

## **TOWN PLANNING BOARD**

### **Minutes of 642<sup>nd</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 17.1.2020**

#### **Present**

Director of Planning  
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Dr F.C. Chan

Mr Peter K.T. Yuen

Mr K.K. Cheung

Dr C.H. Hau

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Mr L.T. Kwok

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 Paul Y.K. Au

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

Assistant Director (Regional 3)  
Lands Department  
Mr Alan K.L. Lo

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

Secretary

**Absent with Apologies**

Mr Ivan C.S. Fu

Mr David Y.T. Lui

Mr Philip S.L. Kan

Dr. Lawrence K.C. Li

Mr Ricky W.Y. Yu

**In Attendance**

Assistant Director of Planning/Board  
Ms Lily Y.M. Yam

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

Town Planner/Town Planning Board  
Miss Carman C.Y. Cheung

**Agenda Item 1**

Confirmation of the Draft Minutes of the 641<sup>st</sup> RNTPC Meeting held on 3.1.2020

[Open Meeting]

1. The draft minutes of the 641<sup>st</sup> RNTPC meeting held on 3.1.2020 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

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

**Tuen Mun and Yuen Long West District**

**Agenda Item 3**

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/TM/20                      Application for Amendment to the Approved Tuen Mun Outline Zoning Plan No. S/TM/35, To Rezone the Application Site from “Green Belt” and “Government, Institution or Community” Zones and an area shown as ‘Road’ to “Residential (Group A)27” Zone, No. 436, Castle Peak Road - Castle Peak Bay, Tuen Mun  
(RNTPC Paper No. Y/TM/20D)

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3. The Secretary reported that the application site was located in Tuen Mun. Ove Arup & Partners Hong Kong Limited (ARUP) and LWK & Partner (Hong Kong) Limited (LWK) were two of the consultants of the applicant. The following Members had declared interests on the item:

Mr Ivan C.S. Fu                      -                      being a director of LWK and having current

- business dealings with ARUP;
- Mr K.K. Cheung - his firm having current business dealings with ARUP;
- Mr Ricky W.Y. Yu - his firm having current business dealings with LWK; and
- Mr Stephen L.H. Liu - having past business dealings with LWK.

4. The Committee noted that Messrs Ivan C.S. Fu and Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting. As Messrs K.K. Cheung and Stephen L.H. Liu had no involvement in the application, the Committee agreed that they could stay in the meeting.

#### Presentation and Question Sessions

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

##### PlanD's Representatives

- Mr David Y.M. Ng - District Planning Officer/Tuen Mun & Yuen Long West (DPO/TMYLW);
- Ms Jessica Y.C. Ho - Senior Town Planner/Tuen Mun & Yuen Long West (STP/TMYLW);

##### Applicant's Representatives

###### *Agrade Holdings Limited (Agrade)*

- Mr George Chow ] Applicant's representatives;
- Ms Cherry Lee ]
- Ms Clara Lee ]
- Mr Bruce Lee ]

###### *ARUP*

- Ms Theresa Yeung ] Consultant's representatives; and
- Ms Carmen Chu ]
- Ms Wai Lam Lee ]
- Dr. Camby Se ]
- Mr Johnny So ]

Ms Claudia Yu ]  
Mr Sam Kok ]  
Mr Paul Wong ]

*Spiral Architectural Design Limited (Spiral)*

Mr Percy Choy - Consultant's representative.

6. The Chairman extended a welcome and explained the procedure of the hearing. He then invited PlanD's representative to brief Members on the background of the application.

7. With the aid of a PowerPoint presentation, Ms Jessica Y.C. Ho, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed amendment to the approved Tuen Mun Outline Zoning Plan (OZP) No. S/TM/35 to rezone the site from "Green Belt" ("GB") and "Government, Institution or Community" ("G/IC"), and an area shown as 'Road' to "Residential (Group A)27" ("R(A)27") to facilitate a proposed private residential development with domestic plot ratio (PR) of 6 or non-domestic PR of 9.5 and maximum building height (BH) of 100mPD;

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

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, 88 public comments were received with 21 supporting comments from Tuen Mun Merchants Association Limited and individuals. The remaining 67 comments from a former Tuen Mun District Council Member, Village Representatives of Tseng Tau Sheung Tsuen and Tseng Tau Chung/Ha Tsuen, San Hui and Tseng Tau Chung Tsuen Village Committee, Owner's

Corporations of Tuen Mun Town Plaza Tower 8 and Waldorf Garden, World Wide Fund for Nature Hong Kong, MTR Corporation Limited, Hong Kong and China Gas Company, Kadoorie Farm and Botanic Garden, a primary school in the vicinity and individuals either objected to or expressed concerns on the application. Their major views were set out in paragraph 10 of the Paper; and

- (e) the PlanD's views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Noting that the site was primarily disturbed, the Director of Agriculture, Fisheries and Conservation had no major comment on the rezoning application. Considering that there were already a number of residential developments approved by the Town Planning Board (the Board) at and near the site, the Chief Town Planner/Urban Design and Landscape (CTP/UD&L) of PlanD had no objection to the application as the significance and function of the original “GB” zone serving as landscape buffer had been reduced. Located at the eastern fringe of Tuen Mun New Town and adjacent to Tuen Mun Town Centre, the proposed development was considered not incompatible with the surroundings. Compared to the permitted domestic PRs of other “R(A)” zones on the OZP (which ranged from 5 to 6) and the permitted total maximum PR of 6.5 for “R(A)26” zone, the proposed domestic PR of 6 was considered not unacceptable. The proposed development with a maximum BH of 100mPD was not incompatible with the permitted BH of the “R(A)” zones along Castle Peak Road – Castle Peak Bay and Castle Peak Road – San Hui, which ranged from 85mPD to 100mPD, including Tuen Mun Town Plaza, Waldorf Garden and Trend Plaza at 100mPD, whereas Century Gateway to the further west of the Site was at 156mPD. The proposed BH of the two planned public housing sites at Tseng Tau Sheung Tsuen South and former Pui Oi School were 145mPD and 125mPD respectively. The proposed development included an office base for On-site Pre-school Rehabilitation Services as requested by the Social Welfare Department. Various technical assessments had been submitted to demonstrate that the proposed development was technically feasible and relevant departments had no objection to or no adverse comment on the

application. Approval of the current application would likely set a precedent and attract similar rezoning applications for the other three sites to the south of the application sites. The applicant had assessed the cumulative traffic impacts arising from the development under the proposed rezoning of the subject site and the potential development of those three sites and concluded that the proposed developments would not generate major negative traffic impact on the surrounding road network. The Commissioner for Transport had no adverse comment on the proposed rezoning. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

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

8. The Chairman then invited the applicant's representatives to elaborate on the application. Ms Theresa Yeung, the applicant's representative, confirmed that no further elaboration was needed. As the presentation of the representative from PlanD was completed and the applicant had no further presentation, the Chairman invited questions from Members.

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

- (a) the site context and its spatial relationship with the surrounding areas as well as the proposed public housing sites rezoned in 2017;
- (b) when the site was zoned "GB" and its condition at that time;
- (c) area of the application site and the three adjacent lots to the south, compared with the total area of "GB" zone on the OZP;
- (d) the BH difference and the distance between the proposed development and the existing residential tower of Tuen Mun Town Plaza Block 8;
- (e) possibility of setting a precedent for similar rezoning applications if the current application was agreed to; and

- (f) any similar applications to rezone “GB” sites for private residential development involving private lots.

10. In response to Member’s enquiries, Mr David Y.M. Ng, DPO/TMYLW, made the following main points:

- (a) as shown on Plan Z-4c of the Paper, the site was located adjacent to the Castle Peak Road – Castle Peak Bay and at the eastern fringe of the Tuen Mun New Town. The site was currently covered by vegetation with site formation works suspended for the house redevelopment with a PR of 0.4 under a previously approved application. To the west across Castle Peak Road were high-rise commercial/residential developments of Tuen Mun Town Centre which were mostly zoned “R(A)” with a domestic PR of 5/6 or non-domestic PR of 9.5. To the east was a larger area zoned “GB” with a few scattered low-rise residential structures and Maclehose Trail and Tai Lam Country Park to its further east. To its immediate south was a house lot occupied by an existing single storey house named “蓮圃” and two vacant house lots. To the further south was the “Residential (Group B)” (“R(B)”) zone for a residential development named Villa Tiara and two proposed public housing sites (“R(A)26”) included in the 2017 rezoning exercise at Tseng Tau Sheung Tsuen South and the former Pui Oi School site (which was adjacent to the Dragon Kiln). Those sites were located to the eastern side of Castle Peak Road- Castle Peak Bay. During the rezoning exercise in 2017, the public housing site at Tseng Tau Sheung Tsuen South was rezoned from “GB” to “R(A)26” while the public housing site at the former Pui Oi School site was rezoned from “R(A)22” to “R(A)26”. Compared with the current proposal, both public housing sites had slightly higher PR of 6.5 as well as higher BH restriction of 145mPD and 125mPD respectively;
- (b) the site had been zoned “GB” since the gazettal of the first Tuen Mun OZP in 1983. There was a house at the site at that time, which was now demolished;

- (c) the site area of the current application alone was about 2,364m<sup>2</sup>, together with the 3 adjoining lots to the south, the site area was about 6,658m<sup>2</sup>. The total area of “GB” zone on the OZP was about 731ha;
- (d) as shown on Plan Z-2 of the Paper, the BH of the Tuen Mun Town Plaza Block 8 was 104.7mPD while the proposed maximum BH of the current application was 100mPD. The distance between the said existing buildings and the proposed development would be about 50m;
- (e) under the current application, the applicant had submitted various technical assessments to demonstrate that the proposed development was technically feasible and no insurmountable impacts were anticipated. If the three adjoining building lots to the south also sought for rezoning at a later stage, each prospective applicant would need to submit technical assessments to demonstrate the technical feasibility of the proposed development and the Board would consider them based on their own circumstances and individual merits; and
- (f) a site involving only government land (GL) to the east of Tuen Mun had been rezoned from “GB” to “R(B)” for private residential development during the rezoning exercise in 2017. There was no similar rezoning application from “GB” to residential zone on private land in Tuen Mun.

