrate the co-living with nature. The rezoning proposal was in line with the Policy Address which called for taking forward planning project on deserted or damaged agricultural land and helped phase out non-conforming existing uses; and
- (i) the proposed “CDA” zoning would allow the Town Planning Board (the Board) and relevant departments to scrutinize the detailed development proposal at a later stage and to introduce appropriate control. There were similar rezoning applications No. Y/NE-KTS/3 and Z/NE-KTN/P3

approved by the Committee in 2011 and 1998 respectively. In particular, development parameters of rezoning application No. Y/NE-KTS/3 was similar to that of the current application. Approval of the current application would not set an undesirable precedent.

13. With the aid of PowerPoint presentation, Miss Joyce Lee, Mr Siu Lung Ng and Mr Mike Pang, applicant's representatives, continued to make the following main points:

Key Findings of Traffic Impact Assessment (TIA)

- (a) the new Heung Yuen Wai Highway, which would be opened in late May 2019, would provide an alternative route connecting to Fanling Highway. Traffic conditions in the Sha Tau Kok area would be improved with the new highway;
- (b) regarding C for T's comments on the adequacy of public transport services and pedestrian facilities as well as junction capacity assessment, further assessments could be carried out at s.16 planning application stage if the rezoning application was approved. As for the concerns on parking provision, the applicant would adopt the high-end provision under the Hong Kong Planning Standards and Guidelines for residents' parking spaces and make reference to other similar conservation centres for the parking provision of the proposed NCC;

Potential Ecological and Environmental Impacts

- (c) the abandoned agricultural land was not of high ecological value as vegetation found within the site were of low conservation importance. Although some fauna species of high conservation importance (e.g. Greater Coucal, Japanese Pipistrelle and Chinese Pond Heron) were found within the site, it was not the breeding ground for those fauna species;
- (d) noted that some fish species and amphibian species of conservation importance were recorded in the existing stream within the site, the applicant proposed a 3m-wide buffer area along the stream and committed that no works would be carried out at the stream course so as to minimise

any potential nuisance. Also, construction of road and bridge crossing structures would be land based works. The applicant would adopt various mitigation measures during construction stage to minimise the potential impact on the stream;

- (e) regarding the potential impact on fung shui woodlands and lowland secondary woodland, there was no fauna species of conservation importance found in those areas. Since those areas were separated from the site by existing village settlements, it was expected that the disturbances caused by the proposed development would be mild;
- (f) an environmental assessment (EA) had been conducted and its findings concluded that there would be no adverse air, noise and water quality impacts with the implementation of appropriate mitigation measures. The Environmental Protection Department had no adverse comment on the submitted EA; and

Other Technical Aspects

- (g) as for drainage, geotechnical and water supplies aspects, concerned departments had no adverse comments on the submitted technical assessments.

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

15. Some Members raised the following questions:

- (a) the vision and operation details of the proposed NCC;
- (b) noting that 192 guest rooms would be provided within the proposed NCC, whether there was any similar type of development;
- (c) noting that 24-hour vehicular and pedestrian access was proposed within the site, how the applicant could ensure that the access could serve nearby

villages; and

- (d) the scale of the proposed development in comparison with village houses in the surrounding areas.

16. Mr Andrew Suen, the applicant's representative, made the following responses:

- (a) the applicant proposed to establish the NCC for conserving the three existing ponds and associated wetland within Site B. Given the proposed development was still in preliminary design stage, detailed design and management details of the proposed NCC were yet to be formulated. Nevertheless, non-government organizations or universities would be engaged for operating the proposed NCC and holding education programmes and guided tours about nature conservation and cultural heritages of Sha Tau Kok area. Should the application be approved, details of the proposed NCC would be submitted as part of the s.16 application;
- (b) since the proposed NCC would be self-financing, provision of guest rooms could help generating income to sustain the proposed NCC. Though the number of guest rooms could be further reviewed, reference was made to the Jockey Club Sai Kung Outdoor Training Camp in Sai Kung as well as an example in UK when formulating the initial design of the proposed NCC; and
- (c) some local roads and footpaths serving nearby villages would be affected by the proposed development. Therefore, the applicant proposed the 24-hour vehicular and pedestrian access within the site as a mitigation measure. Detailed arrangement of the proposed 24-hour vehicular and pedestrian access and its management details would be available at the time of submitting the Master Layout Plan of the proposed development at the s.16 planning application stage.

17. Regarding the development scale of surrounding village houses and the proposed

development, Ms Jessica F.H. Chu, DPO/STN, said that some village houses falling within areas zoned “Village Type Development” (“V”) were located in the vicinity of the site. According to the Notes for “V” zone, all development would be subject to the maximum building height (BH) of 3 storeys (8.23m). A “REC” zone with area of about 11ha was located along Sha Tau Kok Road. Development within the “REC” zone was subject to the maximum BH of 2 storeys (6m). Whilst, according to the applicant’s indicative scheme, the maximum BH of 136 houses in Site A would be 2 storeys (11.25m) in height and that of the proposed NCC in Site B would be 3 storeys (16.15m) in height. The BH of proposed development submitted by the applicant was higher than that of the surrounding developments.

18. In response to a Member’s question on noise barrier and fence wall of the site, Mr Ted Lam, the applicant’s representative, said that noise barrier of 1.8m to 4m in height was proposed along Sha Tau Kok Road and fence wall of 1.8m would surround the residential portion in Site A for security reason. However, there would be no fence wall surrounding the fish ponds and the proposed NCC in Site B. With reference to Drawings Z-4 and Z-5, Ms Jessica F.H. Chu, DPO/STN, pointed out that fence wall of 1.8m in height was proposed to enclose the entire site, including Site B.

19. Noting that around 88% of the areas in Luk Keng and Wo Hang area were zoned “AGR”, “Green Belt”, “Conservation Area”, “Coastal Protection Area” and “Site of Special Scientific Interest”, a Member enquired the applicant’s justifications in support of rezoning the site for residential use. In response, Mr Andrew Suen and Miss Joyce Lee said that the site had been abandoned for more than 20 years and was surrounded by village settlements. Unless there was a substantial change in the land use planning for the area, the site could not be put for other meaningful uses. The completion of Heung Yuen Wai Highway and the provision of new boundary facilities would improve the traffic condition and provide the opportunity for a change in land use planning. In view of keen housing demand, residential use was considered appropriate as it could increase housing supply and better utilize the site.

20. In response to the Chairman’s question on the ecological value of the site, Ms Aidia S.W. Chan, SNCO/North, AFCD, said that both the site and its surrounding areas were of considerable ecological value. Abandoned agricultural land within the site had become wetland in varying degrees which served as breeding and foraging grounds of a range of

fauna. The stream within the site was largely natural with some portions covered by modified stream bank. Amongst others, a fish species of conservation importance, Giant Mottled Eel, and an amphibian species of conservation importance, Hong Kong Newt, had been recorded at the stream section immediately adjacent to the site. Since Giant Mottled Eel would migrate downstream to the Starling Inlet during the breeding season and Hong Kong Newt required clear water, any disturbance to the stream would have adverse impact on these species of conservation importance. Besides, a number of mammal species had been recorded in the lowland secondary woodland to the south of the site. The proposed development with 136 houses might generate significant light and noise disturbance to the fauna inhabiting these areas.

21. 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 the applicant of the Committee's decision in due course. The Chairman thanked government departments' and applicant's representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

22. Some Members did not support the application on the following considerations:
- (a) the general planning intention of Luk Keng and Wo Hang area was mainly for conservation purpose. There was no strong justification in support of the rezoning proposal, unless there was a substantial change in planning circumstances of Sha Tau Kok area;
 - (b) the applicant failed to address how the potential ecological, visual and landscape impacts arising from the proposed development could be adequately mitigated and the concerned departments had reservation on the application; and
 - (c) although the NCC was proposed to enhance the conservation element of the rezoning proposal, the applicant was unable to provide the details on its

operation. Furthermore, there was concern on the 192 guest rooms in proposed NCC, which might generate potential traffic and sewerage impacts on the surrounding areas. The applicant failed to demonstrate the proposed NCC was a planning merit.

