

## **TOWN PLANNING BOARD**

### **Minutes of 651<sup>st</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 10.7.2020**

#### **Present**

Director of Planning Mr Raymond K.W. Lee	Chairman
Mr Stephen L.H. Liu	Vice-chairman
Mr Peter K.T. Yuen	
Mr Philip S.L. Kan	
Mr K.K. Cheung	
Dr C.H. Hau	
Miss Winnie W.M. Ng	
Mr K.W. Leung	
Dr Venus Y.H. Lun	
Chief Traffic Engineer/New Territories West, Transport Department Mr B.K. Chow	
Chief Engineer (Works), Home Affairs Department Mr Gavin C.T. Tse	

Principal Environmental Protection Officer (Strategic Assessment),  
Environmental Protection Department  
Mr Stanley C.F. Lau

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**

Dr Lawrence K.C. Li

Mr L.T. Kwok

Dr Jeanne C.Y. Ng

Mr Ricky W.Y. Yu

Mr Conrad T.C. Wong

Mr Y.S. Wong

**In Attendance**

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

Chief Town Planner/Town Planning Board  
Ms Caroline T.Y. Tang

Town Planner/Town Planning Board  
Ms Andrea W.Y. Yan

## **Opening Remarks**

1. The Chairman said that the meeting would be conducted with video conferencing arrangement.

## **Agenda Item 1**

Confirmation of the Draft Minutes of the 650<sup>th</sup> RNTPC Meeting held on 26.6.2020

[Open Meeting]

2. The draft minutes of the 650<sup>th</sup> RNTPC meeting held on 26.6.2020 were confirmed without amendments.

## **Agenda Item 2**

Matters Arising

[Open Meeting]

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

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

**Sai Kung and Islands District**

**Agenda Item 3**

**Section 12A Application**

[Open Meeting]

Y/SK-CWBN/10      Application for Amendment to the Approved Clear Water Bay Peninsula North Outline Zoning Plan No. S/SK-CWBN /6, To rezone the application site from “Green Belt” to “Government, Institution or Community (7)”and amend the Notes of the Zone applicable to the site, Various Lots in D.D. 229 and adjoining Government Land, Clear Water Bay, Sai Kung

(RNTPC Paper No. Y/SK-CWBN/10)

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4.      The Secretary reported that Ronald Lu & Partners (Hong Kong) Limited (RLP) and Ove Arup & Partners Hong Kong Limited (ARUP) were two of the consultants of the applicants, and Mr K.K. Cheung had declared an interest on the item for his firm was having current business dealings with RLP and ARUP.

5.      The Committee noted that the applicants’ representative had requested deferment of consideration of the application and Mr K.K. Cheung had not yet arrived to join the meeting.

6.      The Committee noted that the applicants’ representative requested on 15.6.2020 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.

7.      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 three 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.

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

#### **Agenda Item 4**

##### **Section 12A Application**

[Open Meeting (Presentation and Question Sessions only)]

Y/ST/41                   Application for Amendment to the Approved Sha Tin Outline Zoning Plan No. S/ST/34, To Rezone the Application Site from "Green Belt" to "Residential (Group B) 2", Lots 59 S.A and 59 RP in D.D. 175, Sha Tin  
(RNTPC Paper No. Y/ST/41C)

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

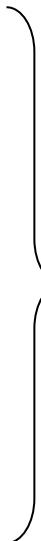
8.                 The following representatives from the Planning Department (PlanD) and the applicants' representatives were invited to the meeting at this point:

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

Mr Kenny C.H. Lau                   -                   Senior Town Planner/Shan Tin, Tai Po and North (STP/STN), PlanD

*Sea View Villa Limited*  
*Skiway Limited*  
Mr Chong Kam Ning  
Mr Chong Chi Kong  
Ms Wu Kwok Ying  
Mr Chan Man Chiu

*PlanPlus Consultancy*  
Mr Kenneth Chan  
Ms Charlie Ng



Applicants' representatives

9. The Chairman extended a welcome and explained the procedures of the meeting. He then invited PlanD's representatives to brief Members on the background of the application.

10. With the aid of a PowerPoint presentation, Mr Kenny C.H. Lau, STP/STN, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed rezoning of the application site (the Site) from “Green Belt” (“GB”) to “Residential (Group B)2” (“R(B)2”) on the approved Sha Tin Outline Zoning Plan (OZP) No. S/ST/34 to facilitate a medium-density private residential development;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication periods, eight objecting comments from the World Wide Fund for Nature Hong Kong, MTRC, Sha Tin Rural Committee, the Village Representative of Kau To Village and an individual were received. Major objection grounds were set out in paragraph 9 of the Paper; and

(e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. Although concerned government departments had no objection to or no adverse comment on the proposed scheme with a plot ratio (PR) of 3.6 and a building height (BH) of 57.25mPD and adverse impacts generated from the proposed residential development from various aspects were not anticipated, part of the Site had been operating as a 30-place residential care home for the elderly (RCHE) with its first licence issued in 2003. To follow up on the new initiatives in the 2018 Policy Address and Policy Agenda and to alleviate the shortfall of RCHE places in the New Territories East cluster, the Social Welfare Department (SWD) had requested the applicants to incorporate a 100-place RCHE as part of their proposed development. The applicants had not acceded to SWD's request and failed to demonstrate that the proposed rezoning with the demolition of the existing RCHE would not adversely affect the provision of social welfare facilities for the local community. There were insufficient planning merits to justify the proposed intensification of residential development from an existing PR of 0.62 to a proposed PR of 3.6. Although there was a similar rezoning application (No. Z/ST/2) within the same "GB" zone which was approved by the Committee in 1999, the planning circumstances of the said application were different from that of the subject application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

[Mr K.K. Cheung arrived to join the meeting during PlanD's presentation.]

11. The Chairman then invited the applicants' representatives to elaborate on the application. With the aid of a PowerPoint Presentation, Mr Kenneth Chan, the applicants' representative, made the following main points:

*Background of the Site and Justifications*

(a) the Site was surrounded by Cove Hill (commonly known as Kau To Shan) to its immediate north and fronting Tai Po Road (Ma Liu Shui);

- (b) with reference to the aerial photos, the Site had been devegetated and occupied by two buildings since 1960s. The integrity of the subject “GB” zone had long gone;
- (c) the application echoed with the Government’s incentive to increase the housing supply by providing 68 units (with average flat size of 88.56m<sup>2</sup>) to meet the demand for private housing. The proposed residential use was compatible with the adjacent development and no adverse impact was anticipated;

*Similar Rezoning Proposals*

- (d) when formulating the current rezoning proposal, reference was made to the five Government’s housing sites which were rezoned from “GB” to “Residential (Group A)” or “R(B)” on the subject OZP in 2012 and 2015. Among the five sites, a site to the north of Lai Ping Road near Yung Ping Path (Lai Ping Road Site) was considered highly relevant to the current application as it fell within the same “GB” zone and the proposed PR of 3.6 was the same as that of the current application. Given that some sites were rezoned for housing development on the same OZP, the Site had unique historical background and the proposed development could be supported by the existing infrastructure, the current application should be favourably considered by the Committee;
- (e) there was a similar rezoning request (No. Z/ST/2) for residential use at a site (previously known as ‘雍雅山房’) within the same “GB” zone which was agreed by the Committee in 1999;

*Departmental Comments*

- (f) as stated in the Paper, there was no adverse comment on the application from the concerned government departments, including SWD;

- (g) in December 2018, SWD had proposed to the applicants for incorporation of welfare facilities such as a 50-person Day Activities Centre as part of the proposed scheme and such suggestion was altered by SWD in April 2019 to a 100-place RCHE. In fact, the applicants had stated in their responses to SWD's comments in November 2019 that they were prepared to incorporate a 100-place RCHE in their proposed scheme. However, as advised by PlanD, the RCHE could not be included in the current application as the proposed rezoning was for 'flat' use which was a Column 1 use in the Notes of the subject "R(B)" zone while 'Social Welfare Facility' was a Column 2 use. As such, the proposal under the current application had not incorporated the RCHE;

*Revised Proposal Presented at the Meeting*

- (h) the applicants had come up with a revised rezoning proposal to alter the proposed rezoning from "R(B)2" to "R(B)4" (the Revised Proposal) so as to incorporate the 100-place RCHE (with a net operating floor area (NOFA) of 1,354m<sup>2</sup>, which was equivalent to a gross floor area (GFA) of about 2,437.2m<sup>2</sup>) in the proposed residential development, with the site area remained unchanged;
- (i) the applicants also proposed to revise the Notes of the "R(B)" zone by adding 'Social Welfare Facility' as a Column 1 use for "R(B)4" zone only, and to stipulate in the Remarks of the Notes for the "R(B)" zone that a RCHE of not less than 100-place (or not less than GFA of 2,437.2m<sup>2</sup>) shall be provided on land designated "R(B)4" and the floor space for such use might be disregarded in determining the maximum PR;
- (j) specification of a Column 1 use for a sub-zone was not unprecedented and could be found in the Notes of OZPs covering other areas (such as Chai Wan, Ma Tau Kok and Tai Po);

*Existing RCHE*

- (k) in response to SWD's enquiry on the relocation of the existing RCHE, it should be noted that the applicants were the landowners of the Site but not the operator of the existing RCHE. As such, the applicants had no control on the operation and relocation of the existing RCHE; and
- (l) according to the information provided by the operator of the existing RCHE, the RCHE was in breach of the land lease and the Lands Department (LandsD) had already taken enforcement action against the unlawful use at the Site. Consequently, the operation of the existing RCHE would have to be discontinued. Nevertheless, should the Revised Proposal be agreed by the Committee, the proposed RCHE could be materialised at the Site through lease modification.