11. In response to a Member’s enquiry on the flat size of the proposed development, Ms Theresa Yeung, the applicant’s representative, said that the range of flat size (salesable area) was about 150 to 400 square feet. The Chairman further asked the implementation programme of the proposed development. Ms Theresa Yeung replied that the building construction would be completed in 2023.

12. As 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 the representatives from PlanD and the applicant for attending the meeting. They left the

meeting at this point.

### Deliberation Session

13. Drawing Members' attention to the site background and context, the Chairman highlighted the following main points to facilitate Members' consideration of the application:

- (a) whether the buffer function of the site as "GB" had been reduced;
- (b) land use compatibility and spatial relationship between the proposed development and the surroundings, including the development pattern along Castle Peak Road as well as the recently rezoned "GB" sites for public housing to its further south; and
- (c) cumulative effect of approving the rezoning application as a precedent case.

14. Members generally considered that the site could be developed for residential use as the buffer function of the site as "GB" had diminished, the site had building entitlement and had previously been approved for residential development with PR of 0.4, its location was close to Tuen Mun Town Centre, and there were some "GB" sites rezoned for public housing developments with a higher PR and BH to its further south.

15. Noting that the site was previously approved for residential development with PR of 0.4, a Member considered the proposed domestic PR of 6 and BH of 100mPD under the rezoning application excessive as it was located within a "GB" zone, even though it was close to the Tuen Mun New Town. Moreover, similar rezoning applications would be expected from the three adjoining lots to its immediate south since they also had building entitlements with similar site context and history of previously approved applications for residential development with PR of 0.4.

16. Two Members also raised concerns that the proposed development would consist of many small size flats and should the Committee approve the rezoning application, the owners of the adjoining building lots would likely follow suit which would result in very high density developments on individual lots. A Member suggested that the application could be

approved with a lower PR and BH but Members generally agreed that there was no basis for the Committee to counter propose a reduced PR and BH for the development. Some Members considered that there was a need for comprehensive planning for the subject site and the three adjoining building lots instead of dealing with a series of piecemeal rezoning applications with its individual proposal. By adopting a comprehensive planning approach, a better design and layout could be formulated which could minimize the potential visual and air ventilation impacts, particularly on the residents of the Tuen Mun Town Plaza Block 8 and to allow more scope for tree preservation. Members, however, noted that the adoption of a comprehensive planning approach would be subject to the initiative of individual lot owners. The Vice-chairman reminded that the visual interest should be protected from public viewing points instead of from individual developments in the town centre area where high density development had already taken place.

17. Of those Members who considered it prudent to have a more comprehensive planning for residential developments at the site and the adjoining lots, a Member suggested that the comprehensive planning might be initiated by the Government and asked whether the site together with the adjoining lots could be rezoned to “Comprehensive Development Area” (“CDA”). The Chairman explained that there were pros and cons for “CDA” zoning. The “CDA” zoning mechanism would require submission of a Master Layout Plan and relevant technical assessments, and the implementation of “CDA” sites under multiple ownerships would often involve a protracted process. As such, biennial review of “CDA” sites would be undertaken to monitor their timely implementation.

18. Members noted that the Government had adopted a multi-pronged approach to increase land supply to meet the public demand and rezoning suitable “GB” sites to residential uses was one of the options to address the short-term land supply for public housing. In the past, the Government mainly rezoned GL in “GB” zone which was either de-vegetated or located at the fringe of the town centre with less “GB” buffer function for residential uses while the rezoning of private land within “GB” zone for residential uses was processed through s.16 or s.12A applications at the applicant’s initiative. The Vice-chairman remarked that some “GB” sites had been rezoned for public housing with higher PR with policy support and cautioned that the Board might need to adopt a consistent approach when considering private development proposal of similar nature. Another Member also opined that if residential development near the fringe of “GB” was acceptable, the subject rezoning

application could be supported and it would be unnecessary to wait for the owners of the adjoining three sites to develop together as it would slow down the development process.

19. Since there were divergent views among Members on whether to agree to the proposed rezoning application, a vote was taken. Slightly more Members considered that the approval of the application might set a precedent for the three adjoining building lots to submit similar rezoning applications for high density development which might result in adverse cumulative impacts on the surrounding areas. There was a need for adopting a comprehensive planning approach of the site and the three adjoining lots so that a scheme with better design and layout could be formulated for the area. The application should be rejected on that basis.

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

- “(a) the proposed rezoning of the site may set an undesirable precedent for similar applications within the “Green Belt” zone, particularly the three adjoining building lots to its immediate south. The cumulative effect of approving such similar applications would result in adverse impacts on the surrounding areas; and
- (b) the rezoning of the site alone for high density development is inappropriate and adopting a comprehensive planning approach for the site and the adjoining lots is required so that a scheme with better design and layout could be formulated to minimize the potential adverse impacts on the surrounding areas.”

**Sai Kung and Islands District**

**Agenda Item 4**

**Section 16 Application**

[Open Meeting]

A/SK-CWBN/58 Proposed Public Utility Installation (LV Poles, Underground Cable and Overhead Cable) and Excavation and Filling of Land in “Conservation Area” Zone, Government Land in D.D. 238, Clear Water Bay, Sai Kung  
(RNTPC Paper No. A/SK-CWBN/58A)

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21. The Secretary reported that the application site was located at Clear Water Bay. The application was submitted by CLP Power Hong Kong Limited (CLP), which was a subsidiary of CLP Holdings Limited. Kum Shing (K.F.) Construction Company Limited (KSCCL) was the consultant of the applicant. The following Members had declared interests on the item:

- |                     |   |   |
|---------------------|---|---|
| Dr Jeanne C.Y. Ng   | - | being the Director – CLP Research Institute of CLP;           |
| Mr K.K. Cheung      | - | his firm having current business dealings with CLP and KSCCL; |
| Mr Stephen L.H. Liu | - | having past business dealings with CLP; and                   |
| Mr David Y.T. Lui   | - | co-owning with spouse two properties in Clear Water Bay.      |

22. The Committee noted that the applicant had requested deferment of consideration of the application and Mr David Y.T. Lui had tendered apology for being unable to join the meeting. As the interest of Dr Jeanne C.Y. Ng was direct, the Committee agreed that she could stay in the meeting but should refrain from participating in the discussion. As Messrs K.K. Cheung and Stephen L.H. Liu had no involvement in the application, the Committee agreed that they could stay in the meeting.

23. The Committee noted that the applicant's representative requested on 10.1.2020 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including responses to departmental comments and a revised Tree Survey Report.

24. 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.

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

#### **Agenda Item 5**

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

[Open Meeting]

A/NE-LT/662

Proposed Temporary Educational Institution (Teaching Farm) for a Period of 3 Years and Excavation of Land in "Green Belt" and "Recreation" Zones, Lots 335 S.B (Part), 336 S.A, 336 S.B, 336 S.C, 337 S.B, 338, 339, 340, 341, 345 S.A and 346 in D.D. 16, Wo Tong Pui, Tai Po

(RNTPC Paper No. A/NE-LT/662C)

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25. The Secretary reported that the application was submitted by the City University of Hong Kong (CityU). C M Wong & Associates Limited (CMW) and Beria Consultants Limited (Beria) were two 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 CMW;<br>and  |
| Mr K.K. Cheung  | - | his firm having current business dealings with<br>CityU and past business dealings with Beria. |

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

27. The Committee noted that the applicant's representative requested on 3.1.2020 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address departmental comments. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including response to comments, supplementary information related to the water quality and air quality assessments, drainage proposal, tree survey plan and a revised layout plan.

28. 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 fourth deferment and a total of eight months had been allowed for the preparation of submission of further information, this was the last deferment and no further deferment would be granted.

[Mr Tony Y.C. Wu and Mr Tim T.Y. Fung, Senior Town Planners/Shia Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

[Mr Paul Y.K. Au left the meeting temporarily at this point.]

## **Agenda Item 6**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/677            Proposed House (New Territories Exempted House - Small House) in  
                                 “Green Belt” Zone, Lots 140 S.A RP, 140 S.B RP and 141 in D.D. 28,  
                                 Lung Mei Village, Ting Kok, Tai Po  
                                 (RNTPC Paper No. A/NE-TK/677)

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### **Presentation and Question Sessions**

29.            Mr Tony Y.C. Wu, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a)    background to the application;
- (b)    proposed house (New Territories Exempted House (NTEH) – Small House);
- (c)    departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper.    The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) objected to the application.    Considering the existing “Green Belt” (“GB”) zone was largely undisturbed, there was a grave concern that approval of the application would set an undesirable precedent and the cumulative effect of approving such similar applications would result in degradation of landscape quality of the “GB” zone, and cause adverse landscape impact on the area.    The Chief Engineer/Mainland North, Drainage Services

Department (CE/MN, DSD) did not support the application since the proposed house was located in close proximity to an existing streamcourse. The applicant had not demonstrated that the proposed Small House would not adversely affect the flow path and the conveyance of runoff. The Commissioner for Transport in general had reservation on the application but considered that the application only involving development of a Small House could be tolerated unless it was rejected on other grounds. Other government departments consulted had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, 20 public comments were received from WWF-Hong Kong, Designing Hong Kong Limited, Hong Kong Bird Watching Society, a group of local residents and 16 individuals objecting to the application. Major grounds of objection were set out in paragraph 11 of the Paper; and
- (e) the PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The site fell entirely within the “GB” zone and there was a general presumption against development within the “GB” zone. Although the proposed development was not incompatible with the surrounding landscape character and significant adverse impact on the landscape resources within the site was not anticipated, the existing “GB” zone was largely undisturbed and there was a grave concern that approval of the application would set an undesirable precedent. While land available within the “Village Type Development” (“V”) zone of Lung Mei and Tai Mei Tuk (about 71 Small House sites) was insufficient to fully meet the future Small House demand of 307 Small Houses, such available land was capable to meet the outstanding 60 Small House applications. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. While there were 12 similar applications approved by the Committee between 2002 and 2013, after the Town Planning Board's adoption of a more cautious approach in August

2015 for approving Small House applications, 13 similar applications were rejected by the Committee or the Board on review. The circumstances of the current application were similar to those rejected applications. Regarding the public comments received, comments of concerned departments and the planning assessments above were relevant.

30. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from this planning intention;
- (b) the proposed development does not comply with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would affect the existing natural landscape and drainage in the surrounding environment;
- (c) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse landscape and drainage impacts on the surrounding areas; and
- (d) land is still available within the “Village Type Development” (“V”) zone of Lung Mei and Tai Mei Tuk which is primarily intended for Small House

development. It is considered more appropriate to concentrate the proposed Small House development within “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

**Agenda Item 7**

**Section 16 Application**

[Open Meeting]

A/NE-FTA/194      Temporary Cargo Handling and Forwarding Facility for a Period of 3 Years in “Other Specified Uses” annotated “Port Back-up Uses”, “Agriculture” Zones and area shown as ‘Road’, Lots 182 RP (Part) and 183 RP (Part) in D.D. 52, Fu Tei Au, Sheung Shui  
(RNTPC Paper No. A/NE-FTA/194)

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32.            The Committee noted that the applicants’ representative requested on 9.1.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicants requested deferment of the application.

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

**Agenda Item 8**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-HLH/39            Temporary Open Storage of Construction Materials for a Period of 3  
Years in “Agriculture” Zone, Lot 629 in D.D. 84, Hung Lung Hang  
(RNTPC Paper No. A/NE-HLH/39)

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**Presentation and Question Sessions**

34.            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) 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 Commissioner for Transport (C for T) did not support the application as the applicant failed to demonstrate in the submission that the temporary development would not cause adverse traffic impact on the surrounding areas and the applicant had not provided traffic-related information for his review including the estimated vehicular trip to/from the site and the dimension of the access and run-in/out etc. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The Director of Environmental Protection (DEP) did not support the application as there was a domestic structure about 20m to the north of the site. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as the applied use was considered not entirely compatible with the landscape character and approval of the application would set an undesirable precedent of landscape character alteration by vegetation clearance and site formation and would encourage more similar

development within the area. The cumulative impact of such approval would further degrade the landscape quality of the surrounding environment. Other government departments consulted had no objection to or no adverse comment on the application. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 10.1.10 of the Paper;

- (d) during the first three weeks of the statutory publication period, seven public comments were received with two indicating no comment on the application from a former North District Council member and an individual and the remaining five comments made by Kadoorie Farm and Botanic Garden, WWF-Hong Kong, the Hong Kong Bird Watching Society, the Conservancy Association and an individual objecting to the use. Major grounds of objection were set out in paragraph 11 of the Paper; and
- (e) the PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone. No strong planning justification had been given in the submission for a departure from the planning intention, even on a temporary basis. The application did not comply with the Town Planning Board Guidelines No. 13E in that the site was not the subject of any previous planning approval, there was adverse departmental and public comments on the application and the applicant had failed to demonstrate that the development would have no adverse traffic impact on the surrounding areas. Approval of the application would set an undesirable precedent for similar applications in the “AGR” zone and the cumulative impact of such approval would further degrade the landscape quality of the surrounding environment. Six similar applications were all rejected by the Committee or the Town Planning Board on review or dismissed by the Town Planning Appeal Board between April 2011 and January 2020. The circumstances of the current application were similar to those rejected applications. Regarding the local views and adverse public comments, comments of concerned departments and the planning assessments above were relevant.

35. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of the “Agriculture” zone for the Hung Lung Hang area, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong 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 in that there is no previous approval for open storage granted for the Site; and there are adverse comments from the relevant government departments and local objections against the application; and
- (c) the applicant fails to demonstrate that the development would have no adverse traffic impact on the surrounding areas.”

**Agenda Item 9**

Section 16 Application

[Open Meeting]

A/NE-LYT/719      Proposed Temporary Public Utility Installation (Solar Energy System) for a Period of 5 Years in “Village Type Development” Zone, Lot T20 S.T (Part) in D.D. 51, Tong Hang, Fanling  
(RNTPC Paper No. A/NE-LYT/719)

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37. The Secretary reported that the application was for public utility installation (solar energy system). Mr H.W. Cheung, the Vice-chairman, had declared an interest on the item for being the Chairman of the Hong Kong Green Building Council, which had been supporting the use of solar panel. As Mr H.W. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

38. The Secretary reported that the Committee on 29.11.2019 decided to defer decisions on three similar applications (No. A/NE-KLH/578, A/YL-KTS/832 and A/TM-SKW/105) for proposed public utility installation (solar energy system/panels) pending the formulation of assessment criteria on applications for installation of solar energy system. As the assessment criteria were still being formulated, the Planning Department recommended deferment of the current application until such assessment criteria were formulated to facilitate consideration of such type of applications altogether.

39. After deliberation, the Committee decided to defer a decision on the application. The application would be submitted to the Committee together with the other deferred planning applications for solar energy system/panels for consideration after the assessment criteria on applications for installation of solar energy system had been formulated.

## **Agenda Item 10**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MUP/146 Proposed Temporary Animal Boarding Establishment and Ancillary Office for a Period of 3 Years in “Agriculture” Zone, Lots 49, 50 (Part) and 52 RP (Part) in D.D.37 and Adjoining Government Land, Man Uk Pin

(RNTPC Paper No. A/NE-MUP/146)

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### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) proposed temporary animal boarding establishment for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Commissioner for Transport (C for T) did not support the application as the applicants failed to demonstrate in the submission that the proposed development would not cause adverse traffic impact on the surrounding area. The Director of Environmental Protection (DEP) did not support the application as the applicants failed to demonstrate that there was no adverse environmental impact generated from the proposed use. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) had reservation on the application as there was insufficient information to demonstrate that the proposed development would not cause an unacceptable increase in the risk of flooding in areas upstream of, adjacent to or downstream of the development. Other government departments consulted had no objection to or no adverse comment on the application. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 9.1.12 of the Paper;
- (d) during the first three weeks of the statutory publication period, six public comments were received with two indicating no comment on the application from the Chairman of Sheung Shui District Rural Committee and a former North District Council member and the remaining four objecting comments made by World Wide Fund for Nature Hong Kong, the Hong Kong Bird Watching Society, Designing Hong Kong Limited and one individual; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the

application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone. There was no strong planning justification given in the current submission for a departure from the planning intention, even on a temporary basis. The applicants had failed to demonstrate in the submission that the proposed development would not cause adverse environmental, drainage and traffic impacts on the surrounding area, hence DEP, CE/MN, DSD and C for T did not support or had reservation on the application. There was no similar application for temporary animal boarding establishment within the “AGR” zone. Approval of the application would set an undesirable precedent for similar applications in the “AGR” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area. Regarding the local views and adverse public comments, comments of concerned departments and the planning assessments above were relevant.

41. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is primarily to retain and safeguard good agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the applicant fails to demonstrate that the proposed development would not cause adverse environmental and traffic impacts on the surrounding areas;

and

- (c) the approval of the application would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such similar applications would result in a general degradation of the rural environment of the area.”

### **Agenda Item 11**

#### **Section 16 Application**

[Open Meeting]

A/NE-TKLN/24      Temporary Open Storage of Construction Machinery and Container with Repair Workshop for a Period of 3 Years in “Recreation” Zone, Lots 1356 RP, 1357 S.B RP and 1360 RP in D.D. 78 and adjoining Government Land, Lin Ma Hang Road, Ta Kwu Ling North  
(RNTPC Paper No. A/NE-TKLN/24A)

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43.            The Committee noted that the applicant requested on 31.12.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address the comments from government departments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had been liaising with relevant government departments as part of the application site involved the under-bridge area of Heung Yuen Wai Highway.

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

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

**Agenda Item 12**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKLN/29      Proposed Temporary Warehouse and Open Storage of Containers for a Period of 3 Years in “Recreation” Zone, Lot 487 S.B RP in D.D. 80 and Adjoining Government Land, Lin Ma Hang Road, Ta Kwu Ling North  
  
(RNTPC Paper No. A/NE-TKLN/29)

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**Presentation and Question Sessions**

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

- (a)    background to the application;
  
- (b)    proposed temporary warehouse and open storage of containers for a period of three years;
  
- (c)    departmental comments – departmental comments were set out in paragraph 9 of the Paper.    The Commissioner for Transport (C for T) did not support the application as the applicant had not provided sufficient information on the estimated traffic flow, justifications for the proposed parking/loading and unloading spaces, satisfactory management/control measures, traffic arrangement and vehicle manouvering within the site and provision and management of pedestrian facilities.    The Director of Environmental Protection (DEP) did not support the application as the temporary development was expected to generate traffic of heavy vehicles and there were domestic structures in the vicinity of the site with the closest one

located about 51m to the southwest of the site. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as the proposed use was considered incompatible with the landscape character of the area, and approval of the application would set an undesirable precedent of landscape character alteration and would encourage more similar development within the area. The cumulative impact of such approval would further degrade the landscape quality of the surrounding environment. The Chief Highway Engineer/New Territories East, Highways Department advised that the site would encroach onto the project limit of the PWP Item No. 6584TH “Widening of Eastern Section of Lin Ma Hang Road between Tsung Yuen Ha and Lin Ma Hang”. Other government departments consulted had no objection to or no adverse comment on the application. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 9.1.11 of the Paper;

- (d) during the first three weeks of the statutory publication period, six public comments were received with one supporting comment from a former North District Council member and one indicating no comment on the application from the Chairman of Sheung Shui District Rural Committee while the remaining four comments from WWF-Hong Kong, Green Sense, a villager from Lin Ma Hang Village and an individual objected to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Recreation” (“REC”) zone. The applicant had not provided strong planning justifications in the submission to merit a departure from the planning intention of the “REC” zone, even on a temporary basis. The site had been extensively formed and hard paved with total removal of existing vegetation within and surrounding the site. Adverse landscape impact had taken place prior to planning approval. CTP/UD&L, PlanD had

reservation on the application as the proposed use was considered incompatible with the landscape character of the area, and approval of the application would set an undesirable precedent of landscape character alteration. Both DEP and C for T did not support the application as the applicant failed to demonstrate that the proposed development would not generate adverse environmental and traffic impacts on the surrounding areas. Regarding the local views and adverse public comments, comments of concerned departments and the planning assessments above were relevant.