23. Regarding the applicant's responses on the findings of TIA, as set out in paragraphs 9 above, Mr Ken K.K. Yip, the Chief Traffic Engineer/New Territories East, Transport Department (CTE/NTE, TD), said that although the submitted TIA did not satisfactorily address C for T's concerns, no insurmountable traffic problem for the proposed development was expected, given that the opening of Lung Shan Tunnel could provide alternative route connecting to Fanling Highway.

24. Members generally did not support the application and considered that the planning intention of the Luk Keng and Wo Hang area should be maintained for the time being. Even though there was keen housing demand, residential development of this scale should be located in close proximity to existing urbanized area, instead of in area which was predominantly rural in nature. Members went through the rejection reasons set out in paragraph 12.1 of the Paper. Noting Mr Ken K.K. Yip's comments on the submitted TIA, it was suggested that the rejection reason (b) should be revised to exclude the traffic impact. Members agreed.

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

- “(a) the proposed development is not in line with the general planning intention for the Luk Keng and Wo Hang area which is to enhance natural conservation of countryside and to preserve natural landscape and features of ecological significance and site/structures of archaeological/historical significance; and to promote the conservation of the rural character of the area, with a view to controlling urban sprawl and protecting and preserving agricultural land. The Site is generally undisturbed fallow agricultural land with a natural to semi-natural stream flowing through the Site. The retention of the “Agriculture” (“AGR”) zoning is considered appropriate;

- (b) the applicant fails to demonstrate that the proposed rezoning would not cause adverse ecological impact on the surrounding areas; and
- (c) the approval of the rezoning application will set an undesirable precedent for other similar development proposals within the “AGR” zone. The cumulative effect of approving such similar applications would result in further loss of agricultural land with high rehabilitation potential and a general degradation of the rural character and natural landscape of the area.”

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

Tuen Mun and Yuen Long West District

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/YL/15 Application for Amendment to the Approved Yuen Long Outline Zoning Plan No. S/YL/23, To Rezone the Application Site from “Open Space” to “Residential (Group A) 5”, Lot 801 RP in D.D. 116, Kong Yau Road, Yuen Long
(RNTPC Paper No. Y/YL/15)

26. The Committee noted that the applicant’s representative requested on 6.5.2019 deferment of the consideration of the application for one month so as to allow time to address departmental comments. It was the first time that the applicant requested deferment of the application.

27. 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 one month was allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Sai Kung and Islands District

[Ms Jane W.L. Kwan, Senior Town Planner/Sai Kung and Islands (STP/SKIs), was invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/305 Proposed House (New Territories Exempted House - Small House) in
"Agriculture" Zone, Lot 629 RP (Part) in D.D.244 and Adjoining
Government Land, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/305)

Presentation and Question Sessions

28. Ms Jane W.L. Kwan, STP/SKIs, 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 9 and Appendix II 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 departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three comments were received from Designing Hong Kong Limited, Kadoorie Farm and Botanic Garden and an individual, raising objection to or comments on the application. Major objection grounds and views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not in line with the planning intention of the “Agriculture” zone and DAFC did not support the application, it was not incompatible with the surrounding areas. The vicinity of the site had been occupied by Small Houses at different development stages. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories, land available within the “Village Type Development” (“V”) zone of Ho Chung Village could not fully meet the future Small House demand. Sympathetic consideration might be given to the application. Regarding the public comments, comments of concerned departments and the planning assessments above were relevant.

29. Noting that the land availability of the “V” zone of Ho Chung Village could still accommodate the outstanding Small House applications, a Member enquired the reasons for recommending approval of the application. With reference to Plan A-2a of the Paper, Ms Jane W.L. Kwan, STP/SKIs, said that the planning assessment had also taken into account a number of approved Small House developments located in close proximity of the site.

Deliberation Session

30. Given the adoption of a more cautious approach in considering Small House application by the Committee in recent years, a Member expressed that, in assessing the current application, the consideration should not merely base on the assessment that land available could not fully meet the future Small House demand. Another Member opined that despite the land availability within the “V” zone being a crucial factor in considering Small House application, other planning considerations should also be taken into account. As a new village cluster had been established in the locality and land available within the “V” zone of Ho Chung Village was only slightly more than the number of outstanding Small House applications, Members in general supported the application on sympathetic consideration.

31. 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 17.5.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

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

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

[The Chairman thanked Ms Jane W.L. Kwan, STP/SKIs, for her attendance to answer Members’ enquiries. She left the meeting at this point.]

Sha Tin, Tai Po and North District

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

Agenda Item 7

Section 16 Application

[Open Meeting]

A/NE-LT/664 Proposed Temporary Shop and Services (Real Estate Agency) with Ancillary Car Park for a Period of 3 Years in “Agriculture” Zone, Lot 431 RP (Part) in D.D. 10, Lam Kam Road, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/664)

33. The Committee noted that the applicant’s representative requested on 10.5.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 8

Section 16 Application

[Open Meeting]

A/NE-TK/653 Proposed House (New Territories Exempted House - Small House) and associated Site Formation in “Green Belt” and “Village Type Development” Zones, Lot 998 in D.D. 28 and Adjoining Government Land, Lung Mei Village, Tai Po
(RNTPC Paper No. A/NE-TK/653B)

35. The Committee noted that the applicant requested on 2.5.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information providing responses to departmental comments.

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

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/662 Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Village Type Development” Zone, Lot 1092 S.B RP (Part) in D.D. 23, Po Sam Pai Village, Ting Kok, Tai Po
(RNTPC Paper No. A/NE-TK/662A)

Presentation and Question Sessions

37. 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 temporary shop and services (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, six objecting comments were received from local villagers and an individual. Major objecting views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. There was no Small House application at the site and the proposed development could serve the need of local community. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the site. Given its small scale and being not incompatible with the surrounding areas,

it was not anticipated that the proposed development would cause significant adverse impacts. The site was involved in two previously approved applications No. A/NE-TK/409 and 603 submitted by the same applicant. However, the last planning application No. A/NE-TK/603 was subsequently revoked in 2017 due to non-compliance with approval condition on operation hours. In this regard, the applicant proposed to shorten operation hours and impose measures to remind all staff to observe such restriction. Approval conditions on operation hours and the use of neon light after operation hours as well as shorter compliance period were recommended should the application be approved. Regarding the public comments, comments of concerned departments and the planning assessments above were relevant.

38. In response to a Member's question, Ms Kathy C.L. Chan, STP/STN, said that PlanD had received a complaint for non-compliance with approval condition on operation hours and the last planning application was subsequently revoked.

Deliberation Session

39. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.5.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no night time operation and no use of neon lights 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) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) the submission of fire service installations and water supplies for fire fighting proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.8.2019;

- (d) in relation to (c) above, the implementation of fire service installations and water supplies for fire fighting proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.11.2019;
- (e) if any of the above planning conditions (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (f) if any of the above planning conditions (c) or (d) 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.”