12. As the presentations of PlanD's representative and the applicants' representative were completed, the Chairman invited questions from Members.

*Procedural Matters and Site Context*

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

- (a) whether the applicants had submitted the Revised Proposal to PlanD before the meeting and whether it was proper to present the Revised Proposal at the meeting;
- (b) the zoning history of the Site; and
- (c) the BHs of the residential developments in the vicinity of the Site.

14. In response, Ms Jessica H.F. Chu, DPO/STN, made the following main points:

- (a) the applicants had not submitted the Revised Proposal to PlanD before the meeting. While the applicants' intention to incorporate the 100-place

RCHE in the current application was welcomed, no information on the revised design/building bulk of the proposed residential development upon incorporation of the additional RCHE was submitted prior to the meeting and the potential impacts on the surroundings under the Revised Proposal could not be ascertained. As the current application was for rezoning the Site to “R(B)2” for a proposed residential development with a PR of 3.6, a fresh s.12A application for the Revised Proposal was considered more appropriate in order to allow a comprehensive assessment on the proposed residential cum RCHE development;

- (b) the Site had been zoned as “GB” since the gazettal of the first OZP covering the Site in 1961; and
- (c) the residential developments in the vicinity had BH ranging from 84mPD to 230mPD.

*Revised Proposal*

15. The Chairman raised the following questions:

- (a) the changes in the major development parameters of the Revised Proposal as compared with the original proposal; and
- (b) the possible impacts on the surroundings arising from the increased development intensity under the Revised Proposal.

16. In response, Mr Kenneth Chan, the applicants’ representative, said that the original proposal comprised two residential towers of 11 storeys (including one-storey basement carpark) with a maximum PR of 3.6 and maximum BH of about 57.25mPD. To facilitate the provision of a 100-place RCHE at the Site, the residential towers would be built over a three-storey podium. While the proposed maximum PR of 3.6 would remain unchanged under the Revised Proposal (assuming that the GFA of 2,437.2m<sup>2</sup> related to the RCHE could be exempted), the maximum BH would be increased to about 70mPD if the podium design was adopted.

17. In response, Ms Jessica H.F. Chu, DPO/STN, said that as no information on the Revised Proposal was submitted by the applicants before the meeting and concerned government departments had not been consulted, the potential impacts arising from the Revised Proposal and the increased development intensity could not be ascertained at the present stage.

*Others*

18. Some Members raised the following questions:

- (a) the rezoning proposal at the Lai Ping Road Site and whether any social welfare facility was included in that development;
- (b) having noted in a public comment that the proposed development would induce adverse traffic impacts, the comments of the Transport Department (TD) on the application;
- (c) noting the applicants' claim that the integrity of the "GB" had long gone since 1960s, whether such claim was valid and whether approval of the current application would lead to a further degradation of the integrity and function of the subject "GB" zone; and
- (d) PlanD's reason for rejection of the application.

19. In response, Ms Jessica H.F. Chu, DPO/STN, made the following main points:

- (a) the Lai Ping Road Site fell within the same "GB" zone as the Site. In 2015, having taken into account the PR of residential developments in the nearby "R(B)" zone (ranging from 0.4 to 4.16), the Lai Ping Road Site was rezoned from "GB" to "R(B)2" with a PR of 3.6. At that time, in the absence of a definite demand for social welfare facilities in the area, no social welfare facility was proposed at the Lai Ping Road Site. Such demand was only ascertained when the Government reinstated a population-based planning standards for the provision of elderly services

and facilities in the Hong Kong Planning Standards and Guidelines in 2018. Besides, the Government had adopted multi-pronged measures, which included incorporating conditions in suitable public and private development projects to expedite the supply of elderly facilities to meet the pressing demand (by 2036, population aged 65 and above would be about 33% of the total planned population in Sha Tin). As such, the incorporation of a RCHE was suggested by SWD in the current application;

- (b) after scrutinising the Traffic Impact Assessment submitted by the applicants, TD had no objection to the application from traffic engineering point of view;
- (c) the development control measures for “GB” zone in Sha Tin was not as restrictive as the current OZP and very low-density developments were generally permitted. The existing buildings within the Site were developed back then. Given that the Site had been formed since 1960s, the proposed development would not degrade the integrity of the “GB” zone; and
- (d) PlanD had no in-principle objection to the proposed development intensity of a maximum PR of 3.6 and maximum BH of 57.25mPD under the current application and there would be no significant impact on the integrity of the “GB” zone. PlanD did not support the application mainly for the reason that there were insufficient planning merits to justify the proposed intensification of development intensity. The provision of RCHE at the Site as suggested by SWD might be considered as planning merits to intensify the development intensity.

20. Regarding PlanD’s rejection reason, Mr Kenneth Chan, the applicants’ representative, reiterated that the applicants were willing to incorporate the 100-place RCHE in the proposed development and the Revised Proposal was thus presented at the meeting. The planning consideration for a rezoning application should focus on the potential impacts on the “GB” zone caused by the proposed development, and not other considerations such as the non-provision of social welfare facility within the development.

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

#### Deliberation Session

22. The Chairman recapitulated the major considerations of the subject application to facilitate Members' discussion. The Chairman also reminded Members that as it was a rezoning application, the indicative development scheme submitted by the applicants was for reference only.

23. A Member recalled that during the consideration of a s.17 review application in a recent Town Planning Board meeting, a similar situation occurred, that was, a revised proposal was presented by the applicant at the meeting. The Member expressed concern on whether it was procedurally proper for the Committee to consider the Revised Proposal which was presented by the applicant at the meeting. A few Members had similar concerns and asked whether a fresh rezoning application on the Revised Proposal should be submitted instead. At the request of the Chairman, the Secretary explained the procedure in handling submission of further information (FI) in support of s.16 application, s.17 review application and s.12A rezoning application. The FI should be submitted in written form. If the FI did not result in a material change in the nature of the application but could not be exempted from the publication and recounting requirements, it should be published for public comment. For FI presented at the meeting as in the subject application, the Committee would not be able to determine on the spot whether the Revised Proposal would constitute a material change to the application and whether it would be exempted from the publication and recounting requirements, and the concerned government departments and public were not given a chance to provide their comments on the Revised Proposal. The difference between a s.17 review application and a s.12A rezoning application was that while an approved s.17 review application should be implemented in accordance with the development scheme submitted by the applicant, the development scheme submitted under a s.12A rezoning application was an indicative scheme for reference only, and what was more critical was how

the OZP would be amended. The s.12A rezoning application could be agreed in whole or in part by the Committee, and the zoning amendment to be incorporated in the OZP would be submitted for the Committee's consideration and then exhibited for public inspection in accordance with the statutory plan-making procedures under the Town Planning Ordinance.

24. In response to some Members' enquiries on how to ensure the provision of a RCHE at the Site if 'Social Welfare Facility' was a Column 1 use in the "R(B)4" zone as proposed in the Revised Proposal, the Chairman said that such provision could be stipulated in the Remarks of the Notes of the "R(B)4" zone. Mr Alan K.L. Lo, Assistant Director/Regional 3, LandsD, supplemented that should the current application be approved by the Committee, regardless of whether to rezone the Site from "GB" to "R(B)2" or "R(B)4", the applicants would be required to submit a lease modification application to LandsD. Moreover, if the requirement for a RCHE at the Site was included in the relevant Notes of the OZP, such provision might be included in the lease conditions of the Site.

25. Noting that Members generally had no objection to the proposed residential development with a maximum PR of 3.6 and maximum BH of 57.25mPD and welcomed the applicants' proposal of incorporating a RCHE at the Site, the Chairman suggested that the application could be handled in three ways: (i) to defer the consideration of the application pending submission of FI on the Revised Proposal from the applicants; (ii) not agree to the application due to lack of sufficient information to justify the application; or (iii) to partially agree to the application and request PlanD to recommend suitable zoning amendment to the OZP for the Committee's consideration.

26. A Member was concerned whether planning merit should be a major consideration for the current rezoning application. Another Member considered planning merit as one of relevant planning considerations and said that the planning merits could change over time to reflect the changing planning circumstances and the needs of the community.

27. Whilst Members generally appreciated the applicants' effort in incorporating the RCHE in the proposal, a few Members considered that it would take relatively longer time to process a fresh application and considered that the application could be deferred so that more information could be submitted by the applicants for the relevant departments to assess the

potential impacts on the surroundings arising from the Revised Proposal.

28. Some other Members, however, expressed concerns on the improper practice adopted by the applicants' representative which might set an undesirable precedent for other applications to present the Revised Proposal at the meeting as the concerned departments such as SWD and the public were not consulted on such FI. Those Members considered that the Committee should consider the applicants' original proposal, i.e. from "GB" to "R(B)2" zone, but not the Revised Proposal presented at the meeting. If the applicants wanted to pursue the Revised Proposal, they could submit a fresh application for the Committee's consideration.

29. The Chairman concluded that while a few Members considered that the application should be deferred pending submission of FI on the Revised Proposal from the applicants, slightly more Members considered that the application should be rejected on the terms of the original proposal as submitted by the applicants as there were insufficient planning merits to justify the proposed rezoning for intensification of the residential development. Members also noted that the applicants could submit a fresh application on the Revised Proposal and to include information such as the revised building design/bulk and the relevant assessments on the potential impacts arising from the Revised Proposal for the Committee's consideration.

30. After deliberation, the Committee decided not to agree to the application for the following reason:

"there are insufficient planning merits to justify the proposed rezoning to facilitate the intensification of the residential development."