46. In response to the Chairman's enquiry, Mr Tim T.Y. Fung, STP/STN, replied that there was no similar application within the "REC" zone in the vicinity of the application site.

#### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Recreation” (“REC”) zone, which is intended primarily for low-density recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the applicant fails to demonstrate in the submission that the proposed development would not cause adverse traffic impact on the surrounding areas; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the same “REC” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

[The Chairman thanked Mr Tony Y.C. Wu 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**

**Agenda Item 13**

**Section 16 Application**

[Open Meeting]

A/FLN/18 Proposed Minor Relaxation of Maximum Plot Ratio and Building Height Restrictions for Permitted Commercial/Residential Development with Public Transport Interchange, and Proposed Shop and Services, Eating Place, School (not elsewhere specified) and Place of Entertainment in "Other Specified Uses" annotated "Commercial/Residential Development with Public Transport Interchange (2)" Zone, Lots 247, 255 (Part), 257 (Part), 267, 406 (Part), 408 (Part), 409, 414 (Part), 415 (Part), 416 (Part), 418 (Part), 420 (Part), 424 (Part), 425 (Part), 426 (Part), 427 (Part), 434 (Part) and 435 (Part) in D.D. 51 and Adjoining Government Land, Fanling North (RNTPC Paper No. A/FLN/18)

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48. The Secretary reported that the application was submitted by Keep York Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD), ArchiPlus International (Hong Kong) Limited (ArchiPlus), Black & Veatch Hong Kong Limited (B&V) and MVA Hong Kong Ltd. (MVA) were four 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 SHK and MVA;                     |
| Mr K.K. Cheung  | - | his firm having current business dealings with SHK, ArchiPlus and B&V; |

- Mr Stephen L.H. Liu - having past business dealings with SHK and LD;
- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Company (1933) Limited (KMB) and SHK was one of the shareholders of KMB; and
- Mr Ricky W.Y. Yu - his firm having past business dealings with LD.

49. The Committee noted that the applicant had requested deferment of consideration of the application and Messrs Ivan C.S. Fu and Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting. As the interest of Miss Winnie W.M. Ng was direct, the Committee agreed that she could stay in the meeting but should refrain from participating in the discussion. As Messrs K.K. Cheung and Stephen L.H. Liu had no involvement in the application, the Committee agreed that they could stay in the meeting.

50. The Committee noted that the applicant's representative requested on 6.1.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to review the planning justifications and address the comments from government departments. 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.

[Mr Patrick M.Y. Fung, 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 13A**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/259            Proposed Temporary Private Vehicle Park (Private Cars Only) for a Period of 3 Years in “Village Type Development” Zone, Lot 721 RP (Part) in D.D. 112, Lin Fa Tei Tsuen, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-SK/259B)

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

52.            Mr Patrick M.Y. Fung, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary private vehicle park (private cars only) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) 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 proposed temporary private vehicle park (private cars only) could be tolerated for a period of three years based on the assessments set out in

paragraph 11 of the Paper. While the proposed use was not entirely in line with the planning intention of “Village Type Development” (“V”) zone, the District Lands Officer/Yuen Long, Lands Department advised that there was no Small House application approved or currently under processing at the site. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “V” zone or the provision of land for Small House development. In view of its small scale, the proposed temporary private vehicle park without any structure on site was not incompatible with the surrounding land uses which were mainly clusters of domestic dwellings/structures in village setting. Relevant government departments had no objection to/adverse comment on the application from traffic, environmental, drainage and landscape aspects. The technical concerns of relevant government departments could be addressed through the imposition of approval conditions.

53. In response to a Member’s question on the enforcement issue, Mr Patrick M.Y. Fung, STP/FSYLE, with reference to paragraph 4 of the Paper, said that the site was subject to planning enforcement action. Enforcement Notice was issued on 15.5.2019 requiring discontinuation of the unauthorized development (UD) involving parking of vehicles. The UD was then discontinued and Compliance Notice was issued on 10.12.2019.

#### Deliberation Session

54. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.1.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) only private cars as defined in the Road Traffic Ordinance and its subsidiary regulations, as proposed by the applicant, are allowed to enter/be parked on the site at all times during the planning approval period;
- (b) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site at any time during the planning approval period;

- (c) a notice shall be posted at a prominent location of the site at all times to indicate that only private cars as defined in the Road Traffic Ordinance and its subsidiary regulations are allowed to enter/be parked on the site during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.7.2020;
- (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 17.10.2020;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a 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 17.7.2020;
- (i) in relation to (h) above, the implementation of the 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 17.10.2020;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked without further notice; and
- (k) if any of the above planning conditions (e), (f), (h) or (i) is not complied

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

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

### **Agenda Item 13B**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/263            Temporary Animal Boarding Establishment and Hospice Services Establishment for a Period of 3 Years in “Agriculture” Zone, Lots 383 (Part), 384 S.D (Part), 385 S.A-S.C (Part) and 386 (Part) in D.D. 112, Kam Sheung Road, Shek Kong, Yuen Long  
(RNTPC Paper No. A/YL-SK/263A)

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

56. Mr Patrick M.Y. Fung, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary animal boarding establishment with hospice services for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural uses such as greenhouses and plant nurseries, and active agricultural activities were found in the vicinity. The Commissioner for Transport (C for T) had reservation on the application as the applicant failed to provide sufficient traffic-related information to demonstrate that

the applied use would not cause adverse traffic impact on Kam Sheung Road. Other government departments consulted 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 a Yuen Long District Council Member, the Vice-Chairperson of Pat Heung Rural Committee cum resident representative of Lin Fa Tei village and two indigenous inhabitant representatives of the same village, the Hong Kong Bird Watching Society, the World Wide Fund For Nature Hong Kong and a member of public objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
  
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone. DAFC did not support the application as the site possessed potential for agricultural uses and active agricultural activities were found in the vicinity. The applicant had not provided strong planning justifications in the submission to merit a departure from the planning intention of “AGR” zone, even on a temporary basis. The animal boarding establishment with hospice services and cremation of animal dead bodies was considered incompatible with the surrounding areas which were rural in character with clusters of residential structures/dwellings and active/fallow agricultural land. C for T had reservation on the application as the applicant failed to demonstrate that the applied development would not cause adverse traffic impact to the surrounding. There was one similar application No. A/YL-SK/226 for proposed temporary animal boarding establishment (without provision of animal hospice services) in the same “AGR” zone, which was rejected by the Committee on 10.11.2017. Rejecting the subject application was in line with the Committee's previous decision. The applied use, if approved, would set an undesirable precedent for similar applications within the “AGR” zone; and encourage similar applications in the area and further

encroachment of development onto the “AGR” zone. The cumulative impact would result in general degradation of the landscape quality of the area. Regarding the adverse public comments received, comments of concerned departments and the planning assessments above were relevant.

57. In response to a Member’s enquiry, Mr Patrick M.Y. Fung, STP/FSYLE, referring to Drawing A-1 of the Paper, clarified that the applied use was mainly for animal boarding and cremation with ancillary memorial garden and room for storing cremated ashes, office, and common room. For operating an animal boarding establishment, the operator needed to obtain a valid boarding license granted by DAFC and meet the requirements of the Public Health (Animals) (Boarding Establishment) Regulations Cap.139I which mainly required providing a proper, safe and spacious living environment to the animals and also providing proper care to the animals in terms of hygiene and food supply.

58. A Member enquired on the assessment criteria for considering applications for animal boarding establishment. Mr Patrick M.Y. Fung, STP/FSYLE, replied that the main considerations in planning assessment were land use compatibility and potential impacts or nuisances induced by the applied use in terms of traffic and environmental aspects on the surrounding areas. Different from other planning applications for animal boarding establishment, the current application involved ‘animal cremation’ which would be incompatible with the surrounding areas with residential dwellings, hence the current application was not supported.

[Mr Paul Y.K. Au returned to join the meeting at this point.]

#### Deliberation Session

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

- “(a) the applied development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is primarily intended to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for

rehabilitation for cultivation and other agricultural purposes. There are no strong planning justifications in the submission to merit a departure from such planning intention, even on a temporary basis;

- (b) the applied development is incompatible with the surrounding areas which are rural in character with clusters of residential structures/dwellings and active/fallow agricultural land;
- (c) the applicant fails to demonstrate that the applied development would not cause adverse traffic impact on the surrounding areas; and
- (d) approval of the application would set an undesirable precedent for similar applications in the “AGR” zone. The cumulative effect of approving such similar applications would result in a general degradation of the rural environment of the area.”