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

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/663 Proposed Private Swimming Pool in “Green Belt” Zone, Lot 604 (Part)
in D.D. 21, Pun Shan Chau, Tai Po
(RNTPC Paper No. A/TP/663)

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

Presentation and Question Sessions

42. The Committee noted that an additional page (page 2 of Appendix III of the Paper), missing in the hard copy of the Paper, was tabled at the meeting for Members’

reference. 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 private swimming pool;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one objecting public comment was received from an individual. Major objecting views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed swimming pool was within the garden of an approved house development under construction (Application No. A/TP/495) and the site was subject to a previously approved application No. A/TP/616 for the same use. The size of the swimming pool under current application was slightly larger with change in configuration than that in the previous application. Given its small scale, adverse impact on surrounding areas was not anticipated. Also, concerned departments had no adverse comment on the application. In this regard, the application was generally in line with the Town Planning Board Guidelines No. 10. Regarding the public comment, comments of concerned departments and the planning assessments above were relevant.

43. Members had no question on the application.

Deliberation Session

44. 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 17.5.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

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

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

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-FTA/189 Proposed Temporary Logistics Warehouse for a Period of 3 Years in “Agriculture”, “Green Belt” and “Other Specified Uses” annotated “Port Back-up Uses” Zones, Lot 189 RP in D.D. 52 and Adjoining Government Land, Sheung Shui Wa Shan
(RNTPC Paper No. A/NE-FTA/189A)

Presentation and Question Sessions

46. 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 logistics 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 domestic structures located 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 District Officer (North) conveyed an objection received from a North District Council (NDC) member cum Indigenous Inhabitant Representative of Sheung Shui Heung mainly on the grounds set out in paragraph 9.1.10 of the Paper. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, five comments were received. While the Chairman of Sheung Shui District Rural Committee and an individual indicated no comments, a NDC member and two individuals objected to the application. Major objecting views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Since the site fell within an area largely zoned “Other Specified Uses” annotated “Port Back-up Uses”(“OU(PBU)”), the proposed development was generally in line with the planning intention of the “OU(PBU)” zone. Although DAFC did not support the application, only minor portion of the site fell within “Agriculture” (“AGR”) and “Green Belt” (“GB”) zones and the proposed use was not incompatible with the surrounding land uses. Approval of the application on the temporary basis would not frustrate the long-term planning intention of the “AGR” and “GB” zones. DEP did not support the application. However there was no environmental complaint against the site received in the past three years. Relevant approval conditions were recommended to address DEP's concerns and technical requirements of concerned departments. Regarding the public comments, comments of concerned departments and the planning assessments above were relevant.

47. Members had no question on the application.

Deliberation Session

48. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.5.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no car washing, vehicle repair, dismantling, paint spraying or other workshop activities is allowed on the site at any time during the planning approval period;
- (d) all vehicles entering and exiting the site during the planning approval period shall be restricted to non-peak hours (i.e. 10:00 a.m. to 12:00 p.m. and 2:00 p.m. to 4:00 p.m.), as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the maintenance of all existing trees within the site at all times during the planning approval period;
- (f) 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 17.11.2019;
- (g) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.11.2019;
- (h) in relation to (g) 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 17.2.2020;

- (i) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.6.2019;
- (j) the submission of proposals for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.11.2019;
- (k) in relation to (j) above, the implementation of proposals for fire service installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2020;
- (l) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (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.”

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

Agenda Item 12

Section 16 Application

[Open Meeting]

A/NE-FTA/190 Temporary Open Storage of Construction Materials for a Period of 3 Years in “Agriculture” and “Open Space” Zones and an area shown as ‘Road’, Lots 184 RP and 187 RP (Part) in D.D. 52 and Adjoining Government Land, Sheung Shui Wa Shan, Sheung Shui
(RNTPC Paper No. A/NE-FTA/190)

50. The Committee noted that the applicant’s representative requested on 3.5.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LK/119 Proposed Temporary Open Storage of Building Materials with Ancillary Office for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 2452 S.B (Part) and 2467 (Part) in D.D. 39 and Adjoining Government Land, Shek Chung Au (RNTPC Paper No. A/NE-LK/119)

Presentation and Question Sessions

52. 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 open storage of building materials with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Commissioner for Transport (C for T) did not support the application as the applicant failed to address her comments on traffic engineering aspects. The Director of Environmental Protection (DEP) did not support the application as there were domestic structures in the vicinity of the site. The Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) did not support the application as the site encroached upon an existing stream course and there was insufficient information on adequate measures avoiding erosion and flooding. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, a total of six comments were received, among which the World Wide Fund for Nature Hong Kong, Kadoorie Farm and Botanic Garden, The Hong Kong Bird Watching Society and an individual objected to the application, while a North District Council member and the Chairman of Sheung Shui District Rural Committee indicated no comment. Major objecting views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The site fell within an area largely zoned “Village Type Development” (“V”) with minor portion zoned “Agriculture” (“AGR”). The applicant had not provided strong justification to merit a departure from the planning intention of the “V” and “AGR” zones, and DAFC did not support the application. The application did not comply with the Town Planning Board Guidelines No. 13E in that the site, mainly falling within Category 3 areas, was not subject to any previous planning permission, there were adverse departmental comments and local objection, and the applicant failed to demonstrate that the proposed development would not cause adverse impacts on the surrounding areas. A similar application in the vicinity of the site was also rejected by the Committee on similar considerations. Regarding the public comments, comments of concerned departments and the planning assessments above were relevant.

53. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of “Village Type Development” (“V”) zone which is to designate both existing recognised villages and areas of land considered suitable for village expansion. Land

within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also not in line with the planning intention of the “Agriculture” (“AGR”) zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis;

- (b) the application does not comply with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No.13E) in that there is no previous planning approval for open storage use granted at the site; there are adverse comments from the relevant government departments and local objection against the application; and the applicant has failed to demonstrate that the development would have no adverse traffic, environmental and drainage impacts on the surrounding areas; and
- (c) the approval of the application would set an undesirable precedent for other similar applications within the “AGR” and “V” zones. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-STK/15 Proposed Temporary Public Vehicle Park (Coaches and Private Cars Only) for a Period of 3 Years in “Recreation” Zone, Lots 437 RP (Part), 441 S.B RP (Part), 477 RP (Part) and 478 RP in D.D. 41, Lots 42 RP (Part), 43, 44 S.B (Part), 44 S.C RP and 45 RP (Part) in D.D. 73 and Adjoining Government Land, Sha Tau Kok
(RNTPC Paper No. A/NE-STK/15A)

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

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/607 Proposed Temporary Place of Recreation, Sports or Culture (Hobby farm) for a Period of 3 Years in “Agriculture” Zone, Lots 520 (Part) and 522 RP (Part) in D.D. 77, Ping Che, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/607A)

Presentation and Question Sessions

56. 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 place of recreation, sports or culture (hobby farm) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, a total of eight comments were received, among which three supporting the application, three raising objection and two indicating no comment. The supportive comments were submitted by three individuals. A North District Council member and the Chairman of Sheung Shui District Rural Committee indicated no comments. The objecting comments were submitted by The Hong Kong Bird Watching Society, World Wide Fund

for Nature Hong Kong and an individual. Major objection grounds and views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed development was generally in line with the planning intention of the “Agriculture” zone and was not entirely incompatible with the surrounding land uses. Approval of the application on a temporary basis would not frustrate the long-term planning intention. It was anticipated that proposed development would not cause adverse traffic and environmental impacts and concerned departments had no adverse comment on the application. Relevant approval conditions were recommended to address technical requirements of concerned departments. Regarding the public comments, comments of concerned departments and the planning assessments above were relevant.

57. The Chairman enquired the details of the Director of Agriculture, Fisheries and Conservation (DAFC)'s comment on the application. In response, Mr Tim T.Y. Fung, STP/STN, said that DAFC had no strong view on the application as the proposal would not involve hard paving of land.