**Tuen Mun and Yuen Long West District**

**Agenda Item 5**

**Section 12A Application**

[Open Meeting]

Y/TM-LTYY/7      Application for Amendment to the Draft Lam Tei and Yick Yuen Outline Zoning Plan No. S/TM-LTYY/9, To Rezone the Application Site from “Residential (Group E)” and “Village Type Development” to “Residential (Group A)”, Lots 220 RP and 221 in D.D. 130, San Hing Road, San Hing Tsuen, Tuen Mun  
(RNTPC Paper No. Y/TM-LTYY/7B)

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31.      The Secretary reported that Ove Arup & Partners Hong Kong Limited (ARUP) was one of the consultants of the applicant and Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with ARUP.

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

33.      The Committee noted that the applicant’s representative requested on 12.6.2020 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including responses to departmental comments and a revised site layout plan.

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

could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the third deferment and a total of six months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

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

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

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

#### **Agenda Item 6**

##### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/986              Shop and Services (Fast Food Shop) in "Industrial" Zone, Workshop 10 (Part), Level L1, Wah Yiu Industrial Centre, 30-32 Au Pui Wan Street, Fo Tan, Sha Tin  
(RNTPC Paper No. A/ST/986)

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##### Presentation and Question Sessions

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

- (a) background to the application;
- (b) the shop and services (fast food shop);

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period five years based on the assessments set out in paragraph 11 of the Paper. The applied use was small in scale and considered not incompatible with uses in the subject industrial building and the surroundings. Similar applications had been approved for other units on the ground floor of the subject industrial building and its vicinity. The Director of Fire Services had no objection to the application subject to approval conditions on the provision of fire service installations and that the fast food shop could be exempted from the restriction of a maximum permissible limit of 460m<sup>2</sup> for aggregate commercial floor area on the ground floor. The applied use generally complied with the relevant considerations set out in the Town Planning Board Guidelines No. 25D. Other concerned government departments had no objection to or no adverse comment on the application. There was no change in planning circumstances since the approval of the previous application (No. A/ST/932). Moreover, a temporary approval of five years was recommended in order not to jeopardise the long term planning intention of industrial use of the subject industrial building and to allow the Committee to monitor the supply and demand of industrial floor space in the area.

36. Members had no question on the application.

#### Deliberation Session

37. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 10.7.2025, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the submission and implementation of the fire safety measures within 3 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 10.10.2020; and
- (b) if the above planning condition is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

### **Agenda Item 7**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/683      Proposed House (New Territories Exempted House - Small House) in  
“Village Type Development” and “Agriculture” Zones, Lot 882 S.A in  
D.D. 19, She Shan Village, Lam Tsuen, Tai Po  
(RNTPC Paper No. A/NE-LT/683)

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

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;

- (d) during the first three weeks of the statutory publication period, two public comments from Designing Hong Kong Limited and an individual objecting to the application were received. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” zone. The Director of Agriculture, Fisheries and Conservation did not support the application as there were active agricultural activities in the vicinity; agricultural infrastructure such as water source and road access was available; and the site possessed potential for agricultural rehabilitation. In addition, the Chief Engineer/Mainland North, Drainage Services Department did not support the application as the proposed development, which was located too close to an existing stream course, might be eroded and flooded and there might be flooding susceptibility of the adjoining areas affected by the proposed development. While land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the future Small House demand of 70 Small Houses as advised by the Lands Department, such available land (about 1.54 ha or equivalent to 61 Small House sites) was capable to meet the 20 outstanding 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 infrastructures and services. The planning circumstances of the current application were similar to the latest rejected application (No. A/NE-LT/636) in that land was still available within the “V” zone for Small House development. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

40. In response to the Chairman's enquiry, Ms Kathy C.L. Chan, STP/STN, by referring to Plan A-2a of the Paper, said that as compared with the previous application No. A/NE-LT/667, the site area of the current application had been reduced, with the building footprint adjusted.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that there is no information in the submission to demonstrate that the proposed development would not have adverse drainage impact on the surrounding area; and
- (c) land is still available within the “Village Type Development” (“V”) zone of She Shan Tsuen which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.”

## **Agenda Item 8**

### **Section 16 Application**

[Open Meeting]

A/NE-LT/684      Eating Place (Outside Seating Accommodation of a Restaurant) in  
                      "Village Type Development" Zone, Government Land Adjoining Lot  
                      2471 in D.D. 19, 4C Fong Ma Po, Lam Tsuen, Tai Po  
                      (RNTPC Paper No. A/NE-LT/684)

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42.      The Committee noted that the applicant's representative requested on 3.7.2020 deferment of consideration of the application for a period of 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.

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

## **Agenda Items 9 and 10**

### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-SSH/134      Renewal of Planning Approval for Temporary Private Car Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Village Type Development” Zone, Lots 452 (Part), 453 (Part), 454 (Part), 461 S.A (Part), 461 S.B (Part), 462 (Part) and 810 (Part) in D.D. 209, Shap Sz Heung, Tai Po  
(RNTPC Paper No. A/NE-SSH/134)

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A/NE-SSH/135      Renewal of Planning Approval for Temporary Private Car Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Village Type Development” Zone, Lots 449 S.F, 449 RP, 450 RP (Part), 450 S.B (Part), 464 (Part), 465 (Part), 466 S.A (Part), 466 S.B ss.1, 467, 524 (Part) and 528 (Part) in D.D. 209, Shap Sz Heung, Tai Po  
(RNTPC Paper No. A/NE-SSH/135)

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44.      The Committee agreed that the two applications for renewal of planning approval for temporary private car park, which were submitted by the same applicant, similar in nature and the application sites were located in close proximity to each other within the same “Village Type Development” (“V”) zone, could be considered together.

### **Presentation and Question Sessions**

45.      Mr Tony Y.C. Wu, STP/STN, presented the applications and covered the following aspects as detailed in the Papers:

- (a) background to the applications;
- (b) the renewal of planning approval for temporary private car park (private cars and light goods vehicles) for a period of three years at each of the sites;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Papers;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual expressing view/raising concern was received for each application. Major views were set out in paragraph 11 of the Papers; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications based on the assessments set out in paragraph 12 of the Papers. Whilst the applied uses were not totally in line with the planning intention of the “V” zone, it was noted that the temporary private car parks were to serve the residents of Kei Ling Ha San Wai and no Small House application had been received for the sites as advised by the Lands Department. Approval of the applications would not frustrate the planning intention of the sites for village type development. The applications generally complied with the Town Planning Board Guidelines No. 34C in that all approval conditions of the previous applications had been complied with and there had been no material change in planning circumstances since the approval of the previous applications. Concerned government departments had no objection to or no adverse comment on the applications. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

46. Members had no question on the applications.

#### Deliberation Session

#### For Application No. A/NE-SSH/134

47. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 29.7.2020 to 28.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicles other than private cars and light good vehicles are allowed to be parked within the site;
- (b) no vehicle repairing, car washing/fuelling, vehicle dismantling and workshop activities shall be permitted within the site during the planning approval period;
- (c) the submission of a condition record of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 28.10.2020;
- (d) if any of the above planning conditions (a) or (b) is not complied with at any time during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (e) if the above planning condition (c) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall be revoked on the same date without further notice.”

For Application No. A/NE-SSH/135

48. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 15.7.2020 to 14.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicles other than private cars and light good vehicles are allowed to be parked within the site;
- (b) no vehicle repairing, car washing/fuelling, vehicle dismantling and workshop activities shall be permitted within the site during the planning approval period;

- (c) the submission of a condition record of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 14.10.2020;
- (d) if any of the above planning conditions (a) or (b) is not complied with at any time during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (e) if the above planning condition (c) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall be revoked on the same date without further notice.”

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

## **Agenda Item 11**

### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/683      Renewal of Planning Approval for Temporary Shop and Services (Fresh Provision Supplier) for a Period of 3 Years in “Recreation” Zone, G/F, No. 103A, Lung Mei, Tai Po  
(RNTPC Paper No. A/NE-TK/683)

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### Presentation and Question Sessions

50. 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) the renewal of planning approval for temporary shop and services (fresh provision supplier) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, no public comment was received; 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 applied use was not in line with the planning intention of the “Recreation” (“REC”) zone, it was on a temporary basis for three years, approval of the application would not jeopardize the long-term planning intention of the “REC” zone. The applied use was small in scale, not incompatible with and had no adverse impact on the surroundings. Concerned government departments had no objection to or no adverse comment on the application. The application generally complied with the Town Planning Board Guidelines No. 34C in that there was no major change in planning circumstances since the last approval and all approval conditions of the last approved application had been complied with.

51. Members had no question on the application.

#### Deliberation Session

52. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 15.7.2020 to 14.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

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

- (b) the submission of proposals for fire service installations (FSIs) and water supplies for fire-fighting 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 14.1.2021;
- (c) in relation to (b) above, the implementation of the proposals for FSIs and water supplies for fire-fighting 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 14.4.2021;
- (d) 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 14.1.2021;
- (e) in relation to (d) 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 14.4.2021;
- (f) if the above planning condition (a) 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
- (g) if any of the above planning conditions (b), (c), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

## **Agenda Item 12**

### Section 16 Application

[Open Meeting]

A/NE-HLH/40      Temporary Office and Ancillary Parking Spaces for a Period of 3 Years  
in “Agriculture” Zone, Lot 396 in D.D. 87, Hung Lung Hang  
(RNTPC Paper No. A/NE-HLH/40)

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54.      The Secretary reported that the application was withdrawn by the applicant after issuance of the agenda of the meeting.

## **Agenda Item 13**

### Section 16 Application

[Open Meeting]

A/NE-LK/128      Proposed House (New Territories Exempted House - Small House) in  
“Green Belt” Zone, Lot 1109 RP in D.D. 39, Ha Wo Hang, Sha Tau Kok  
(RNTPC Paper No. A/NE-LK/128)

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55.      The Secretary reported that the application was withdrawn by the applicant after issuance of the relevant Paper.