#### **Agenda Item 14**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/273            Temporary Animal Boarding Establishment and Dog Training Facility for a Period of 3 Years in “Village Type Development” Zone, G/F, Lots 1216 RP (Part), 1217 S.B (Part) and 1217 S.A (Part) in D.D. 114, Sheung Tsuen, Kam Sheung Road, Yuen Long  
(RNTPC Paper No. A/YL-SK/273)

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

60.            Mr Patrick M.Y. Fung, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) temporary animal boarding establishment and dog training facility 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 some domestic dwellings located within 5-30m from the application site. It was very likely that the use would generate noise from dogs barking and people shouting at night and during the operation hours, causing noise nuisance to the nearby residents. Other government departments consulted had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, 24 public comments were received from the two indigenous inhabitant representatives, one resident representative, one village committee chairperson, 15 local residents of Sheung Tsuen and five individuals objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The applied use was not in line with the planning intention of the “Village Type Development” (“V”) zone. The applicant had not provided strong planning justifications in the submission to merit a departure from the planning intention of the “V” zone, even on a temporary basis. The applied development was considered incompatible with the surrounding areas which were rural in character with clusters of domestic dwellings/structures in village setting. The second and third floors of the existing New Territories Exempted House (Small House) on the site were used for domestic purpose, and residential dwellings were found in its immediate vicinity. It was very likely that noise generated from dogs barking and people shouting at night and during the operation hours would cause noise nuisance to the nearby residents. The site was not subject to any previous application nor any similar application within the same “V” zone on the Outline Zoning Plan. The applied development, if approved,

would set an undesirable precedent for similar applications within the “V” zone. The cumulative effect of approving such similar applications would result in a general degradation of the rural environment of the area. Regarding the adverse public comments received, comments of concerned departments and the planning assessments above were relevant.

[Mr H.W. Cheung, the Vice-Chairman, left the meeting temporarily at this point.]

61. In response to the Chairman’s enquiry, Mr Patrick M.Y. Fung, STP/FSYLE, replied that the applied use had been in operation at the site.

#### Deliberation Session

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

- “(a) the applied development is not in line with the planning intention of the “Village Type Development” (“V”) zone which is primarily to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within the zone is primarily intended for development of Small Houses by indigenous villagers. There are no strong planning justifications in the submission to merit a departure from such planning intention, even on a temporary basis;
- (b) the applied development is incompatible with the surrounding areas which are rural in character with clusters of domestic dwellings/structures in village setting, and the applicant fails to demonstrate that the applied development would not cause adverse environmental impact on the surrounding areas; and
- (c) approval of the application would set an undesirable precedent for similar applications in the “V” zone. The cumulative effect of approving such similar applications would result in a general degradation of the rural

environment of the area.”

## **Agenda Items 15 and 16**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/690 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lots 956, 958 and 959 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/690)

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A/YL-KTN/691 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lots 609 and 610 in D.D. 109, Kam Tin North, Yuen Long  
(RNTPC Paper No. A/YL-KTN/691)

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63. Ms Ivy C.W. Wong, STP/FSYLE drew Members’ attention that the two s.16 applications could be considered together as they were similar in nature for proposing temporary hobby farm, and the application sites (the sites) fell within the same “Agriculture” (“AGR”) zone on the Outline Zoning Plan (OZP). The Committee agreed to consider the two s.16 applications together.

### **Presentation and Question Sessions**

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

- (a) background to the applications;
- (b) proposed temporary place of recreation, sports or culture (hobby farm) for a period of three years at each of the sites while filling of land was also proposed under Application No. A/YL-KTN/691;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Papers. Concerned government departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of the statutory publication period, two public comments were received for Application No. A/YL-KTN/690 from World Wide Fund for Nature Hong Kong (WWF) and Hong Kong Bird Watching Society (HKBWS) objecting to the application while three public comments were received for Application No. A/YL-KTN/691 from WWF, HKBWS and an individual objecting to the application. Major grounds of objection were set out in paragraph 10 of the Papers; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the proposed temporary use at each site for a period of three years based on the assessments set out in paragraph 11 of the Papers. According to the applicants, about 57% of the site under Application No. A/YL-KTN/690 and 70% of the site under Application No. A/YL-KTN/691 would be used for farming. The proposed uses were generally not in conflict with the planning intention of the “AGR” zone. DAFC had no strong view on the applications from agricultural point of view. It was considered that approval of the applications on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “AGR” zone. The proposed developments were considered not incompatible with the surrounding areas which were predominated by active agricultural land, residential structures/dwellings, vacant/unused land, etc. In view of the nature of the proposed hobby farms, they would unlikely cause significant adverse environmental, traffic or drainage impacts on the surroundings. Relevant departments consulted had no adverse comment on the applications. There were 22 similar approved applications for temporary hobby farm within the same “AGR” zone. Approval of the applications was in line with the Committee’s previous decisions on similar applications. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

65. In response to a Member's enquiry regarding the public comment on 'Destroy First, Develop Later' aspect, Ms Ivy C.W. Wong, STP/FSYLE, explained that the site under Application No. A/YL-KTN/690 was involved in an on-going planning enforcement case against an unauthorized storage use. Enforcement Notice was issued in June 2019 and according to the latest site inspection, the unauthorized storage use had been discontinued.

66. In response to the questions from the Chairman and a Member in relation to the nearby hobby farms, Ms Ivy C.W. Wong clarified that the applicant of Application No. A/YL-KTN/690 was not the same applicant for the hobby farms to its immediate north which had already obtained planning permission. Moreover, some of the approved hobby farms in the vicinity had not yet operated.

67. As requested by the Chairman, Ms Ivy C.W. Wong elaborated on the existing conditions of each site. For Application No. A/YL-KTN/690, the site was hard-paved and vacant as shown on Plan A-4a and Plan A-4b of the relevant Paper. For Application No. A/YL-KTN/691, the site was soil ground and vacant as shown on Plan A-4 of the respective Paper.

#### Deliberation Session

68. Members noted that the proposed use under Application No. A/YL-KTN/690 would have about 57% of the site for farming use and 43% to be converted from the existing hard paved area to soil ground as indicated in Drawing A-1. For Application No. A/YL-KTN/691, the proposal would involve about 70% of the site for farming use while the remaining area would be occupied by three structures on paved land as shown in Drawing A-1 of the relevant Paper.

69. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid on a temporary basis for a period of 3 years until 17.1.2023, and subject to the following conditions :

Application No. A/YL-KTN/690

- “(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 public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used at the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the submission of 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 17.7.2020;
- (e) in relation to (d) 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 17.10.2020;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of 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 17.7.2020;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.10.2020;
- (i) if any of the above planning conditions (a), (b), (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further

notice;

- (j) if any of the above planning conditions (d), (e), (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.”

Application No. A/YL-KTN/691

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used at the site at any time 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 17.7.2020;
- (d) in relation to (c) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.10.2020;
- (e) in relation to (d) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.7.2020;

- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.10.2020;
- (h) if any of the above planning conditions (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (i) if any of the above planning conditions (c), (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (j) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

70. The Committee also agreed to advise the applicants to note the advisory clauses as set out at Appendix IV of the Papers.

[Mr K.K. Cheung left the meeting temporarily at this point.]

### **Agenda Item 17**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/692      Renewal of Planning Approval for Temporary Storage of Logistics Products and Goods with Ancillary Office for a Period of 3 Years in “Agriculture” Zone, Lots 409 S.A (Part) and 413 in D.D. 110, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-KTN/692)

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Presentation and Question Sessions

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

- (a) background to the application;
- (b) renewal of planning approval for temporary storage of logistics products and goods with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were residential dwellings/structures located to the immediate west (less than 20m away) and the applied use involved the use of heavy vehicles, environmental nuisance was expected. Other government departments consulted 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 further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone, the Director of Agriculture, Fisheries and Conservation had no strong view on the application. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the “AGR” zone. The development was considered not incompatible with the surrounding land uses. Although DEP did not support the application, there was no environmental complaint concerning the site in the past three years and as the development was mainly operated within the enclosed structure, it would unlikely generate significant environmental nuisance to the surroundings. The technical concerns from

DEP could be addressed through the imposition of approval conditions. The application was in line with the Town Planning Board Guidelines No. 34C in that previous approvals for the same applied use were granted since 2011 and all approval conditions of the last application (No. A/YL-KTN/542) had been complied with. Compared with the last approved application, the current application submitted by the same applicant was the same in terms of use, site area, number of structures, building height and total floor area. As there was no major change in planning circumstances since the last approval, sympathetic consideration could be given to the current application.

72. Members had no question on the application.

#### Deliberation Session

73. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 29.1.2020 until 28.1.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 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 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 stored/parked at 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 existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of the record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.4.2020;
- (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 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.”

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

[Mr H.W. Cheung, the Vice-Chairman, returned to join the meeting at this point.]

**Agenda Item 18**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/828 Proposed Public Utility Installation (Radio Base Station and Antennae)  
in “Agriculture” Zone, Lot 235 RP (Part) in D.D. 103, Ko Po Tsuen,  
Yuen Long  
(RNTPC Paper No. A/YL-KTS/828A)

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75. The Secretary reported that the application was submitted by Hong Kong Telecommunications Limited, which was a subsidiary of PCCW Limited. The following Members had declared interested on the item:

- |                 |   |  |
|-----------------|---|--|
| Mr Ivan C.S. Fu | - | having current business dealings with PCCW Limited; and      |
| Mr K.K. Cheung  | - | his firm having current business dealings with PCCW Limited. |

76. The Committee noted that Mr Ivan C.S. Fu had tendered apology for being unable to attend the meeting and Mr K.K. Cheung had left the meeting temporarily.

**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) proposed public utility installation (radio base station and antennae);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the

statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not in line with the planning intention of the “Agriculture” (“AGR”) zone, the Director of Agriculture, Fisheries and Conservation had no adverse comment on the application from agricultural point of view. According to the applicant, the proposed development was intended to improve the mobile phone coverage in the surrounding areas. The Site fell within a narrow strip of “AGR” zone sandwiched between Kam Tin Road and Tsing Long Highway. It was considered not incompatible with the surrounding areas which were rural in character predominated by a mixture of open storage yards, parking of vehicles and vacant/unused lands in the strip of “AGR” zone. Relevant departments consulted had no adverse comment on the application.