Deliberation Session

58. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.5.2022, 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) the existing trees on site shall be maintained at all times during the planning approval period;

- (c) no use of public announcement system, as proposed by the applicant, is allowed to be used on the site during the planning approval period;
- (d) 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 17.11.2019;
- (e) 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 17.11.2019;
- (f) in relation to (e) above, the implementation of traffic management measures identified therein within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 17.2.2020;
- (g) the submission of sewerage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.11.2019;
- (h) in relation to (g) above, the provision of sewerage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.2.2020;
- (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 17.11.2019;
- (j) in relation to (i) 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 17.2.2020;
- (k) the submission of proposals for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the

satisfaction of the Director of Fire Services or of the TPB by 17.11.2019;

- (l) in relation to (k) above, the implementation of proposals for fire service installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2020;
- (m) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (d), (e), (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 Director of Planning or of the TPB.”

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

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

Fanling, Sheung Shui and Yuen Long East District

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

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/FLN/17 Proposed Minor Relaxation of Maximum Plot Ratio for Permitted Residential Development in “Residential (Group B)” Zone, Fanling Sheung Shui Town Lot 262, Ma Sik Road, Fanling
(RNTPC Paper No. A/FLN/17)

60. The Secretary reported that the application was submitted by Best Galaxy Limited, which was a subsidiary of Henderson Land Development Company Limited (HLD). CYS Associates (HK) Limited (CYS) was one of the consultants of the applicant. The following Members had declared interests on the item:

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

- Mr K.K. Cheung - his firm having current business dealings with HLD;

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

- Dr Lawrence K.C. Li - being the Deputy Chairman of the Council of the Hong Kong Polytechnic University, which had received sponsorship from HLD;

- Mr Peter K.T. Yuen - being a member of the Board of Governors of the Hong Kong Art Centre, which had received a donation from an Executive Director of HLD; and

- Dr C.H. Hau - being an employee of the University of Hong Kong, which had received a donation from a family member of the Chairman of HLD.

61. The Committee noted that Mr K.K. Cheung, Dr Lawrence K.C. Li and Dr C.H. Hau had tendered apologies for being unable to attend the meeting. Since the interest of Mr

Ivan C.S. Fu was direct, the Committee agreed that he should be invited to leave the meeting temporarily for the item. The Committee also agreed that Mr Stephen L.H. Liu and Mr Peter K.T. Yuen could stay in the meeting as their interests were indirect.

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

Presentation and Question Sessions

62. 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) the proposed minor relaxation of maximum plot ratio for permitted residential development;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application. The District Officer (North) conveyed objections received from the Chairman of Fanling District Rural Committee, a North District Council member and 54 residents from Ma Shi Po. Major objecting views were set out in paragraph 9.1.8 of the Paper;
- (d) during the first three weeks of the statutory publication period, a total of 48 comments were received, among which one comment expressing concerns and the remaining 47 comments raising objection to the application. The objecting comments were submitted by 馬屎埔環境關注組 and 46 individuals. Major objecting views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The provision of the pedestrian walkway was required under the lease of subject lot and, at the request of concerned departments, the walkway

should be wholly covered. The application was for minor relaxation of maximum plot ratio restriction from 3.5 to 3.5151 to cater for the section of covered walkway (4m in width) not exempted from gross floor area calculation under the Buildings Ordinance. There was no change to the proposed land use and other key development parameters. Concerned departments had no objection to or no adverse comment on the application. Regarding the public comments, comments of concerned departments and the planning assessments above were relevant.

63. Members had no question on the application.

Deliberation Session

64. 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 17.5.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

“the additional gross floor area of 246.536m² allowed is only for the provision of the 6m-wide covered pedestrian walkway at the site.”

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

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

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/248 Temporary Shop and Services (Retail Shop for Hardware Groceries)
for a Period of 3 Years in “Residential (Group D)” Zone, Lot 878 (Part)
in D.D. 114 and Adjoining Government Land, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-SK/248A)

Presentation and Question Sessions

66. 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) the temporary shop and services (retail shop for hardware groceries) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one comment providing views was received from an individual. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. The temporary use was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, however it was not incompatible with the surrounding land uses. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone. Given its

small scale, the applied use would not have significant adverse traffic, environmental, drainage and landscape impacts. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Regarding the public comment, comments of concerned departments and the planning assessments above were relevant.

67. Members had no question on the application.

Deliberation Session

68. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.5.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of proposal for fire service installations and water supplies

for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.11.2019;

- (g) in relation to (f) above, the implementation of proposal for fire service installations and water supplies for fire-fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2020;
- (h) the submission of 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 17.11.2019;
- (i) in relation to (h) above, the implementation of revised drainage proposal with 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.2.2020;
- (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) 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 without further notice; and
- (l) 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.”

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

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/254 Proposed Temporary Shop and Services (Domestic Goods Retail Shop)
for a Period of 5 Years in “Village Type Development” Zone, Lot 1284
RP (Part) in D.D. 114, Kam Sheung Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-SK/254)

Presentation and Question Sessions

70. 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) the proposed temporary shop and services (domestic goods retail shop) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservation on the application as the applicant had failed to demonstrate that the proposed use would not have adverse impact of existing mature trees. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) PlanD’s views – PlanD had no objection to the application on a temporary basis for a period of five years based on the assessments set out in paragraph 11 of the Paper. The proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone,

however it could serve the need of local community and was not incompatible with the surrounding land uses. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. Given its small scale, the proposed use would not have adverse impact on surrounding areas. Regarding CTP/UD&L’s comments and technical requirements of other concerned departments, relevant approval conditions were recommended.

71. Members had no question on the application.

Deliberation Session

72. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 17.5.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) all trees within the site shall be maintained at all times during the planning approval period;
- (e) the submission of proposal for fire service installations and water supplies for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.11.2019;

- (f) in relation to (e) above, the implementation of proposal for fire service installations and water supplies for fire-fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2020;
- (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 17.11.2019;
- (h) in relation to (g) above, the implementation of drainage proposal with 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.2.2020;
- (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) if any of the above planning conditions (a), (b), (c), (d) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked without further notice; and
- (k) 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.”

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

Agenda Items 19 and 20

Further Consideration of Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/461 Proposed House (New Territories Exempted House - Small House) in “Residential (Group D)” and “Village Type Development” Zones, Lot 409 S.AI in D.D. 94, Hang Tau Tai Po, Kwu Tung South

A/NE-KTS/462 Proposed House (New Territories Exempted House - Small House) in “Residential (Group D)” and “Village Type Development” Zones, Lot 409 S.AJ in D.D. 94, Hang Tau Tai Po, Kwu Tung South
(RNTPC Paper No. A/NE-KTS/461A and 462A)

74. The Committee agreed that the two applications could be considered together as they were similar in nature and the application sites were adjoining one another and falling within the same “Residential (Group D)” (“R(D)”) and “Village Type Development” (“V”) zones.

Presentation and Question Sessions

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

- (a) background to the application – on 4.1.2019, noting that there was sufficient land in the “V” zone to meet the outstanding Small House (SH) applications and the adjacent lots of the sites in the same “R(D)” zone within the village ‘environ’ (‘VE’) had been carved out into numerous small lots likely for SH developments, some Members raised concerns on setting precedents for similar application for SH development which had a higher development intensity than the permissible plot ratio of 0.4 for other ‘House’ development in the “R(D)” zone. The Committee decided to defer making a decision on the applications pending having a comprehensive picture on the areas of “R(D)” zone which overlapped with ‘VE’ of the recognized village in rural areas so that implications on other applications of similar nature could be better assessed and the Planning

Department (PlanD) was tasked to provide the required information;