## **Agenda Item 14**

### Section 16 Application

[Open Meeting]

A/NE-TKL/639      Temporary Concrete Batching Plant for a Period of 5 Years in  
“Industrial (Group D)” Zone, Lot 153 (Part) in D.D. 77, Ping Che  
(RNTPC Paper No. A/NE-TKL/639)

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56.      The Secretary reported that the application site was located in Ta Kwu Ling and AECOM Asia Company Limited (AECOM) was one of the consultants of the applicant.

The following Members had declared interests on the item:

- |                     |  |
|---------------------|--|
| Dr C.H. Hau         | - having current business dealings with AECOM; and   |
| Mr Conrad T.C. Wong | - being the director of Yau Lee Construction Company Limited which owned a piece of land in Ta Kwu Ling. |

57. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting. As Dr C.H. Hau had no involvement in the application, the Committee agreed that he could stay in the meeting.

58. The Committee noted that the applicant's representative requested on 26.6.2020 deferment of consideration of the application for a period of 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.

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

## **Agenda Item 15**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKLN/34      Proposed Temporary Private Club (Skateboard Training Ground and Golf Driving Range) with Ancillary Office for a Period of 2 Years in “Recreation” Zone, Lots 487 S.B RP (Part), 488, 489, 490, 491, 495, 497, 572 S.A, 573, 574, 575, 576 and 577 in D.D. 80 and Adjoining Government Land, Lin Ma Hang Road, Ta Kwu Ling North  
(RNTPC Paper No. A/NE-TKLN/34)

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### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary private club (skateboard training ground and golf driving range) with ancillary office for a period of two years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments, with one from the Chairman of Sheung Shui District Rural Committee indicating no comment and the other from an individual objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Recreation” (“REC”) zone and there was no strong planning

justification in the submission to merit a departure from the planning intention of the “REC” zone, even on a temporary basis. Adverse landscape impact had taken place prior to the submission of planning application. The Chief Town Planner/Urban Design and Landscape, PlanD had some reservation on the application in that the proposed development would set an undesirable precedent and the cumulative impact would further degrade the landscape quality of the surrounding environment. The Transport Department, Highways Department, Environmental Protection Department and Drainage Services Department did not support/had reservation on the application as the applicant had not provided information to demonstrate that the proposed development would not generate adverse traffic, environmental and drainage impacts on the surroundings. Moreover, previous applications at the site were rejected on the similar considerations. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

61. In response to a Member’s enquiry on the planning intention concerning the site, Mr Tim T.Y. Fung, STP/STN, said that the subject “REC” zone was scenically attractive with green environment such as Pak Fu Shan, as well as villages of traditional character. Therefore, active/passive recreation uses including eco-tourism developments were encouraged for the enjoyment of the general public. However, they should be restricted to low-intensity development in that no residential development should result in a total development in excess of a maximum plot ratio of 0.2 and maximum building height of two storeys. For the current application, as the site was proposed for a private club which was not intended for the general public use, it was considered not in line with the planning intention of the “REC” zone.

#### Deliberation Session

62. 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. 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, environmental and drainage impacts 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.”

## **Agenda Item 16**

### Section 16 Application

[Open Meeting]

A/NE-TKLN/35      Proposed Temporary Eating Place, Shop and Services with Ancillary Office/Store Room and Car Park for a Period of 3 Years in “Village Type Development” Zone, Lot 356 (Part) in D.D. 78, Tsung Yuen Ha, Ta Kwu Ling North

(RNTPC Paper No. A/NE-TKLN/35)

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63.      The Committee noted that the applicant’s representative requested on 24.6.2020 deferment of consideration of the application for a period of 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.

64.      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 Kenny C.H. Lau, Ms Kathy C.L. Chan, 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.]

[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.]

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

#### **Agenda Item 17**

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

[Open Meeting]

A/NE-KTS/484      Proposed Houses in “Comprehensive Development Area” Zone and area shown as ‘Road’, Lots 1027, 1029, 1030, 1034A, 1034B, 1039 (Part), 1040, 1042 RP, 1043 RP, 1044 RP (Part), 1045, 1047, 2233 (Part), 2251 S.A RP, 2256 RP, 2315 (Part) and 2316 RP (Part) in D.D. 92 and adjoining Government Land, Kwu Tung South, Sheung Shui  
(RNTPC Paper No. A/NE-KTS/484A)

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65.      The Secretary reported that the application site was located in Kwu Tung South and in the vicinity of Hong Kong Jockey Club (HKJC) Beas River Country Club and Hong Kong Golf Club (HKGC). The application was submitted by Hinying Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK), and Llewelyn-Davies Hong Kong Limited (LD), Black & Veatch Hong Kong Limited (B&V) and CYS Associates (HK)

Limited (CYS) were three of the consultants of the applicant. The following Members had declared interests on the item:

- |  |  |
|--|--|
| Mr Stephen L.H. Liu<br>(the Vice Chairman) | - being an ordinary member of HKJC;  |
| Miss Winnie W.M. Ng                        | - being a Director of Kowloon Motor Bus Company (1933) Limited (KMB) and SHK was one of the shareholders of KMB; and being an ordinary member of HKJC; |
| Dr Lawrence K.C. Li                        | - being a voting member of HKJC and member of the HKGC;  |
| Mr K.K. Cheung                             | - his firm having current business dealings with SHK, B&V and CYS; and being an ordinary member of HKJC;   |
| Mr Conrad T.C. Wong                        | - his firm having current business dealings with SHK; and being an ordinary member of HKJC;  |
| Mr Ricky W.Y. Yu                           | - his firm had past business dealings with LD;   |
| Dr C.H. Hau                                | - had applied for funding from the HKJC Charities Trust for his project;   |
| Mr Philip S.L. Kan                         | - being an ordinary member of HKJC;  |
| Mr L.T. Kwok                               | - HKJC Charities Trust had sponsored some of his projects before; and  |
| Mr Peter K.T. Yuen                         | - being an ordinary member of HKJC and a member of the Board of Governors of the   |

Hong Kong Arts Centre which had received donation from HKJC before.

66. The Committee noted that the applicant had requested deferment of consideration of the application and Messrs Conrad T.C. Wong, Ricky W.Y. Yu, L.T. Kwok and Dr Lawrence K.C. Li 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 the interests of Dr C.H. Hau, Messrs Stephen L.H. Liu, Philip S.L. Kan and Peter K.T. Yuen in relation to HKJC were indirect, and Mr K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

67. The Committee noted that the applicant's representative requested on 6.7.2020 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address comments from the Agriculture, Fisheries and Conservation Department and Transport Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

68. 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 18**

### **Section 16 Application**

[Open Meeting]

A/FLN/21      Proposed Underground Public Vehicle Park (excluding container vehicle) in “Open Space” Zone, Lots 2083 (Part), 2085 (Part), 2086 (Part), 2087 (Part), 2088 (Part), 2089 (Part) and 2130 (Part) in D.D. 51, Fanling North

(RNTPC Paper No. A/FLN/21B)

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69.      The Secretary reported that the application was submitted by Best Galaxy Limited, which was a subsidiary of Henderson Land Development Company Limited (HLD) and Ronald Lu & Partners (HK) Limited (RLP) was one of the consultants of the applicant. The following Members had declared interests on the item:

- |                     |  |
|---------------------|--|
| Mr K.K. Cheung      | - his firm having current business dealings with HLD and RLP;  |
| Dr C.H. Hau         | - being an employee of the University of Hong Kong which had received a donation from a family member of the Chairman of HLD before;     |
| Dr Lawrence K.C. Li | - being the Deputy Chairman of the Council of the Hong Kong Polytechnic University which had obtained sponsorship from HLD before; and   |
| Mr Peter K.T. Yuen  | - being a member of the Board of Governors of the Hong Kong Arts Centre which had received a donation from an Executive Director of HLD. |

70. The Committee noted that the applicant had requested deferment of consideration of the application and Dr Lawrence K.C. Li had tendered an apology for being unable to attend the meeting. As the interests of Dr C.H. Hau and Mr Peter K.T. Yuen were indirect, and Mr K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

71. The Committee noted that the applicant's representative requested on 24.6.2020 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address the further comments from the Transport Department. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had not yet submitted further information.

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

## **Agenda Item 19**

### **Section 16 Application**

[Open Meeting]

A/FSS/275 Columbarium in "Government, Institution or Community" Zone, G/F, 1/F, 2/F, 3/F, 5/F and 6/F, The Emperor Hall, 18 Sha Tau Kok Road - Lung Yeuk Tau, On Lok Tsuen, Lung Yeuk Tau, Fanling  
(RNTPC Paper No. A/FSS/275B)

73. The Secretary reported that the application was for columbarium use and Mr K.K. Cheung had declared an interest on the item as his firm was the legal advisor of the Private Columbaria Licensing Board.

74. The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr K.K. Cheung was indirect, the Committee agreed that he could stay in the meeting.

75. The Committee noted that the applicant's representative requested on 30.6.2020 deferment of consideration of the application for a period of two months so as to allow time to provide information/assistance to the Food and Environmental Hygiene Department (FEHD) to verify and confirm the total number of sold columbarium niches at the site and to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address comments from FEHD.

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

## **Agenda Item 20**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/279      Temporary Logistics Centre and Workshop for a Period of 3 Years in  
“Industrial (Group D)” Zone, Lots 580 (Part), 595, 598 S.A (Part) and  
598 S.B (Part) in D.D. 114, Shek Kong, Yuen Long  
(RNTPC Paper No. A/YL-SK/279)

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77.      The Committee noted that two replacement pages (p.7 and p.10 of the Main Paper) updating the comments from the Director of Environmental Protection had been tabled, which were also shown on the visualiser, for Members’ reference.