78. Members had no question on the application.

#### Deliberation Session

79. 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 17.1.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

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

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

**Agenda Item 19**

**Section 16 Application**

[Open Meeting]

A/YL-KTS/839            Place of Recreation, Sports or Culture in “Agriculture” Zone, Lots 56  
RP, 57 RP and Adjoining Government Land in D.D. 113, Pat Heung,  
Yuen Long  
  
(RNTPC Paper No. A/YL-KTS/839)

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81.            The Committee noted that the applicants requested on 10.1.2020 deferment of consideration of the application for two months so as to prepare further information in response to departmental comments. It was the first time that the applicants requested deferment of the application.

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

**Agenda Item 20**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/825            Renewal of Planning Approval for Temporary Open Storage  
(Construction Materials and Machinery with Ancillary Office) for a  
Period of 3 Years in “Agriculture” and “Open Storage” Zones, Lots  
371 RP, 373 (Part) and 385 in D.D. 110, Pat Heung, Yuen Long  
  
(RNTPC Paper No. A/YL-PH/825)

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Presentation and Question Sessions

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

- (a) background to the application;
- (b) renewal of planning approval for temporary open storage of construction materials and machinery with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were residential dwellings/structures located to the immediate east (less than 10m away) and the applied use involved the use of heavy vehicles, environmental nuisance was expected. Other government departments consulted 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 development could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone, the Director of Agriculture, Fisheries and Conservation had no strong view on the application. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone. The development was considered not incompatible with the surrounding land uses. The application was generally in line with the Town Planning Board Guidelines No. 13E and 34C in that previous approvals for the same applied use was granted since 2011 and all the approval conditions of the last application (No. A/YL-PH/739) had been complied with. There was also no adverse

comment from the relevant departments except DEP. Although DEP did not support the application, there was no environmental complaint concerning the site in the past three years. The technical concerns from DEP could be addressed through the imposition of approval conditions. Compared with the last approved application, the current application submitted by the same applicant was the same in terms of use, site area, number of structures and total floor area. As there was no major change in planning circumstances since the last approval, sympathetic consideration could be given to the current application.

[Mr K.K. Cheung returned to join the meeting at this point.]

84. Members had no question on the application.

#### Deliberation Session

85. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 29.1.2020 until 28.1.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 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 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 stored/parked at 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 a drainage proposal within 6 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 29.7.2020;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 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 29.10.2020;
- (h) in relation to (g) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (i) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e), (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;
- (k) if any of the above planning conditions (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

**Agenda Item 21**

Section 16 Application

[Open Meeting]

A/YL-PH/826                      Proposed Temporary Car Park (Excluding Container Vehicles) for a Period of 3 Years in “Residential (Group D)” Zone, Lot 3035 in D.D. 111 and Adjoining Government Land, Yuen Long  
(RNTPC Paper No. A/YL-PH/826)

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87. The Committee noted that the applicant requested on 31.12.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information in response to departmental comments. It was the first time that the applicant requested deferment of the application.

88. 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 22**

**Section 16 Application**

[Open Meeting]

A/YL-PH/827

Proposed Temporary Warehouse for a Period of 3 Years in “Agriculture” Zone, Lots 2812 (Part), 2813 (Part), 2820 (Part), 2822 (Part), 2823 S.A (Part), 2823 RP (Part), 2825 (Part), 2826 (Part), 2857 (Part), 2858 (Part), 2878 (Part), 2879 (Part) and Adjoining Government Land in D.D. 111, Yuen Long  
(RNTPC Paper No. A/YL-PH/827)

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89. The Committee noted that the applicant requested on 31.12.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

90. 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 23**

**Section 16 Application**

[Open Meeting]

A/YL-PH/828                      Proposed Temporary Animal Boarding Establishment (Cattery) for a Period of 3 Years in “Agriculture” Zone, Lots 2812 (Part), 2813 (Part), 2875 (Part), 2876 (Part), 2878 (Part), 2879 (Part), 2880 (Part), 2891 (Part) and Adjoining Government Land in D.D. 111, Yuen Long  
(RNTPC Paper No. A/YL-PH/828)

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91.            The Committee noted that the applicant requested on 31.12.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

92.            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 24**

**Section 16 Application**

[Open Meeting]

A/YL-NSW/275 Proposed Comprehensive Residential Development in “Undetermined” Zone, Various Lots in D.D. 103 and D.D. 115, Nam Sang Wai, Yuen Long  
(RNTPC Paper No. A/YL-NSW/275)

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93. The Secretary reported that Ove Arup & Partners Hong Kong Limited (ARUP) and AGC Design Limited (AGC) were two of the consultants of the applicants. The following Members had declared interests on the item :

- |                 |   |  |
|-----------------|---|--|
| Mr Ivan C.S. Fu | - | having current business dealings with ARUP and AGC; and      |
| Mr K.K. Cheung  | - | his firm having current business dealings with ARUP and AGC. |

94. The Committee noted that the applicants had requested deferment of consideration of the application and Mr Ivan C.S. Fu had tendered apology for being unable to attend the meeting. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

95. The Committee noted that the applicants’ representative requested on 6.1.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicants requested deferment of the application.

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

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

**Agenda Item 25**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/562            Proposed Temporary Open Storage of Private Cars for a Period of 3  
Years in “Village Type Development” Zone, Lot 217 RP (Part) in  
D.D.105, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/562)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) proposed temporary open storage of private cars for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, four public comments were received from Designing Hong Kong Limited and individuals objecting to the application. Major grounds of objection were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper.

The proposed open storage use was not in line with the planning intention of the “Village Type Development” (“V”) zone, and was incompatible with the surrounding areas which were predominantly village and pond/wetland areas and rural in nature. No strong planning justification had been given in the submission for a departure from the planning intention, even on a temporary basis. The application was not in line with Town Planning Board Guidelines No. 13E in that no previous approval for open storage use had been granted for the site and there were public objections. The applicant had failed to justify the need for open storage use at the site. Approval of the application would set an undesirable precedent and encourage other applications for similar developments in the area. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area. The site fell within the Wetland Buffer Area (WBA) of the Town Planning Board Guidelines No. 12C (TPB-PG No.12C) which specified that applications for new open storage uses within the WBA would normally not be allowed in view of the adverse disturbances of such activities on birds, in particular for such uses involving filling of contiguous ponds. In the same “V” zone, there were four applications for similar open storage uses of which three were rejected by the Committee between 1999 and 2004. Rejection of the application was generally in line with the previous decisions of the Committee on similar applications in the area. Regarding the adverse 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 reject the application. The reasons were :

- “(a) the proposed development is not in line with the planning intention of the “Village Type Development” (“V”) zone which is intended to designate

both existing recognized villages and areas of land considered suitable for village expansion. There is no strong justification in the submission for a departure from such planning intention, even on a temporary basis;

- (b) the proposed development is not in line with the Town Planning Board Guidelines for Application for Temporary Open Storage and Port Back-up Uses in that no previous approval for open storage use has been granted for the site and there are adverse comments from the public; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the “V” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

## **Agenda Item 26**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/563            Renewal of Planning Approval for Temporary Container Vehicle Park, Open Storage of Containers and Public Car Park for a Period of 3 Years in “Undetermined” Zone, Lot 372 S.D RP (Part) in D.D. 99 and Adjoining Government Land, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/563)

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100.        Ms Emily P.W. Tong, STP/FSYLE, drew Members’ attention that two replacement pages (pages 13 and 14 of the Paper) updating the approval conditions had been tabled for Members’ reference.

### **Presentation and Question Sessions**

101.        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) renewal of planning approval for temporary container vehicle park, open storage of containers and public car park for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from the San Tin Rural Committee objecting to the application. Major grounds of objection were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The applied temporary use would not jeopardise the long-term land uses of the area and was considered not incompatible with the surrounding land uses which included vehicle parks and open storage yards. The application was in line with the Town Planning Board Guidelines Nos. 34C and 13E in that there had been no major change in planning circumstances, government departments concerned had no objection to or adverse comment on the application, adverse impacts arising from the renewal of the planning approval were not envisaged, all the approval conditions under the previous approval had been complied with, the 3-year approval period sought was the same as that in the previous application, and the site fell within Category 1 areas where eight previous planning approvals for the same or similar uses had been granted since 1993. Moreover, since 2009, the Committee had approved 22 similar applications within the same “Undetermined” zone. Approval of the current application was in line with the previous decisions of the Committee. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

102. Members had no question on the application.

Deliberation Session

103. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 29.1.2020 until 28.1.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m. for container vehicles and handling/loading/unloading of containers, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) 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;
- (c) no vehicle is allowed to queue back to or reverse onto/from the site to the public road at any time during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (e) the containers stacked within 5m of the periphery shall not exceed the height of the boundary fence at any time during the planning approval period;
- (f) the stacking height of containers stored at any other location within the site shall not exceed eight units at any time during the planning approval period;
- (g) the maintenance of paving and boundary fencing on the site at all times during the planning approval period;

- (h) the maintenance of existing drainage facilities on the site at all times during the planning approval period;
- (i) the submission of an as-built drainage plan and photographic records of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.4.2020;
- (j) the provision of fire extinguisher(s) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 11.3.2020;
- (k) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.7.2020;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.10.2020;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 27**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/564            Filling of Pond for Permitted Agricultural Use in “Village Type Development” Zone, Lot 221 RP (Part) in D.D. 105, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/564)

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**Presentation and Question Sessions**

105.            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) filling of pond for permitted agricultural use;
- (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 subject pond fell within the Wetland Buffer Area (WBA) and pond filling would cause net loss in wetland area. In addition, no information regarding the proposed permitted agricultural use had been provided by the applicant to justify the pond filling. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application and considered that the existing pond together with other ponds located to the further north of the site formed a tranquil rural landscape, which acted as significant landscape resources and dominant landscape character among the areas. Other government departments consulted 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 Corporation, Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual objecting to the application. Major grounds of objection were set out in paragraph 11 of the Paper; and