- (b) land within “R(D)” zone and ‘VE’ and similar applications – it was found that a total of about 17.23 ha of land was zoned “R(D)” which also fell within the current ‘VE’ of recognized villages in 11 Outline Zoning Plans (OZPs). For the subject “R(D)” zone in Hang Tau Village, about 1.46ha of land fell both in “R(D)” zone and ‘VE’. Since the first promulgation of the Interim Criteria for Consideration of Application for NTEH/SH in New Territories (the Interim Criteria), 10 planning applications for SH development with the said situation were identified in 4 OZPs, among which seven applications were approved, and three applications were rejected. The seven applications were approved mainly on the consideration that there was general shortage of land in the “V” zone. Besides, the decisions of these 10 similar applications were made before the adoption of a more cautious approach by the Town Planning Board in August 2015. For the subject “R(D)” zone in Hang Tau Tai Po, no planning application for SH development had ever been approved. Details of the land zoned “R(D)” which also fell in ‘VE’ were set out in Annex F-III of the Paper;

- (c) PlanD’s views – PlanD did not support the applications based on the assessments set out in paragraph 3 of the Paper. Regarding the Interim Criteria, sympathetic consideration might be given if not less than 50% of the proposed SH footprint fell within ‘VE’ and there was a general shortage of land in meeting the demand for SH development in the “V” zone. Since the adoption of the cautious approach in considering applications for SH developments, more weighting had been put on the number of outstanding SH applications in considering whether there was a general shortage of land in meeting SH demand. According to the latest information from District Lands Officer/North, Lands Department, the total number of outstanding SH applications for Hang Tau Village was 54, and about 4.42 ha of land (equivalent to about 176 SH sites) was available within the “V” zone. As land was still available within the “V” zone, it was considered more appropriate to concentrate the proposed SH

developments within the “V” zone.

76. Members had no question on the application.

Deliberation Session

77. In relation to a Member’s observation on the implication of the planning circumstances mentioned in paragraph 3.6 of the Paper, the Committee noted that approval of the current applications would set precedents for similar applications for SH development in the same “R(D)” zone. As private land in the subject “R(D)” zone had been carved out into small lots which might be sufficient for about 40 SH developments, the cumulative effect of approving such large number of applications would lead to adverse traffic impact on the surrounding areas.

78. The Chairman remarked that the Committee’s decision on the current applications would have implications in considering other SH applications located in residential zones.

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

- “(a) land is still available within the “Village Type Development” zone of Hang Tau Village which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for more orderly development pattern, efficient use of land and provision of infrastructures and services; and
- (b) approval of the application would set an undesirable precedent for similar applications within the “Residential (Group D)” zone. The approval of similar applications would result in adverse cumulative traffic impacts on the surrounding areas.”

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/60 Temporary Container Vehicle Park (including Light and Heavy Goods Vehicles) for a Period of 3 Years in “Residential (Group B)” Zone and an area shown as ‘Road’, Lots 90 (Part), 91 (Part) and 94 S.A RP (Part) in D.D. 95 and Adjoining Government Land, Ho Sheung Heung, Sheung Shui
(RNTPC Paper No. A/KTN/60)

80. The Secretary reported that the application site was located in Ho Sheung Heung, Sheung Shui. Dr C.H. Hau had declared an interest on the item as he owned a property in Sheung Shui area. The Committee noted that Dr C.H. Hau had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary container vehicle park (including light and heavy goods vehicles) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site. The District Officer (North) (DO(N)) conveyed an objection received from the Resident Representative of Kwu Tung (South). Major objecting views were set out in paragraph 10.1.12 of the Paper. Other concerned departments had no objection to or on adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual indicating no comment; 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 B)” (“R(B)”) zone, the site fell within remaining phases of the New Development Area project and the proposed use was not incompatible with the surrounding land uses. Approval of the application on a temporary basis would not jeopardize the long-term development of the “R(B)” zone. The application generally complied with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas and there was no adverse departmental comment, except DEP. There was no environmental complaints about the site in the past three years. Regarding DEP's concerns and technical requirements of other concerned departments, relevant approval conditions were recommended. The site was subject to two previously approved applications for the same use. Approval of the current application was in line with the previous decisions of the Committee. Regarding the local objection conveyed by DO(N), comments of concerned departments and the planning assessments above were relevant.

82. Members had no question on the application.

Deliberation Session

83. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.5.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

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

- (b) no vehicle repairing and other workshop activities are allowed to be carried out 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) existing trees within the site should be maintained in good condition at all times during the planning approval period;
- (e) the submission of proposal for fire service installations and water supplies for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.11.2019;
- (f) in relation to (e) above, the implementation of proposal for fire service installations and water supplies for fire-fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2020;
- (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 17.11.2019;
- (h) in relation to (g) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.2.2020;
- (i) if any of the above planning conditions (a), (b), (c) or (d) is not complied with during the planning approval period, the approved hereby given shall cease to have effect and shall be revoked without further notice; and
- (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.”

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

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/651 Proposed Temporary Animal Boarding Establishment for a Period of 5 Years in “Agriculture” Zone, Lot 920 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/651)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary animal boarding establishment for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservation on the application as vegetation clearance was made within the site prior to application. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, six

comments were received from The Hong Kong Bird Watching Society, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and three individuals raising objections to the application. Major objecting views were set out in paragraph 10 of the Paper; and

- (e) PlanD's views – PlanD had no objection to the application on a temporary basis for a period of five 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 “Agriculture” (“AGR”) zone and DAFC did not support the application, the proposed development was not incompatible with the surrounding areas and various measures had been proposed by the applicant to ensure no significant adverse impact. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “AGR” zone. To address the comments of CTP/UD&L, PlanD and technical requirements of other concerned departments, relevant approval conditions were recommended. Regarding the public comments, comments of concerned departments and the planning assessments above were relevant.

86. Members had no question on the application.

Deliberation Session

87. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 17.5.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 10:00 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 animal boarding establishment on the site, as proposed by the applicant, at all times during the planning approval period;

- (c) no public announcement system, portable loud speaker, or any form of audio amplification system or whistle blowing is allowed to be used on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) 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 17.11.2019;
- (f) in relation to (e) 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 17.2.2020;
- (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 17.11.2019;
- (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 17.2.2020;
- (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 site to

an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/652 Renewal of Planning Approval for Temporary “Animal Boarding Establishment (Cattery)” for a Period of 3 Years in “Agriculture” Zone, Lots 4 (Part), 5 S.AP and 5 S.BA in D.D. 110, Tai Kong Po, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/652)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary “animal boarding establishment (cattery)” for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The development was small in scale and was not incompatible with the surrounding areas. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “Agriculture” zone. The application was in line with the Town Planning Board Guidelines No. 34C in that all approval conditions under the previous application had been complied with and there was no major change in planning circumstances since the last approval. Concerned departments had no adverse comment on the application. Favourable consideration could be given to the renewal application.

90. Members had no question on the application.

Deliberation Session

91. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 25.6.2019 until 24.6.2022, 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) all animals shall be kept inside the enclosed animal boarding establishment on the site, as proposed by the applicant, at all times during the planning approval period;
- (c) no public announcement system, portable loud speaker, or any form of audio amplification system is allowed to be used on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at

any time during the planning approval period;

- (e) the existing trees within the site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the existing fire services installations and equipment implemented on the site shall be maintained at all times during the planning approval period;
- (h) the submission of records of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 25.9.2019;
- (i) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if the above planning condition (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 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.”

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

Agenda Item 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/653 Temporary Open Storage of Construction Materials (Excluding Soil, Cement, Chemical Product and Dangerous Goods) for a Period of 3 Years in “Other Specified Uses” annotated “Railway Reserve” Zone, Lot 4115 (Part) in D.D. 104, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/653)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage of construction materials (excluding soil, cement, chemical product and dangerous goods) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Other Specified Uses” annotated “Railway Reserve” (“OU(Railway Reserve)”) zone, the

alignment and development programme of the Northern Link was still under review and the proposed development was not incompatible with the surrounding land uses. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “OU(Railway Reserve)” zone. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site, falling within Category 2 areas, was subject to previous approvals for similar open storage use and there was no adverse comment from concerned departments, except DEP. There was no environmental complaint against the site in the past three years and relevant approval conditions were recommended to address DEP’s concern and technical requirements of other concerned departments.