### **Presentation and Question Sessions**

78.      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) the temporary logistics centre and workshop for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The applied use was considered not in conflict with the planning intention of the “Industrial (Group D)” zone and not incompatible with the surroundings. Concerned government departments had no objection to or no adverse comment on the application. To mitigate any potential

environmental impacts on the surrounding areas, appropriate approval conditions were recommended. The site was the subject of two previously approved applications for temporary logistics centre (without workshop use) and approval of the application was in line with the Committee's previous decisions.

79. Members had no question on the application.

#### Deliberation Session

80. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no 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 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 10.1.2021;

- (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 10.4.2021;
- (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 revised fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.1.2021;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.4.2021;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; 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.”

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

## **Agenda Item 21**

### **Section 16 Application**

[Open Meeting]

A/YL-KTN/676      Proposed Houses (New Territories Exempted Houses) in “Residential (Group D)” Zone, Lots 624 and 787 in D.D. 110, Kam Tin Road, Shek Kong San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-KTN/676B)

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82.      The Committee noted that the applicant requested on 24.6.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address further departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

## **Agenda Item 22**

### **Section 16 Application**

[Open Meeting]

A/YL-KTN/698      Proposed Flat with Minor Relaxation of Maximum Plot Ratio and Building Height Restrictions in “Residential (Group E)” Zone, Lots 215 S.C, 242 S.B RP, 264 S.B RP, 266 S.A, 266 RP, 267, 268, 269 S.B RP, 269 S.B ss.2 RP, 270, 271, 272, 275, 277 (part), 295 (part) and 296 S.B RP (part) in D.D.103 and Adjoining Government Land, Ha Ko Po Tsuen, Kam Tin, Yuen Long

(RNTPC Paper No. A/YL-KTN/698A)

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84.      The Secretary reported that the application was submitted by Ease Gold Development Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD), Archiplus International Limited (Archiplus) and Black & Veatch Hong Kong Limited (B&V) were three of the consultants of the applicant. The following Members had declared interests on the item:

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;

Mr K.K. Cheung      -      his firm having current business dealings with SHK, Archiplus and B&V;

Mr Conrad T.C. Wong      -      his firm having current business dealings with SHK; and

Mr Ricky W.Y. Yu      -      his firm had past business dealings with LD.

85.      The Committee noted that the applicant had requested deferment of consideration of the application and Messrs Conrad T.C. Wong 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 Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

86. The Committee noted that the applicant's representative requested on 24.6.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address further departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

87. 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 23**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/710      Renewal of Planning Approval for Temporary Private Vehicle Park for Light Goods Vehicles for a Period of 3 Years in “Agriculture” Zone, Lots 376 RP (Part), 380 RP (Part) and 384 RP (Part) in D.D. 110, Kam Tin North, Yuen Long

(RNTPC Paper No. A/YL-KTN/710)

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### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary private vehicle park for light goods vehicles for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, two objecting comments from a member of Yuen Long District Council and an individual were received. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone, the Director of Agriculture, Fisheries and Conservation had no strong view on the application. It was considered that approval of the application

on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone. The application was in line with the Town Planning Board Guidelines No. 34C in that there had been no material change in planning circumstances since the previous approval and the approval conditions under the previous application had been complied with. Other concerned government departments had no objection to or no adverse comment on the application. To minimise the possible environmental nuisance, appropriate approval conditions were recommended. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

89. Members had no question on the application.

#### Deliberation Session

90. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 15.7.2020 to 14.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container trailers/tractors, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (e) a notice should be posted at a prominent location of the site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including container trailers/tractors, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at all times during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing trees and landscape plantings on the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of 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 15.10.2020;
- (j) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if the above planning condition (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

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

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

#### **Agenda Item 24**

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

[Open Meeting]

A/YL-KTN/712      Temporary Public Vehicle Park (excluding Container Vehicle) for a Period of 5 Years in “Village Type Development” Zone, Lots 171 S.A RP (Part), 171 S.B (Part) and 173 RP (Part) in D.D.109, Kam Hing Wai, Kam Tin, Yuen Long

(RNTPC Paper No. A/YL-KTN/712)

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92. The Committee noted that the applicant’s representative requested on 3.7.2020 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 applicant requested deferment of the application.

93. 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 25**

**Section 16 Application**

[Open Meeting]

A/YL-KTN/713      Proposed Temporary Animal Boarding Establishment for a Period of 3 Years in “Agriculture” Zone, Lots 1471 S.A and 1468 in D.D. 107, Shui Mei Tsuen, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/713)

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94.      The Committee noted that the applicant’s representative requested on 2.7.2020 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 applicant requested deferment of the application.

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

## **Agenda Item 26**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/844      Proposed Temporary Warehouse for Construction Materials for a Period of 3 Years in “Village Type Development” and “Agriculture” Zones, Lots 1895 (Part) and 1913 (Part) in D.D. 111 and Adjoining Government Land, Leung Uk Tsuen, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/844)

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### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary warehouse for construction materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, one objecting comment from an individual was received. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the proposed temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Approval of the application would not jeopardise the long-term planning intentions of the “Village Type Development” and “Agriculture” (“AGR”) zones as the Lands Department advised that there was no Small House application approved or under processing at the site. While the Director of

Agriculture, Fisheries and Conservation did not support the application as the site possessed potential for agricultural rehabilitation, only about 37% of the site fell within the “AGR” zone and the proposed temporary use would allow the residual land parcel to be better utilised. The proposed use was considered not incompatible with the surroundings. Other concerned government departments had no objection to or no adverse comment on the application. To minimise possible environmental nuisance, appropriate approval conditions were recommended. The last planning application No. A/YL-PH/763 submitted by the same applicant for the same applied use was approved with conditions by the Committee. As there was no major change in planning circumstances since the last approval, sympathetic consideration could be given to the current application. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

97. Members had no question on the application.

#### Deliberation Session

98. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;

- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of a revised 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 10.10.2020;
- (g) in relation to (f) above, the implementation of the 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 10.1.2021;
- (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 implementation of the accepted 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 10.1.2021;
- (j) 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;
- (k) if any of the above planning conditions (f), (g) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon expiry of the planning permission, the reinstatement of the portion of the site zoned “Agriculture” to an amenity area to the satisfaction of the

Director of Planning or of the TPB.”

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

### **Agenda Item 27**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/845      Proposed Temporary Container Vehicle Repair Yard and Warehouse for a Period of 3 Years in “Open Storage” Zone, Lot 179 S.D, S.F, S.G and S.I (Part) in D.D. 111, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/845)

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

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

- (a) background to the application;
- (b) the proposed temporary container vehicle repair yard and warehouse for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. While the proposed use was not entirely in line with the planning intention

of the “Open Storage” (“OS”) zone, it was not incompatible with the intended uses in the zone and approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “OS” zone. The proposed development was considered not incompatible with the surrounding land uses. The application was generally in line with the Town Planning Board Guidelines No. 13F in that there was no local objection and there was generally no adverse comment from concerned government departments, except for the Director of Environmental Protection (DEP). DEP did not support the application as there were sensitive receivers and environmental nuisance generated from the proposed development was expected. To address DEP’s concern and to mitigate any potential environmental impacts, appropriate approval conditions were recommended.

101. Members had no question on the application.

#### Deliberation Session

102. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no 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 run-in/out proposal at Fan Kam Road within 6 months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB by 10.1.2021;

- (e) in relation to (d) above, the implementation of the run-in/out proposal at Fan Kam Road within 9 months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB by 10.4.2021;
- (f) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.1.2021;
- (g) in relation to (f) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.4.2021;
- (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 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.1.2021;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.4.2021;
- (k) if any of the above planning conditions (a), (b), (c) 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 (d), (e), (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

## **Agenda Item 28**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/291 Proposed Comprehensive House and Wetland Habitat Development with Filling and Excavation of Land (Amendments to an Approved Scheme) in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Lots 43 S.A RP, 50 S.A and 50 RP in D.D.101, Wo Shang Wai, Mai Po, Yuen Long  
(RNTPC Paper No. A/YL-MP/291A)

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104. The Secretary reported that the application site was located in Mai Po and submitted by Profit Point Enterprises Limited, which was a subsidiary of Henderson Land Development Company Limited (HLD). LWK & Partners (HK) Limited (LWK), Mott MacDonald Hong Kong Limited (MMHK) and WSP (Asia) Limited (WSP) were three of the consultants of the applicant. The following Members had declared interests on the item:

Mr K.K. Cheung - his firm having current business dealings with HLD, LWK, MMHK and WSP;

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

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

Mr Peter K.T. Yuen	- being a member of the Board of Governors of the Hong Kong Arts Centre which had received a donation from an Executive Director of HDL;
Mr Ricky W.Y. Yu	- his firm had past business dealings with LWK; and
Mr K.W. Leung	- owning a property in Fairview Park, Mai Po.