- (e) the PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. Filling of pond to effect a change of use to any of those specified in Columns 1 and 2 under the Notes of the Outline Zoning Plan (OZP) required permission from the Town Planning Board. The applicant did not provide any information regarding the intended agricultural use to justify the pond filling. Both DAFC and CTP/UD&L, PlanD did not support or had reservation on the application. The pond filling would cause net loss in wetland area and was considered not in line with the Town Planning Board Guidelines No. 12C. There was concern that approval of the application would set an undesirable precedent for other similar pond filling in the immediate neighbourhood and would further decrease the pond area and degrade the landscape quality of WBA. There was also no similar application for filling of pond within the same “Village Type Development” zone on the OZP. The site was subject to planning enforcement action. Reinstatement Notice (RN) requiring the notice recipients to remove the filled materials from the pond had been issued but the requirements under the RN had not been complied with. Approval of the application would encourage similar unauthorized developments in the area. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

106. Members had no question on the application.

#### Deliberation Session

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

- “(a) the application is not in line with the Town Planning Board Guidelines for Application for Development within Deep Bay Area in that the applied filling of pond, which has been completed, has caused net loss in wetland area; and
- (b) the approval of the application would set an undesirable precedent for similar applications within the “Village Type Development” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

**Agenda Item 28**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/565            Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years in “Village Type Development” Zone, Lots 127(Part) and 214(Part) in D.D. 102, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/565)

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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) renewal of planning approval for temporary eating place (outside seating accommodation (OSA) of a restaurant) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period; and
  
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the temporary use for a further period of three years based on the assessments set out in paragraph 12 of the Papers. Although the temporary eating place (OSA of a restaurant) was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it was an extension of an approved restaurant and it could serve the adjacent villages and meet the local demand for eating place in the vicinity. As the District Lands Officer, Lands Department advised that there was no Small House application being processed at the site, the temporary use would not adversely affect the land availability for village type development within the “V” zone. In that regard, it was considered that renewing the approval of the application on a temporary basis for three years would not jeopardize the long term planning intention of the “V” zone. The application was in line with the Town Planning Board Guidelines No. 34C in that since the last approval (No.A/YL-ST/499), there had been no major change in planning circumstances, all the approval conditions under the previous approval had been complied with, there was no local objection to the use and the 3-year approval period sought was the same as that in the previous application. The application was also generally in line with the Town Planning Board Guidelines No. 15A in that the applied use was located at the fringe of Wing Ping Tsuen and was accessible from Castle Peak Road – San Tin. In view of the scale of the eating place, it would unlikely generate significant adverse traffic, environmental and sewerage impacts on the surrounding areas. Relevant government departments consulted had no objection to or adverse comment on the application.

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 from 4.2.2020 until 3.2.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 10:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the maintenance of existing fire service installations implemented on the site in efficient working order at all times during the planning approval period;
- (c) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of an as-built drainage plan and photographic records of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.5.2020;
- (e) 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; and
- (f) if the above planning condition (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.”

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

[The Chairman thanked Mr Patrick M.Y. Fung, 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**

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

#### **Agenda Item 29**

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

[Open Meeting]

A/TM-LTY Y/391      Temporary Shop and Services with Ancillary Storage Area and Office for a Period of 3 Years in "Residential (Group D)" Zone, Lots 1211 S.C (Part), 1248 (Part) and 1249 (Part) in D.D 130, Fuk Hang Tsuen, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/391)

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112.            The Committee noted that the application was withdrawn by the applicant.

#### **Agenda Item 30**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/205            Proposed Temporary Shops and Services for a Period of 3 Years in "Village Type Development" Zone, Lots 1792 RP (Part), 1794 S.B RP(Part) and 1798 RP (Part) in D.D. 125, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/205)

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

113. Mr Simon P.H. Chan, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary shop and services for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) 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 proposed temporary shop and services for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed development was not in line with planning intention of the “Village Type Development” (“V”) zone, it could provide shop and services to meet any such demand in the area. The District Lands Officer/Yuen Long, Lands Department advised that there was no Small House application approved/under processing at the site. Approval of the application on a temporary basis of three years would not frustrate the long-term development of the area. Located at the fringe of the “V” zone and adjacent to the existing Ping Ha Road, the proposed temporary use was not incompatible with the surrounding land uses, which were predominately occupied by residential houses, in particular clusters of village houses to its west. There was no adverse comment from the concerned government departments on the application. Given the small-scale of the proposed development, it was not expected to create any significant adverse environmental, visual, traffic or drainage impact on the surrounding areas. The technical concerns raised by relevant departments could be addressed by approval conditions and advisory clauses. The Committee had approved 10 similar applications for temporary shop and services use

(convenient store) within the same “V” zone since 2005. In that regard, approval of the current application was in line with the Committee’s previous decisions.

114. Members had no question on the application.

#### Deliberation Session

115. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.1.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 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) the submission of a drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.7.2020;
- (d) in relation to (c) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.10.2020;
- (e) in relation to (d) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.7.2020;
- (g) in relation to (f) above, the implementation of the fire service installations

proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.10.2020;

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

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

### **Agenda Item 31**

#### **Section 16 Application**

[Open Meeting]

A/HSK/206

Proposed Temporary Warehouse for Storage of New Vehicles (Private Cars, Taxis, Light Goods Vehicles and Light Buses) for a Period of 3 Years in “Other Specified Uses” annotated “Enterprise and Technology Park”, “Other Specified Uses” annotated “Sewage Pumping Station”, “Open Space” Zones and an area shown as ‘Road’, Lots 1192 (Part), 1196 (Part), 1197, 1198, 1199 (Part), 1200 (Part), 1201 (Part), 1202 (Part), 1204, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350 (Part), 1351, 1352, 1356, 1357, 1358, 1359, 1360, 1361, 1362 (Part), 1363 (Part), 1365, 1366 in D.D. 124 and Adjoining Government Land, Hung Shui Kiu, Yuen Long  
(RNTPC Paper No. A/HSK/206)

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117. The Committee noted that the applicant’s representative requested on 31.12.2019 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the

applicant requested deferment of the application.

118. 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 32**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/539                      Minor Relaxation of Plot Ratio Restriction for Permitted Industrial Use  
in "Industrial" Zone, Nos. 13-15, San On Street, Tuen Mun  
(RNTPC Paper No. A/TM/539B)

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119. The Secretary reported that T.K. Tsui & Associates Limited (TKTAL) was one of the consultants of the applicant. Mr K.K. Cheung had declared an interest on the item as his firm had current business dealings with TKTAL. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

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

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

- (a) background to the application;

- (b) minor relaxation of plot ratio (PR) restriction for permitted industrial use;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Development Bureau (DEVB) had given policy support to the application for relaxation of PR restriction. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments submitted by the same individual were received expressing concerns on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed redevelopment was generally in line with the planning intention of the “Industrial” zone and the proposed building height (BH) of about 85mPD complied with the BH restriction stipulated under the Outline Zoning Plan. The proposed industrial development was considered not incompatible with the surrounding land uses. DEVB gave policy support to the application for the proposed minor relaxation of PR restriction by 20% to optimise utilisation of the existing industrial stock and make better use of valuable land resources. The application had incorporated signalised crossing and a 3.5m setback at the northern boundary of the site to create a pedestrian passage connecting Tin Hau Road and San On Street, enhancing the accessibility of the industrial area from Tuen Mun MTR station. With regard to sustainable building design, the proposed site coverage of greenery was more than 20%, in which more than 10% would be provided at the primary zone, and the remaining 10% would be provided at the main roof, which would exceed the requirements of Sustainable Building Design Guidelines. Concerned departments had no objection to or adverse comment on the application. Regarding the public comments, comments of concerned departments and the planning assessments above were relevant.

121. Members had no question on the application.

Deliberation Session

122. 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 17.1.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the design and provision of parking facilities, loading/unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the implementation of the traffic management measures, including the signalised crossing as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the submission and implementation of the sewerage improvement proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (d) the submission and implementation of fire services installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

**Agenda Item 33**

**Section 16 Application**

[Open Meeting]

A/TM/548 Columbarium (within a Religious Institution) in “Green Belt” Zone,  
G/F of an Existing Building within Tsing Wan Kun in Lot 559 in D.D.  
131, Tuen Mun  
(RNTPC Paper No. A/TM/548)

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

- Mr H.W. Cheung - being a member of the Private Columbaria Licensing Board (PCLB);  
*(the Vice-chairman)*
- Mr Ivan C.S. Fu - being a member of the Private Columbaria Appeal Board (PCAB); and
- Mr K.K. Cheung - his firm being legal advisor of PCLB.

125. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu had tendered apology for being unable to attend the meeting. As the interests of Messrs H.W. Cheung and K.K. Cheung were indirect, the Committee agreed that they could stay in the meeting.

126. The Committee noted that the applicant’s representative requested on 3.1.2020 deferment of consideration of the application for two months so as to allow time for the applicant to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

127. 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 34**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1101      Proposed Temporary Recyclable Collection Centre for Metal and Garment for a Period of 3 Years in "Residential (Group D)" Zone, Lots 182 S.A ss.2 (Part) and 182 S.B (Part) in D.D.128, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-HTF/1101)

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128.            The Committee noted that a replacement page (Appendix IV of the Paper) with additional advisory clause had been dispatched to Members before the meeting.

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

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

- (a) background to the application;
- (b) proposed temporary recyclable collection centre for metal and garment for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public

comment was received from an individual objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the proposed temporary use 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 D)” (“R(D)”) zone, there was no known development for the site in the subject “R(D)” zone. Approval of the application on a temporary basis of three years would not jeopardize the long-term development of the site. The site was located in an area predominantly occupied by warehouse, godowns and different types of open storage uses. The proposed use was considered not incompatible with the surrounding areas. The proposed use would not cause significant adverse traffic, environmental, drainage and landscape impacts on the surrounding areas. Relevant government departments had no adverse comment on/objection to the application. The technical concerns raised by relevant departments could be addressed by approval conditions and advisory clauses. The Committee approved two similar applications (No. A/YL-HTF/1085 and 1099) in the same “R(D)” zone. Approval of the application was in line with the Committee’s previous decisions. Regarding the adverse public comment, comments of concerned departments and the planning assessments above were relevant.