94. Members had no question on the application.

Deliberation Session

95. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.5.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation between 1:00 p.m. and 6:00 p.m. on 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 dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (e) no medium or heavy goods vehicles exceeding 5.5 tonnes, including

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

- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) all existing trees within the site shall be maintained at all times during the planning approval period;
- (h) the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) 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 17.11.2019;
- (j) the submission of a 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 17.8.2019;
- (k) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.6.2019;
- (l) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.11.2019;
- (m) in relation to (l) 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 17.2.2020;
- (n) 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; and

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

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

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/654 Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years in “Agriculture” Zone, Lot 378 RP in D.D. 110, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/654)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary open storage of construction materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Agriculture, Fisheries and

Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, five public comments were received from World Wide Fund for Nature Hong Kong, Kadoorie Farm and Botanic Garden, Designing Hong Kong Limited and two individuals, raising objections to the application. Major objecting views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated on a temporary basis for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the proposed use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application, it was not incompatible with the surrounding land uses. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “AGR” zone. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site, falling within Category 2 areas, was located in a cluster of open storage/vehicle park uses and concerned departments had no adverse comment on the application, except DAFC. Relevant approval conditions were recommended to address technical requirements of concerned departments. Regarding the public comments, comments of concerned departments and the planning assessments above were relevant.

98. Members had no question on the application.

Deliberation Session

99. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.5.2022, 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 dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the 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 17.11.2019;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.2.2020;
- (h) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.6.2019;
- (i) the submission of fire services installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.11.2019;

- (j) in relation to (i) above, the provision of fire services installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2020;
- (k) 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;
- (l) if any of the above planning conditions (f), (g), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (m) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/655 Proposed Temporary Shop and Services (Food Retail Shop) with Ancillary Storage and Office for a Period of 5 Years in “Industrial (Group D)” Zone, Lots 570 (Part) and 571 RP (Part) in D.D.107 and Adjoining Government Land, Fung Kat Heung, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/655)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services (food retail shop) with ancillary storage and office for a period of five 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 residential dwellings in the surrounding of the site and the proposed use involved the use of heavy vehicles. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one objection public comment was received from an individual. Major objecting views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of five years based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not entirely in line with the “Industrial (Group D)” (“I(D)”) zone, there was no known permanent development proposal for the site and the proposed use was not incompatible with the surrounding land uses. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “I(D)” zone. Concerned departments had no adverse comment on the application, except DEP. Relevant approval conditions were recommended to address DEP’s concerns and technical requirements of other concerned departments. Regarding the public comment, comments of concerned departments and the planning assessments above were relevant.

102. Members had no question on the application.

103. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 17.5.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 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 heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.11.2019;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.2.2020;
- (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 17.11.2019;
- (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 17.2.2020;

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

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

Agenda Item 27

Section 16 Application

[Open Meeting]

A/YL-KTN/656 Proposed Temporary Shop and Services (Retail of Tail Lift) for a Period of 3 Years in “Agriculture” and “Industrial (Group D)” Zones, Lots 471, 472 and 473 in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/656)

105. The Secretary reported that the application was submitted by Harvest Hill (Hong Kong) Limited (Harvest). Mr K.K. Cheung had declared an interest on the item as his firm was having current business dealings with Harvest. The Committee noted that Mr K.K. Cheung had tendered an apology for being unable to attend the meeting.

106. The Committee noted that the applicant’s representative requested on 9.5.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/381 Proposed Temporary Shop and Services (Sales of Building Materials) for a Period of 3 Years in "Residential (Group C)" Zone, Lots 1399, 1485 and 1486 in D.D. 105, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/381)

Presentation and Question Sessions

108. 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 shop and services (sales of building materials) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application. The District Officer (Yuen Long)

conveyed a local comment on the application. Major views were set out in paragraph 9.1.13 of the Paper;

- (d) during the first three weeks of the statutory publication period, a total of 10 public comments were received. Among which, nine supporting comments were submitted by two village representations of Mai Po Tsuen and individuals and one comment expressing adverse views was submitted by an individual. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis 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 “Residential (Group C)” (“R(C)”) zone, there was no immediate permanent development proposal for the site and the proposed development was not incompatible with the surrounding land uses. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(C)” zone. Concerned departments had no adverse comment on the application and their technical requirements could be addressed by imposing approval conditions. Regarding the public comments, comments of concerned departments and the planning assessments above were relevant.

109. Members had no question on the application.

Deliberation Session

110. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.5.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 10:00 a.m. as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) only private cars and light goods vehicles not exceeding 5.5 tonnes as defined in the Road Traffic Ordinance are allowed to be parked on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the 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 17.11.2019;
- (f) the submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 17.11.2019;
- (g) in relation to (f) above, the provision of a run-in/out within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 17.2.2020;
- (h) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.11.2019;
- (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 17.2.2020;
- (j) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.11.2019;

- (k) in relation to (j) 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 17.2.2020;
- (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; and
- (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.”

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

Agenda Item 29

Section 16 Application

[Open Meeting]

A/YL-NTM/388 Temporary Vehicle Repair Workshop for a Period of 3 Years in “Green Belt” Zone, Lots 2269 (Part), 2273 (Part), 2277 and 2278 (Part) in D.D. 102, and Adjoining Government Land, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/388)

112. The Committee noted that the applicant’s representative requested on 2.5.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental and public comments. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/542 Temporary Open Storage of Construction Materials for a Period of 3
Years in "Undetermined" Zone, Lots 273 and 275 (Part) in D.D. 99,
San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/542)

Presentation and Question Sessions

114. 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 construction materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not incompatible with the surrounding land uses predominated by vehicle park and open storage yards etc. The site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No.12C (TPB PG-No. 12C). The Director of Agriculture, Fisheries and Conservation had no comment on the application. The site was the subject of four previously approved applications for temporary vehicle park uses. The application was generally in line with TPB PG-No. 13E in that the site fell within Category 1 areas, concerned departments had no adverse comment on the application and adverse impact on surrounding areas was not anticipated. Relevant approval conditions were recommended to address technical requirements of concerned departments.

115. Members had no question on the application.

Deliberation Session

116. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.5.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle other than private car and light goods vehicle are allowed to access the site at any time during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from the site at all times during the planning approval period;
- (c) 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 17.11.2019;

- (d) in relation to (c), 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 17.2.2020;
- (e) in relation to (d), the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) 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 28.6.2019;
- (g) the submission of fire service installations proposals within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.11.2019;
- (h) in relation to (g), 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 17.2.2020;
- (i) 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 17.11.2019;
- (j) if any of the above planning conditions (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (c), (d), (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

- (1) 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 applicant to note the advisory clauses as set out at Appendix V of the Paper.

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

Tuen Mun and Yuen Long West District

Agenda Item 31

Section 16 Application

[Open Meeting]

A/TM/531 Proposed Columbarium in “Government, Institution or Community” Zone, Lots 813 RP and 814 RP in D.D. 131 and Adjoining Government Land, Tuen Mun
(RNTPC Paper No. A/TM/531B)

118. The Secretary reported that the application was for a columbarium development. Landes Limited (Landes) and Arthur Yung and Associates Company Limited (AYA) were two of the consultants of the applicant. The following Members had declared interests on the item:

Mr H.W. Cheung - being a member of Private Columbaria Licensing Board;

Mr Ivan C.S. Fu - being a member of Private Columbaria Appeal Board, and having current business dealings with Landes; and

Mr K.K. Cheung - his firm having current business dealings with AYA.

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

120. The Committee noted that the applicant's representative requested on 30.4.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information, including a revised traffic impact assessment, pre-feasibility study on provision of wheelchair stair lift and a response-to-comment table.