105. The Committee noted that Dr Lawrence K.C. Li and Mr Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting. As the interests of Dr C.H. Hau and Mr Peter K.T. Yuen were indirect, the property of Mr K.W. Leung had no direct view of the application site, and Mr K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

#### Presentation and Question Sessions

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

- (a) background to the application;
- (b) the comprehensive house and wetland habitat development with filling and excavation of land (amendments to an approved scheme);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication periods, 16 public comments were received. Among them, one comment from an individual supported the application, while the other comments from a Yuen Long District Council member, San Tin Rural Committee, Villager

Representatives of Mai Po Tsuen, Royal Palms Phase A Owners' Committee, The Conservancy Association, Hong Kong & China Gas Company Limited and individuals objected to the application. Major views were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was in line with the planning intention of “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” (“OU(CDWRA)”) zone and considered not incompatible with the surroundings. Although the reduction in the number of houses by 132, as compared with the approved scheme (No. A/YL-MP/229), was not conducive to the need for increasing housing supply, and the large footprint, substantial gross floor area (GFA) of House 1 (GFA of 12,350 m<sup>2</sup>), its ancillary building (GFA of 10,535m<sup>2</sup>) and House 2 (GFA of 1,900m<sup>2</sup>), and the building height (BH) (3 storeys and 21m/28.8mPD) was not conventional, concerned government departments had no objection to the application. Regarding the proposed BH for House 1, although the Buildings Department (BD) and Architectural Services Department had some concerns on the BH of House 1, the Chief Town Planner/Urban Design and Landscape, PlanD and Agriculture, Fisheries and Conservation Department (AFCD) had no adverse comment on the proposed BHs from urban design/visual and ecological perspectives. The wetland restoration area (WRA) had already been implemented to the satisfaction of AFCD with a wetland of about 4.7 ha restored at the northern part of the site. The Environmental Protection Department (EPD) considered that with the implementation of the environmental mitigation measures, the proposed development would unlikely be subject to or generate adverse environmental impacts. Other concerned government departments had no objection to or no adverse comment on the application. The site was the subject of three approved applications for residential development, approval of the application was in line with the Committee's previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

107. At the request of the Chairman, Ms Emily P.W. Tong, STP/FSYLE, with reference to the table in paragraph 1.7 of the Paper, said that the major development parameters of the proposed scheme including the site area, plot ratio (PR), GFA, site coverage were the same as those of the approved scheme under the latest application No. A/YL-MP/229, while the major changes in the current application were related to the reduction in the number of houses and increase in maximum BH.

*BH of Previous Applications*

108. Noting that developments in the “OU(CDWRA)” zone were restricted to a maximum BH of 6 storeys including carpark, the Vice-chairman enquired on the BH of the previous applications at the site. In response, Ms Emily P.W. Tong, STP/FSYLE, said that the site was the subject of three previous applications (No. A/YL-MP/166, 185 and 229) submitted by the same applicant for residential development which were approved by the Committee. Application No. A/YL-MP/166 was for 172 houses and 190 duplex units with a maximum BH of 13.1m above ground (4 storeys including carpark), application No. A/YL-MP/185 was for 344 houses with a maximum BH of 13.1m above ground (4 storeys including carpark) and application No. A/YL-MP/229 was for 400 houses with a maximum BH of 11.3m above ground (4 storeys including carpark).

*House 1, its Ancillary Buildings and House 2*

109. Some Members raised the following questions:

- (a) if the applicant failed to justify the BH of the Houses at the building plan submission stage which would result in exceedance of the proposed GFA, whether a fresh application to the Board was required;
- (b) impact on the WRA arising from the increased building bulk of House 2;
- (c) the uses of the ancillary buildings; and
- (d) whether the ancillary buildings at the south wing with a BH of 2 storeys would cause a wall effect.

110. In response, Ms Emily P.W. Tong, STP/FSYLE, made the following main points:

- (a) BD had advised that if the high floor height and large void of the houses were considered excessive and should be counted towards BH/PR calculation under the Buildings Ordinance, the resultant BH/PR would exceed that of the current scheme and might also exceed the OZP restrictions. Under such circumstances, the applicant could either reduce the proposed BH of the houses or submit a fresh application to the Board;
- (b) as compared with the latest approved scheme (No. No. A/YL-MP/229), the GFA and BH of House 2 had increased from 950m<sup>2</sup> to 1900m<sup>2</sup> and from 11.3m to 12m respectively. However, the four 3-storey houses with swimming pool to the south of WRA had been replaced by House 2, two vegetated knolls and a clubhouse under the current application (Drawing-7a of the Paper). The applicant claimed that the reduction in the number of buildings and removal of the swimming pools from the edge of the WRA would reduce the visual and noise disturbance to the WRA. Although the clubhouse and its swimming pool had been relocated to the east of the WRA, there would be about 10m in distance between the swimming pool and the WRA and the swimming pool would be closed in winter to reduce disturbance on the winter birds. As such, adverse impact on the WRA arising from House 2 and the clubhouse was not anticipated;
- (c) with reference to Drawing-4a, the ancillary buildings at the north wing were for recreational and leisure uses with electrical and mechanical rooms and a two-storey green house. The west wing and east wing buildings were mainly for residential use such as staff dormitories and children's room. As for the south wing buildings, it was for recreational and leisure uses and a two-storey guard room; and
- (d) the buildings at the south wing were of one to two storeys with a maximum BH of 9.2m. Since the areas to the south of the south wing was for open space/garden use, the wall effect should not be an issue.

*The WRA*

111. Some Members raised the following questions:
- (a) whether there was a public access to the WRA; and
  - (b) the funding arrangement for the WRA and whether the reduction in the number of houses or further revisions to the development scheme, if any, would affect the arrangement.
112. In response, Ms Emily P.W. Tong, STP/FSYLE, made the following main points:
- (a) there was an access road to the WRA at the northern part of the proposed clubhouse (Drawing A-7a of the Paper) for undertaking maintenance and management (M&M) works only, not for the residents and the general public's access to the WRA; and
  - (b) apart from taking up the sole responsibility for management of the WRA, the applicant had agreed with AFCD, EPD and the Environmental and Conservation Fund (ECF) Committee to give an upfront lump sum to ECF under the New Nature Conservation Policy (NNCP) for ensuring the long-term M&M of the WRA. In accordance with NNCP, a competent agent would then be assigned to manage the WRA and the agent could also apply for funding support from ECF for carrying out the long-term M&M of WRA. In view of the above, the reduction in the number of houses and residents would not affect the funding arrangement proposal of the WRA.

113. Mr Alan K.L. Lo, Assistant Director/Regional 3 (AD/R3), Lands Department (LandsD), supplemented that the land exchange for the latest approved scheme had been divided into two land exchange transactions (for the residential portion and the WRA portion) which were currently being processed by LandsD. The land exchange for the WRA portion was to ensure the long-term M&M of the WRA and a lease condition requiring the leaseholder to inject an upfront lump sum to the ECF had been stipulated. The two transactions should be handled and executed concurrently for the

residential-cum-conservation project. Revisions to the development scheme would not affect the upfront lump sum as the applicant and AFCD/EPD had come into an agreement on it. Furthermore, should the application be approved by the Committee, consequential amendments to the current land exchange transactions, if any, would be made to reflect the latest scheme.

### Deliberation Session

114. Whilst noting from a public comment that the proposed development, being located in a very large site but with a small population, was in conflict with the Government policy of increasing housing land supply, a Member said that as long as the site fell on private land, it would be up to the applicant to decide whether and how to pursue the proposed residential development. The consideration of the application should focus on whether the proposed development, including its scale, was acceptable from various technical aspects.

115. In response to a Member's enquiry on how the lease could help ensure the implementation of the development as proposed, Mr Alan K.L. Lo, AD/R3, LandsD said that the site was held under Block Government Lease (demised for agricultural use). In general, should the application be approved by the Committee, and upon completion of the land exchange, a suitable building covenant would be stated in the relevant land grant document requiring completion of the development by a certain date. The landowner would be required to complete the construction of the development as specified in the land grant and obtain an occupation permit from the Building Authority within the building covenant period. After that, there would not be any control on the disposal of the completed development, e.g. the sale of the houses.

116. The Committee noted that before the first planning application covering the site (No. A/YL-MP/166) was approved by the Committee (i.e. 19.9.2008), the site was mostly vacant, with the northern portion being occupied and devegetated. The planning intention of the "OU(CDWRA)" zone was to provide incentive for the restoration of degraded wetlands through comprehensive residential and/or recreational development to include WRA. The Chairman supplemented that the applicant had been working on the restoration works since the first approval of the application and the WRA had been completed in 2010. There was a similar residential development with restoration of a wetland in Kam Tin

(namely Park YoHo), which was also approved by the Committee.

117. A few Members raised concerns on the reduction in 132 no. of houses in the current application for two large-scale houses (i.e. House 1 and House 2) and considered that such reduction might not optimise the use of land resources and would set an undesirable precedent for similar applications. A Member further added that the proposed layout was less desirable as compared with that under the previous approved application and had reservation on supporting the application as there were insufficient planning merits to justify the two large-scale houses.

118. Members noted that the subject application was only to make amendments to the Master Layout Plan which was approved by the Committee under the previous application. The Vice-chairman considered that there was no strong reason to reject the application as the proposed amendments were not unacceptable from various technical aspects. Some Members shared the same view and remarked that the restoration work of the WRA had been completed in line with the planning intention of the “OU(CDWRA)” zone and the applicant might have their own commercial consideration in reducing the number of houses. In view of the above considerations, majority of the Members considered that the application could be approved. Members also noted that a set of approval conditions would be imposed to ensure that the restored wetlands would be sustained in the long run.