130. Members had no question on the application.

#### Deliberation Session

131. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.1.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 7:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no 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 vehicle exceeding 5.5 tonnes is allowed to enter/exit or to be parked/stored on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.7.2020;
- (f) in relation to (e) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.10.2020;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the existing trees within the site shall be maintained in good condition at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 17.7.2020;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 17.10.2020;
- (k) if any of the above planning conditions (a), (b), (c), (d), (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

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

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

### **Agenda Item 35**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/354 Proposed Temporary Place of Recreation, Sports or Culture for a Period of 3 Years and Land Filling in “Residential (Group D)” Zone, Lots 588 and 594 (Part) in D.D. 128, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/354)

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

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

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

- (d) during the first three weeks of the statutory publication period, three public comments were received from individuals objecting to the application. Major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the proposed temporary use for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed temporary use and land filling were not in conflict with the planning intention of the “Residential (Group D)” (“R(D)”) zone and would not jeopardise the long-term development of the site. The proposed temporary development was not incompatible with the general character of the area which was predominantly rural in setting. There was no objection/adverse comment from government departments concerned. The proposed development was not expected to generate significant environmental, ecological, traffic, drainage and landscape impacts on the surrounding areas. The technical concerns raised by relevant departments could be addressed by approval conditions and advisory clauses. The Committee approved a similar application (No. A/YL-LFS/323) to the immediate north of the site within the same “R(D)” zone. Approval of the application was in line with the Committee’s previous decision. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

134. In response to a Member’s question on the primary concern on application involving land filling, Ms Bonnie K.C. Lee, STP/TMYLW, said that as the area had drainage concern (i.e. flooding problem), planning permission was required for filling of pond and filling of land in respective landuse zones on the Outline Zoning Plan. Regarding the current application, the Chief Engineer/Mainland North, Drainage Services Department had been consulted and had no objection to the proposed land filling from drainage point of view.

#### Deliberation Session

135. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.1.2023, on the terms of the application as

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

- “(a) no operation between 5:00 p.m. to 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no use of public announcement system and no camping activity, as proposed by the applicant, are allowed on the site during the planning approval period;
- (c) the submission of a drainage proposal including the mitigation measures for the proposed land filling works within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.7.2020;
- (d) in relation to (c) above, the implementation of the drainage proposal including the mitigation measures for the proposed land filling works within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.10.2020;
- (e) in relation to (d) above, the implemented drainage facilities and the mitigation measures for the proposed land filling works on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.7.2020;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.10.2020;
- (h) if any of the above planning conditions (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

### **Agenda Item 36**

#### **Section 16 Application**

[Open Meeting]

A/YL/259                      Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Office, Shop and Services and Eating Place Uses in “Other Specified Uses” annotated “Business” Zone, 21-35 Wang Yip Street East, Tung Tau Industrial Area, Yuen Long (Yuen Long Town Lot No. 362)  
(RNTPC Paper No. A/YL/259A)

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137. The Secretary reported that Landes Limited (Landes) was one of the consultants of the applicant and Mr Ivan C.S. Fu had declared an interest on the item as his firm was having current business dealings with Landes.

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

139. The Committee noted that the applicant’s representative requested on 6.1.2020 deferment of consideration of the application for two months so as to allow time to prepare further information in response to the comments from the Transport Department and Planning Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including revised layout plans, landscape proposal, photomontages and traffic impact assessment as well as clarifications on the number of parking spaces, completion year of the

proposed development and the width of the proposed setback areas.

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

### **Agenda Item 37**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/262                      Shop and Services in "Other Specified Uses" annotated "Business"  
Zone, Unit L (Portion) on G/F, Wang Yip Centre, 18 Wang Yip Street  
East, Yuen Long  
(RNTPC Paper No. A/YL/262)

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141. The Committee noted that a replacement page (page 1 of the Paper) with revision to paragraph 1.2 of the Paper had been dispatched to Members before the meeting.

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

142. 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) shop and services;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The applied use at the premises was generally in line with the planning intention of “Other Specified Uses” annotated “Business” (“OU(B)”) zone. The applied use was considered not incompatible with the surrounding uses and the emerging non-polluting commercial uses in the area, as well as other uses of the same industrial building (IB) which mainly comprised vehicle repair workshops/car services, offices and food factories. The applied use generally complied with the Town Planning Board Guidelines No. 22D in that it would not induce adverse fire safety, traffic and environmental impacts on other uses within the subject IB and the adjacent area. If the applied use was approved, the aggregate commercial floor area approved by the Committee on the G/F of the subject IB would be 62.4m<sup>2</sup>, which was within the maximum permissible limit of 460m<sup>2</sup> for industrial or industrial-office buildings with sprinkler system. Relevant government departments had no objection to the application and the technical concerns raised by relevant departments could also be addressed by approval conditions and advisory clauses.

143. In response to a Member’s question on the comments from the Food and Environmental Hygiene Department (FEHD), Mr Steven Y.H. Siu, STP/TMYLW, clarified that the proposed development would not affect any FEHD’s facilities.

## Deliberation Session

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

- “(a) the submission and implementation of fire services installations and equipment proposal at the application premises within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) if the above approval condition (a) 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.”

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

## **Agenda Item 38**

### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/490      Proposed Temporary Wholesale Trade with Ancillary Office and Storage for a Period of 5 Years in “Open Storage” Zone, Lots 1430 (Part), 1431 (Part), 1432 (Part) and 1433 (Part) in D.D. 117, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/490)

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### Presentation and Question Sessions

146. 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) proposed temporary wholesale trade with ancillary office and storage for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse 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 proposed temporary use for a period of five years based on the assessments set out in paragraph 11 of the Paper. The proposed use was not entirely incompatible with the planning intention of “Open Storage” (“OS”) zone. Moreover, as the application was for temporary use of the site for five years, approval of the application on a temporary basis would not jeopardise the long-term planning intention for the site. The proposed development was not incompatible with the surrounding areas. There was no adverse comment on the application from concerned government departments. The technical concerns raised by relevant departments could be addressed by approval conditions and advisory clauses. The site was the subject of a previous application (No. A/YL-TT/401) on a slightly larger site for the same applied use as the current application but for different goods submitted by the same applicant. Most of the approval conditions under the previous application had been complied with except for the implementation of the fire service installations (FSIs) proposal resulting in the planning approval being revoked on 12.10.2019. Shorter compliance periods were recommended for the subject application in order to closely monitor the progress on compliance with associated approval conditions. Furthermore, the applicant would be advised that should he fail to comply with any of the approval conditions resulting in revocation of the planning permission, sympathetic consideration might not be given to any further

application. Given that there was one previous approval on the site and one similar approval within the subject “OS” zone for the same wholesale trade use, approval of the application was generally in line with the Committee’s previous decision.

147. Members had no question on the application.

#### Deliberation Session

148. Members noted that the applicant failed to implement the FSIs proposal in the previous approval and therefore shorter compliance periods for submission and implementation of FSIs were recommended in order to closely monitor the progress on compliance with approval conditions under the current application.

149. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 17.1.2025, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no workshop activities shall be carried out on the site at any time during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailer, 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 existing boundary fencing on the site shall be maintained at all times during the planning approval period;

- (f) the submission of a drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.4.2020;
- (g) in relation to (f) above, the implementation of the drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.7.2020;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.4.2020;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.7.2020;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 39**

**Section 16 Application**

[Open Meeting]

A/YL-TYST/977 Proposed Temporary Shop and Services for a Period of 3 Years in “Government, Institution or Community” and “Residential (Group B) 1” and “Residential (Group D)” Zones, Lot 2611 S.A (Part) in D.D. 124 and Adjoining Government Land, Tan Kwai Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/977A)

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151. The Committee noted that the application was withdrawn by the applicant.

**Agenda Item 40**

**Section 16 Application**

[Open Meeting]

A/YL-TYST/997 Proposed Temporary Driving School for a Period of 3 Years in “Open Storage” Zone, Lot 2620 RP (Part) in D.D. 120, Shan Ha Road, Yuen Long  
(RNTPC Paper No. A/YL-TYST/997)

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152. The Committee noted that the applicant requested on 2.1.2020 deferment of consideration of the application for two months so as to allow time to prepare relevant submission and address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

**Agenda Item 41**

Section 16 Application

[Open Meeting]

A/YL-TYST/998      Temporary Shop and Services for a Period of 3 Years in “Village Type Development” and “Residential (Group D)” Zones, Lot 1553 (Part) and 1554 RP (Part) in D.D. 121 and Adjoining Government Land, Shan Ha Road, Yuen Long  
(RNTPC Paper No. A/YL-TYST/998)

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154.            The Committee noted that the applicant’s representative requested on 8.1.2020 deferment of consideration of the application for two months so as to allow time to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

**Agenda Item 42**

**Section 16 Application**

[Open Meeting]

A/YL-TYST/999 Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years in “Green Belt” Zone, Lots 40, 124, 125, 126, 130, 417RP, 418, 419, 422RP, 496, 497, 498, 499, 500, 501, 502, 503, 504 (Part), 506, 507, 508, 509, 510, 511, 512, 544 and 2154 in D.D. 119 and Adjoining Government Land, Lam Tai West Road, Yuen Long (RNTPC Paper No. A/YL-TYST/999)

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156. The Committee noted that the applicant’s representative requested on 8.1.2020 deferment of consideration of the application for two months so as to allow time to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

[The Chairman thanked Mr Simon P.H. Chan, Ms Jessica Y.C. Ho, Ms Bonnie K.C. Lee and Mr Steven Y.H. Siu, STPs/TMYLW, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

**Agenda Item 43**

**Any Other Business**

158.        There being no other business, the meeting closed at 5:25 p.m..