121. 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, it was the last deferment and no further deferment would be granted.

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

Agenda Item 32

Section 16 Application

[Open Meeting]

A/YL/255

Temporary Public Vehicle Park (excluding container vehicle) for a Period of 6 Years in “Government, Institution or Community” and “Open Space” Zones, Lots 305 RP (Part), 307 (Part), 308, 309, 310 (Part), 311 (Part), 312 RP, 313 RP, 316 RP, 1220 RP (Part), 1223 (Part), 1224 RP (Part) and 1225 RP (Part) in D.D. 116, and Adjoining Government Land, Au Tau, Yuen Long
(RNTPC Paper No. A/YL/255A)

122. The Committee noted that the applicant’s representative requested on 7.5.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information, including a revised site layout plan with fire service installations proposal and details of structures on site.

123. 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.

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

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/339 Proposed Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period 3 Years in “Residential (Group C)” Zone, Lots 2858 S.A ss.1 (Part) and 2858 S.A RP in D.D. 129, and Adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/339)

Presentation and Question Sessions

124. 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 public vehicle park for private cars and light goods vehicles for a period three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one objecting comment was received from an individual. Major objecting views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed development was not entirely in line with the planning intention of the “Residential (Group C)” (“R(C)”) zone, it could provide parking spaces to

serve any such demand in the area and was not incompatible with the surrounding land uses. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “R(C)” zone. The proposed development would unlikely cause adverse impacts on the surrounding areas and concerned departments had no adverse comments. Relevant approval conditions were recommended to address technical requirements of concerned departments. The site was subject to six previously approved applications for the same public vehicle park use, five of which had been revoked due to non-compliance with approval conditions. Nevertheless, these five applications were submitted by other applicants and the site was currently vacant. Sympathetic consideration might be given to the application. Regarding the objecting public comment, comments of concerned departments and the planning assessments above were relevant.

125. Noting that a previous planning application No. A/YL-LFS/119 was rejected by the Committee on the grounds that the applicant had not demonstrated any intention to comply with approval conditions, a Member enquired the applicant’s justifications for the current application. In response, Ms Bonnie K.C. Lee, STP/TMYLW, said that the previous application No. A/YL-LFS/119 had been in operation prior to seeking planning permission from the Committee and parking of medium goods vehicle and coaches was observed, whilst the current application was submitted by a different applicant and the site was currently vacant.

Deliberation Session

126. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.5.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 11:00 pm to 7:00 am, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle repairing, dismantling, car beauty, car washing and other

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

- (c) no vehicle exceeding 5.5 tonnes, including medium goods vehicles, heavy goods vehicles, container trailer/tractor, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on the site at any time during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public roads at any time during the planning approval period;
- (f) the existing drainage facilities on-site shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.8.2019;
- (h) all the existing trees within the site shall be maintained in good condition 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 17.11.2019;
- (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 17.2.2020;

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

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

Agenda Item 34

Section 16 Application

[Open Meeting]

A/YL-TT/463 Temporary Public Vehicle Park for Private Cars and Van-type Light Goods Vehicles for a Period of 3 Years in “Residential (Group D)” and “Village Type Development” Zones, Lots 3338, 3339 S.H ss. 1 to ss. 4, 3339 S.H. ss. 5 (Part), 3339 S.H RP (Part), 3339 S.I ss. 1 to ss. 4, 3339 S.I ss. 5 (Part), 3339 S.I ss. 6 to ss. 9, 3339 S.I ss. 10(Part), 3339 S.I RP (Part), 3339 S.J ss. 1 to ss. 8, 3339 S.J ss. 9 (Part), 3339 S.J RP (Part), 3339 S.K ss. 1 to ss. 2, 3339 S.K ss. 3 (Part), 3339 S.K ss. 4, 3339 S.K ss. 5 (Part), 3339 S.K ss. 6 to ss. 11, 3339 S.K RP (Part), 3339 S.L ss. 3 to ss. 8 and 3339 S.L RP (Part) in D.D. 116, Nga Yiu Tau, Yuen Long (RNTPC Paper No. A/YL-TT/463)

128. The Committee noted that the applicant’s representative requested on 9.5.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 35

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/961 Temporary Eating Place and Outside Seating Accommodation of Restaurant for a Period of 3 Years in "Residential (Group B) 1" Zone, Lots 1355 RP and 1356 RP (Part) in D.D. 121, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/961)

Presentation and Question Sessions

130. The Committee noted that a replacement page (page 12 of the Paper), rectifying a typographical error, had been despatched to Members before meeting. Mr Steven Y.H. Siu, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary eating place and outside seating accommodation of restaurant for a period of three years;
- (c) departmental comments – departmental comments were set out in

paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application

- (d) during the first three weeks of the statutory publication period, two public comments were received from a Yuen Long District Council member and an individual, raising objection to and comments on the application respectively. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis 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 “Residential (Group B)1” (“R(B)1”) zone, it could meet demand for eating places in the area and there was no known programme for long-term development on the site. Also the proposed development was not incompatible with the surrounding areas. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “R(B)1” zone. Given its small scale, the proposed development would unlikely cause significant adverse impact on surrounding areas and concerned departments had no adverse comment on the application. Relevant approval conditions were recommended to address technical requirements of concerned departments. The site was subject to four previous applications for similar use. Approval of the application was in line with the Committee's previous decisions. Regarding the public comments, comments of concerned 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 17.5.2022, 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 12:00 noon., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no sound or audio equipments are allowed to be used in the open areas of the site, as proposed by the applicant, at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing trees and landscape planting on the site shall be maintained at all times during the planning approval period;
- (e) the submission of a revised 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 17.11.2019;
- (f) in relation to (e) above, the implementation of the revised 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 17.2.2020;
- (g) if any of the above planning conditions (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning conditions (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/368 Proposed Temporary Shop and Services (Retail Shop for Apparel and Potted Plants) for a Period of 3 Years in “Residential (Group D)” Zone, Lots 3839 RP (Part) and 3840 RP (Part) in D.D. 124, Shun Tat Street, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/368)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services (retail shop for apparel and potted plants) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one supporting comment was received from a Tuen Mun District Council member without specific reason; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Since there was no known development proposal for the site and the proposed development could provide commercial use to meet any such demand in the area,

approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “Residential (Group D)” zone. The proposed development was not incompatible with surrounding areas and adverse impact was not anticipated. Relevant approval conditions were recommended to address technical requirements of concerned departments. The last planning application for similar use was revoked due to non-compliance with approval condition on the implementation of the fire service installations (FSIs) proposal. The applicant had submitted a FSIs proposal under the current application. Shorter compliance period was recommended in order to closely monitor the progress on compliance with approval conditions.

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 17.5.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the existing fencing of the site shall be maintained at all times during the planning approval period;
- (c) the existing tree planting within the site shall be maintained in good condition at all times 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 within 3 months from the date of planning approval to the satisfaction of

the Director of Drainage Services or of the TPB by 17.8.2019;

- (f) 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 17.8.2019;
- (g) in relation to (f) 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 17.11.2019;
- (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; and
- (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.”