119. 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 10.7.2024, 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 submission and implementation of a revised Master Layout Plan to take into account conditions (b) to (n) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a Landscape Master Plan to the satisfaction of the Director of Planning or of the TPB;

- (c) the submission of a revised Drainage Impact Assessment (DIA) to the satisfaction of the Director of Drainage Services or of the TPB;
- (d) in relation to (c) above, the implementation of the drainage proposal identified in the revised DIA to the satisfaction of the Director of Drainage Services or of the TPB;
- (e) the implementation of the mitigation measures identified therein in the ecological assessment to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;
- (f) the implementation of a maintenance and management plan which covers implementation details and the estimated annual recurrent costs with breakdown required for maintaining the restored wetland area to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;
- (g) the submission and implementation of a funding arrangement proposal for ensuring the long-term maintenance and management of the restored wetland area to the satisfaction of the Director of Environmental Protection and the Director of Agriculture, Fisheries and Conservation, or of the TPB;
- (h) as proposed by the applicant, land exchange and/or lease modification for the proposed development if considered and approved by the Director of Lands, should not be executed prior to the compliance with condition (g) to the satisfaction of the Director of Environmental Protection and the Director of Agriculture, Fisheries and Conservation, or of the TPB;
- (i) the design and provision of vehicular access and car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (j) the design and provision of the access connection between the development and the public road to the satisfaction of the Commissioner for Transport or

of the TPB;

- (k) the provision of emergency vehicular access, water supplies for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (l) the submission of a revised Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the TPB;
- (m) in relation to (l) above, the implementation of the mitigation measures identified in the revised SIA to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (n) the implementation of a sewage disposal arrangement including the interim on-site sewerage treatment plant, the reuse of treated effluent and the irrigation system, as proposed by the applicant, to the satisfaction of the Director of Environmental Protection or of the TPB.”

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

### **Agenda Item 29**

#### **Section 16 Application**

[Open Meeting]

A/YL-MP/294      Proposed Temporary Automatic Car Washing Centre for a Period of 3 Years in “Village Type Development” and “Commercial/Residential” Zones, Lots 2239 S.B, 2239 S.C, 2239 S.D, 2239 S.E, 2239 S.F, 2239 S.G RP, 2239 S.H RP and 2239 RP in D.D. 104, Mai Po, Yuen Long  
(RNTPC Paper No. A/YL-MP/294)

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121. The Secretary reported that the application site was located in Mai Po and Mr K.W. Leung had declared an interest on the item for owning a property in Fairview Park, Mai

Po.

122. The Committee noted that the applicant had requested deferment of consideration of the application. As the property of Mr K.W. Leung had no direct view of the application site, the Committee agreed that he could stay in the meeting.

123. The Committee noted that the applicant's representative requested on 23.6.2020 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 applicant requested deferment of the application.

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

### **Agenda Item 30**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/279      Renewal of Planning Approval for Temporary Eating Place (Restaurant) for a Period of 3 Years in "Other Specified Uses" annotated "Comprehensive Development to include Wetland Restoration Area" Zone, Lots 3719 S.G ss. 9 RP (Part) and 3719 S.G ss.10 (Part ) in D.D. 104, Nam Sang Wai

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(RNTPC Paper No. A/YL-NSW/279)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for a temporary eating place (restaurant) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual raising concern on the application was received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. While the applied use was not entirely in line with the planning intention of “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” zone, it could provide catering services in the area. The application generally complied with the Town Planning Board Guidelines No. 34C in that all approval conditions of the previous applications had been complied with and there had been no material change in planning circumstances since the approval of the previous applications. Concerned government departments had no objection to or no adverse comment on the application. The technical concerns from the departments could be addressed by the stipulation of appropriate approval conditions. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

126. Members had no question on the application.

Deliberation Session

127. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 23.7.2020 to 22.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- (b) the maintenance of the existing landscape planting on the site at all times during the planning approval period;
- (c) the maintenance of the existing drainage facilities on the site at all times during the planning approval period;
- (d) the submission of a condition record of the existing drainage facilities on site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.10.2020;
- (e) 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 Director of Fire Services or of the TPB by 23.1.2021;
- (f) in relation to (e) above, the provision of the fire service installations proposed within 9 months from the date of commencement of the renewed planning approval to the satisfaction of Director of Fire Services or of the TPB by 23.4.2021;
- (g) 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;

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

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

### **Agenda Item 31**

#### Section 16 Application

[Open Meeting]

A/YL-NSW/280      Proposed Filling of Land for Permitted Agricultural Use in “Village Type Development” and “Residential (Group D)” Zones, Lot 592 S.A. RP in D.D. 115, Nam Sang Wai, Yuen Long  
(RNTPC Paper No. A/YL-NSW/280)

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129. The Committee noted that the applicant requested on 26.6.2020 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 applicant requested deferment of the application.

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

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

### **Agenda Item 32**

#### **Section 16 Application**

[Open Meeting]

A/YL-NTM/402      Proposed Temporary Container Vehicle Repair Yard and Warehouse for a Period of 3 Years in “Open Storage” Zone, Lots 445 S.B and 451 RP in D.D. 96 and adjoining Government Land, Ngau Tam Mei, Yuen Long

(RNTPC Paper No. A/YL-NTM/402)

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131.      The Committee noted that the applicant’s representative requested on 8.7.2020 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 applicant requested deferment of the application.

132.      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 33**

### **Section 16 Application**

[Open Meeting]

A/YL-NTM/403      Proposed House in “Green Belt” Zone, Lot 864 (Part) in D.D. 105,  
Ngau Tam Mei, Yuen Long

(RNTPC Paper No. A/YL-NTM/403)

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133.      The Committee noted that the applicant’s representative requested on 30.6.2020 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 applicant requested deferment of the application.

134.      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-NTM/404      Temporary Social Welfare Facility (Drug Dependent Persons Treatment and Rehabilitation Centre) for a Period of 3 Years in “Green Belt” Zone, Lots 762 (Part), 763 (Part), 765 (Part), 790 (Part), 791 (Part) and Adjoining Government Land in D.D.105, Ngau Tam Mei, Yuen Long

(RNTPC Paper No. A/YL-NTM/404)

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### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the temporary social welfare facility (drug dependent persons treatment and rehabilitation centre) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments, with one objecting comment from San Tin Rural Committee and the other comment from an individual raising concerns on the application, were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Green Belt” (“GB”) zone, the facility was housed within the existing structures at the site and would not involve clearance of existing natural

vegetation, affect existing landscape or cause adverse impacts on the surroundings. The Commissioner for Narcotics, Security Bureau gave in-principle policy support to the application. The applied use was considered not incompatible with the surroundings. Other concerned government departments had no objection to or no adverse comment on the application. To address the technical concerns/requirements of relevant government departments, appropriate approval conditions were recommended. Since the Committee had approved a similar application with the “GB” zone, approval of the current application was in line with the previous decision of the Committee. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

136. Members had no question on the application.

#### Deliberation Session

137. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- (b) 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 10.1.2021;
- (c) in relation to (b) 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 10.4.2021;

- (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 10.1.2021;
- (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 10.4.2021;
- (f) if the above planning condition (a) 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;
- (g) if any of the above planning conditions (b), (c), (d) or (e) 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
- (h) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

138. 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-ST/573      Proposed Temporary Cold Storage for a Period of 3 Years in “Residential (Group D)” Zone, Lots 16 S.B ss.2, 16 S.B ss.3, 19 S.C, 19 RP, 21 S.A (Part), 21 RP (Part), 23 S.A, 24 RP (Part), 25 S.A, 26 RP (Part), 42 RP (Part) and 44 S.A (Part) in D.D. 105 and Adjoining Government Land, Castle Peak Road - San Tin, Mai Po Lung, San Tin  
(RNTPC Paper No. A/YL-ST/573)

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139. The Secretary reported that the application was submitted by Land Jumbo Development Limited (LJD) and Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with LJD.

140. 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

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

- (a) background to the application;
- (b) the temporary cold storage for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, 19 objecting comments from the San Tin Rural Committee, three Yuen Long District Council members and 15 individuals including 6 local residents were received. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not in line with the planning intention of “Residential (Group D)” (“R(D)”) zone, approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone as there was no immediate development proposal for the site. The proposed development was considered not incompatible with the surroundings. To mitigate any potential environmental impacts on the surrounding areas,

appropriate approval conditions were recommended. The Director of Agriculture, Fisheries and Conservation had no strong view on the application as the site was paved and at certain distance from the Mai Po Lung Egretry. Other concerned government departments had no objection to or no adverse comment on the application. Approval of the current application was in line with the previous decisions of the Committee. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

142. In response to a Member's enquiry, Ms Emily P.W. Tong, STP/FSYLE, said that the electrical and mechanical room of the proposed use would be fully enclosed and the windows/doors of the cold store building would not be facing towards any sensitive receivers.

#### Deliberation Session

143. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 9:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium/heavy goods vehicles exceeding 5.5 tonnes as defined in the Road Traffic Ordinance or container trailers/tractors are allowed to enter, park or operate on the site at any time during the planning approval period;
- (c) the provision and maintenance of free pedestrian and vehicular accesses (including emergency vehicular access) to the surrounding residential dwellings, as proposed by the applicant, during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;

- (e) the provision of boundary fencing within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 10.10.2020;
- (f) 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 10.10.2020;
- (g) in relation to (f) above, the implementation of the fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.1.2021;
- (h) 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 10.10.2020;
- (i) in relation to (h) 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 10.1.2021;
- (j) the maintenance of all existing trees within the site during the planning approval period;
- (k) if any of the above planning conditions (a), (b), (c), (d) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (e), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

[The Chairman thanked Mr 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.]

[Mr Simon P.H. Chan, Ms Jessica Y.C. Ho, Ms Bonnie K.C. Lee, Mr Alexander W.Y. Mak 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.]