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 37

Section 16 Application

[Open Meeting]

A/TM-LTY Y/369 Temporary Public Vehicle Park (Private Cars Only) with Ancillary Office for a Period of 3 Years in “Residential (Group C)” Zone, Lots 1156 RP (Part), 1157 (Part) and 1158 in D.D. 130 and Adjoining Government Land, Wong Kong Wai Road, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/369)

138. The Committee noted that the applicant’s representative requested on 6.5.2019

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

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

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/538 Temporary Public Vehicle Park (Excluding Container Vehicle) (Letting of Surplus Parking Spaces in Siu Hong Court and Wu King Estate to Non-residents) and Temporary Relaxation of Gross Floor Area Restrictions (For Siu Hong Court) for a Period of 5 Years in “Residential (Group A) 20” and “Residential (Group A)” Zones,
(a) Siu Hong Court, Tuen Mun
(b) Wu King Estate, Tuen Mun
(RNTPC Paper No. A/TM/538)

140. The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA). The following Members had declared interests on the item:

Mr Martin W.C. Kwan - being an alternate representative of the Director of Home Affairs, who was a member of the Strategic Planning Committee and the Subsidised Housing Committee of HKHA;
As the Chief Engineer (Works) of Home Affairs Department

Mr Ivan C.S. Fu]
Mr Stephen L.H. Liu] having past business dealings with HKHA;

Mr K.K. Cheung - his firm having current business dealings with HKHA; and

Dr C.H. Hau - the institute he served having current business dealings with HKHA.

141. The Committee noted that Mr K.K. Cheung and Dr C.H. Hau had tendered apologies for being unable to attend the meeting and Mr Stephen L.H. Liu had left the meeting. Since the interest of Mr Martin W.C. Kwan was direct, the Committee agreed that he should be invited to leave the meeting temporarily for the item. The Committee also agreed that Mr Ivan C.S. Fu could stay in the meeting as his interest was indirect.

[Mr Martin W.C. Kwan temporarily left the meeting at this point.]

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary public vehicle park (excluding container vehicle) (letting of surplus parking spaces in Siu Hong Court (SHC) and Wu King Estate (WKE) to non-residents) and temporary relaxation of gross floor area (GFA) restrictions (for SHC) for a period of five years;
- (c) departmental comments – departmental comments were set out in

paragraph 8 of the Paper. Concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, three comments were received. The Incorporated Owners of SHC and an individual objected to the application, and another individual provided comments 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 on a temporary basis for a period of five years based on the assessments set out in paragraph 10 of the Paper. Whilst the proposal was not entirely in line with the planning intention of the “Residential (Group A)” zones, it could provide parking spaces to meet any such demand in the area and the letting of surplus vehicle parking spaces to non-residents would help utilise public resources more efficiently. Residents of SHC and WKE would be given priority in the renting of parking space and relevant approval condition was recommended. Addition of non-domestic GFA of 788m² for surplus parking spaces in SHC would exceed the maximum of non-domestic GFA of 7,365m² as stipulated in the Notes of the Outline Zoning Plan. Given no change in building bulk, relaxation of the non-domestic GFA restriction on a temporary basis was acceptable. The Committee had approved five previous applications for same use at the sites. Approval of the application was in line with the previous decisions of the Committee. Regarding the public comments, comments of concerned departments and the planning assessments above were relevant.

143. Members had no question on the application.

Deliberation Session

144. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 17.5.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition :

“priority should be accorded to the respective residents of Siu Hong Court and Wu King Estate in the letting of surplus vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.”

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

[Mr Martin W.C. Kwan returned to join the meeting at this point.]

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/585 Proposed Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years in “Village Type Development” Zone, Lots 390 (Part), 392 (Part), 403RP (Part) and 404 (Part) in D.D. 122 and Adjoining Government Land, Sheung Cheung Wai, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/585)

Presentation and Question Sessions

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

no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one objecting public comment was submitted by an individual. Major objecting views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis 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 and the applied use could meet any such parking demand in the area. Approval of the application on a temporary basis would not frustrate the planning intention of the “V” zone. The proposed use was not incompatible with the surrounding areas and adverse impact arising from the proposed development was not anticipated. Relevant approval conditions were also recommended to address technical requirements of concerned departments. Regarding the public comment, comments of concerned departments and the planning assessment above were relevant.

147. Members had no question on the application.

Deliberation Session

148. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.5.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m. is allowed on the site, as proposed by the applicant, during the planning approval period;
- (b) no goods vehicle, vehicle exceeding 5.5 tonnes, 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 all times during the planning approval period;

- (c) 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;
- (d) a notice shall be posted at a prominent location of the site at all times to indicate that no goods vehicle, vehicle exceeding 5.5 tonnes, container tractor/trailer, 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 washing, vehicle repair, dismantling, paint spraying or other workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing fencing of the site shall be maintained at all times during the planning approval period;
- (h) the existing vegetation within the site shall be maintained in good condition at all times during the planning approval period;
- (i) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 17.8.2019;
- (k) the submission of fire service installations proposal within 6 months from

the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.11.2019;

- (l) in relation to (k) above, the implementation of 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 17.2.2020;
- (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; and
- (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.”

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

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/586 Temporary Logistics Centre for a Period of 3 Years in “Comprehensive Development Area” Zone, Lots 120 (Part), 121 (Part), 122 (Part), 246 RP (Part), 247, 248 S.A, 248 S.B, 248 RP (Part), 249 RP, 250 RP and 254 RP in D.D. 122, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/586)

Presentation and Question Sessions

150. 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 logistics centre for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated on a temporary basis for a period of three years based on the assessments set out in paragraph 12 of the Paper. Since there was no permanent development proposal at the site and the applied use was not incompatible with the surrounding areas, approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “Comprehensive Development Area” zone. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site, falling within Category 2 areas, was subject to previous application for same use and concerned departments had no adverse comment on the application, except DEP. Nevertheless, there was no environmental complaint against the site in the past three years and relevant approval conditions were recommended to address DEP's concerns and technical requirements of other concerned departments.

151. Members had no question on the application.

Deliberation Session

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

temporary basis for a period of 3 years until 17.5.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road, as proposed by the applicant, at any time during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (e) no vehicle repair, dismantling or other workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (f) the existing fencing of the site shall be maintained at all times during the approval period;
- (g) the existing vegetation on the site shall be maintained in good condition 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 within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.8.2019;
- (j) the submission of a fire service installations proposal within 6 months from

the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.11.2019;

- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2020;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (i), (j) or (k) 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.”

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

Agenda Item 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/587 Temporary Car Testing Centre with Ancillary Office for a Period of 3 Years in “Government, Institution or Community”, “Residential (Group B) 1” and “Village Type Development” Zones, Lots 31 RP and 32 RP in D.D. 121, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/587)

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 temporary car testing centre with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual raising concerns on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. As there was not yet any programme/known intention to implement the zoned use on the site and the proposed use was not incompatible with the surrounding areas, approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “Government, Institution or Community”, “Residential (Group B) 1” and “Village Type Development” zones. Adverse impact arising from the proposed development was not anticipated and concerned departments had no adverse comment on the application. Relevant approval conditions were recommended to address technical requirements of concerned departments. Regarding the public comment, comments of concerned 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 17.5.2022, 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 during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed during the planning approval period;
- (c) no medium and heavy goods vehicles over 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (d) a notice shall be posted at a prominent location of the site at all times to indicate that no medium and heavy goods vehicles over 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 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;
- (f) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (g) any openings of the structures including the ventilation systems of the car testing structures shall be directed away from the nearby sensitive uses at all times during the planning approval period;
- (h) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;

- (i) the existing fencing of the site shall be maintained at all times during the planning approval period;
- (j) the existing vegetation within the site shall be maintained in good condition at all times during the planning approval period;
- (k) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (l) the submission of a condition record of the existing drainage facilities within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 17.8.2019;
- (m) 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 17.11.2019;
- (n) in relation to (m) above, the implementation of 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 17.2.2020;
- (o) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h), (i), (j) or (k) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (p) if any of the above planning conditions (l), (m) or (n) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

157. 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 Bonnie K.C. Lee, Mr Steven Y.H. Siu and Ms Stella Y. Ng, STPs/TMYLW, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Agenda Item 42

Any Other Business

158. There being no other business, the meeting closed at 5:21 p.m..