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

#### **Agenda Item 36**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/229              Renewal of Planning Approval for Temporary Logistics Centre for a Period of 3 Years in “Government, Institution or Community”, “Residential (Group A) 4”, “Open Space” Zones and area shown as ‘Road’, Lots 1801 RP (Part), 1803 (Part), 1804 (Part), 1805, 1806 S.A (Part), 1806 S.B (Part), 1829 (Part), 1830 (Part), 1831 (Part), 1832 (Part), 1833 (Part) and 1836 (Part) in D.D.125, Ha Tsuen, Yuen Long  
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(RNTPC Paper No. A/HSK/229)

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

145. 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) the renewal of planning approval for temporary logistics centre for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual expressing views was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 34C and No. 13F. Concerned government departments had no objection to or no adverse comment on the application and there was no environmental complaint pertaining to the site in the past three years. To address the possible environmental nuisances and other technical requirements of relevant government departments, appropriate approval conditions were recommended. Approval of the application was in line with the Committee's previous decisions. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

146. Members had no question on the application.

#### Deliberation Session

147. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 25.8.2020 to 24.8.2023, 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., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays or public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no cutting, dismantling, cleansing, repairing, compaction, vehicle repair and workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no vehicle is allowed queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the existing landscape planting on the site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the existing fire services installations shall be maintained in efficient working order at all times during the planning approval period;
- (h) the submission of a condition record of existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 25.11.2020;
- (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; and
- (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.”

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

### **Agenda Item 37**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-SKW/107      Proposed Temporary Shop and Services for a Period of 3 Years in  
“Village Type Development” Zone, Lot 637 RP in D.D.375, So Kwun  
Wat Village, Tuen Mun

(RNTPC Paper No. A/TM-SKW/107)

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

149. 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) the 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;
- (d) during the first three weeks of the statutory publication period, five public comments were received. Two comments from the village representatives of So Kwun Wat Tsuen indicated support to the application while the remaining comments from a District Council member, a representative of the owners’ committee of Avignon and an individual objected to the application. Major views were set out in paragraph 10 of the Paper; and

(e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could serve any such demand in the area and the Lands Department advised that there was no Small House application within the site. In that regard, approval of the application on a temporary basis of three years would not frustrate the long-term planning intention of the area. The applied use was considered not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. Relevant approval conditions were recommended to mitigate any potential traffic, drainage and fire safety impacts. Since the Committee had approved similar applications within the subject “V” zone, approval of the subject application was in line with the Committee’s previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

150. Members had no question on the application.

#### Deliberation Session

151. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period; and
- “(b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- “(c) the submission of a 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 10.1.2021;

- (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 10.4.2021;
- (e) in relation to (d) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (f) the submission of a fire services installation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.1.2021;
- (g) in relation to (f) above, the implementation of the fire services installation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.4.2021;
- (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 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.”

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

## **Agenda Item 38**

### **Section 16 Application**

[Open Meeting]

A/TM/541              Proposed Columbarium in “Government, Institution or Community” Zone, G/F, Lot 1197 (Part) in D.D.131, Tsing Shan Tsuen, Tuen Mun  
(RNTPC Paper No. A/TM/541B)

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153.        The Secretary reported that the application was for columbarium use and Mr K.K. Cheung had declared an interest on the item as his firm was the legal advisor of the Private Columbaria Licensing Board.

154.        The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr K.K. Cheung was indirect, the Committee agreed that he could stay in the meeting.

155.        The Committee noted that the applicant’s representative requested on 19.6.2020 deferment of consideration of the application for two months so as to allow time to address the comments of the Transport Department, Lands Department and the general public. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted a revised Traffic Impact Assessment and responses to departmental comments.

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

## **Agenda Item 39**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/550              Proposed Hotel with Shop and Services, Eating Place and Other Uses (including Art Studio, Office, Information Technology and Telecommunications Industries and/or Place of Recreation, Sports or Culture) (Wholesale Conversion of an Existing Industrial Building) in “Other Specified Uses” annotated “Business” Zone, Tuen Mun Town Lot No. 140, 2 Ho Tin Street, Tuen Mun  

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(RNTPC Paper No. A/TM/550A)

### **Presentation and Question Sessions**

157.        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) the proposed hotel with shop and services, eating place and other uses (including art studio, office, information technology and telecommunications industries and/or place of recreation, sports or culture) (wholesale conversion of an existing industrial buildings);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, six objecting comments from individuals were received. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was generally in line with the planning intention

of the “Other Specified Uses” annotated “Business” zone. The Secretary for Development indicated support to the application, subject to its compliance with the relevant requirements under the current revitalisation scheme. Regarding the demolition of the floor slabs and recovery of the gross floor area (GFA) by an addition of two storeys on the original roof floor, the Lands Department advised that recovery of total accountable GFA as proposed by the applicant would be outside the scope of the 2018 Policy Address to incentivise redevelopment of industrial buildings. Nevertheless, the matter would be dealt with at the special waiver application stage. The proposed development was not incompatible with the surrounding land uses. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the risk associated with the adjacent petrol filling station, the applicant had proposed to install a new radiation wall to manage the risks associated with the PFS. The Committee had approved a previous application at the site and other similar applications, approval of the subject application would be consistent with the Committee’s previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

158. Noting that the area was for industrial use and might not be pleasant to the tourists, a Member asked about the surrounding developments and suitability of the site for hotel use. With reference to Plan A-3 of the Paper, Ms Jessica Y.C. Ho, STP/TMYLW, said that there were school and residential developments to the north, industrial buildings to the west, and a bus depot, a logistic centre and a data centre to the south of the site. The industrial uses in the area were being phased out gradually with some newly built commercial developments including two hotels to the further south of the site.

159. In response to the Chairman’s enquiry, Ms Jessica Y.C. Ho, STP/TMYLW, said that the West Rail Tuen Mun Station was within walking distance from the site.

#### Deliberation Session

160. 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 10.7.2024, 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, loading/unloading facilities and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission and implementation of the fire services installations and water supply for firefighting to the satisfaction of the Director of Fire Services or of the TPB;
- (c) the submission and implementation of the mitigation measures against the fire and explosive hazards associated with the adjoining petrol filling station to the satisfaction of the Director of Fire Services or of the TPB; and
- (d) the submission and implementation of the sewerage improvement proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

#### **Agenda Item 40**

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

[Open Meeting]

A/YL-HTF/1105      Temporary Shop and Services for a Period of 3 Years in “Coastal Protection Area” Zone, Lot 221 (Part) in D.D. 128, Lau Fau Shan, Yuen Long

(RNTPC Paper No. A/YL-HTF/1105)

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162. The Committee noted that the applicant’s representative requested on 2.7.2020

deferment of consideration of the application for two months so as to allow time to prepare further information to clarify the extent of the convenience store at the application site. It was the first time that the applicant requested deferment of the application.

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

### **Agenda Item 41**

#### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/609      Proposed Temporary Shop and Services for a Period of 5 Years and  
Land Filling in “Village Type Development” Zone, Lot 136 RP (Part)  
in D.D. 123, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/609)

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#### Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services for a period of five years and land filling;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could meet any such demand in the area and the Lands Department advised that there was no Small House application approved or under processing at the site. As such, approval of the application on a temporary basis for five years would not jeopardise the long-term planning intention of the “V” zone. The proposed use was not incompatible with the surrounding land uses. The site fell within the Wetland Buffer Area, and the Director of Agriculture, Fisheries and Conservation had no comment on the application as the site was paved and disturbed and adverse ecological impacts were not envisaged. Other concerned government departments had no objection to or no adverse comment on the application. Relevant approval conditions had been recommended to address the technical concerns of the concerned government departments. Since similar applications in the subject “V” zone were approved by the Committee, approval of the application was in line with the previous decisions of the Committee.

165. Members had no question on the application.

#### Deliberation Session

166. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 10.7.2025, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no workshop activities, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (c) no medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractors/trailers is allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- (e) the submission of a run-in/out proposal for the site within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 10.1.2021;
- (f) in relation to (e) above, the provision of a run-in/out within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 10.4.2021;
- (g) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.1.2021;
- (h) in relation to (g) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.4.2021;
- (i) in relation to (h) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire

Services or of the TPB by 10.1.2021;

- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.4.2021;
- (l) if any of the above planning conditions (a), (b), (c), (d) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (e), (f), (g), (h), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

## **Agenda Item 42**

### Section 16 Application

[Open Meeting]

A/TM-LTYY/384      Temporary Workshop of Construction Machinery and Storage of Parts  
for a Period of 3 Years in “Green Belt” Zone, Short Term Tenancy No.  
563, Lam Tei, Tuen Mun  
(RNTPC Paper No. A/TM-LTYY/384B)

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168. The Committee noted that the applicant requested on 24.6.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address further departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information providing responses to departmental comments.

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

### **Agenda Item 43**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/606      Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Village Type Development” Zone, Lots 406 RP (Part), 407 (Part) and 408 (Part) in D.D. 122, Sheung Cheung Wai, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/606)

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

170. Mr Alexander W.Y. Mak, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary public vehicle park (private cars and light goods vehicles) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph

9 of the Paper;

- (d) during the first three weeks of the statutory publication period, two public comments were received. A Yuen Long District Council member objected to the application while an individual raised 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. Although the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, there was no Small House application approved or under processing at the site as advised by the Lands Department and the applied use could help meet the parking demand in the area. As such, approval of the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. The proposed development was considered not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. To minimise any potential environmental nuisances and to address the technical requirements of concerned government departments, appropriate approval conditions were recommended. Since previous applications at the site and similar applications in the subject “V” zone were approved by the Committee, approval of the application was in line with the previous decisions of the Committee. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

171. Members had no question on the application.

#### Deliberation Session

172. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, 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 no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle repairing, dismantling, car beauty, car washing or workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public roads at any time during the planning approval period;
- (g) the existing fencing of the site shall be maintained at all times during the planning approval period;
- (h) the existing trees within the site shall be maintained in good condition at all times during the planning approval period;
- (i) the submission of a condition record of existing drainage facilities within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 10.10.2020;

- (j) in relation to (i) above, the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (k) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.1.2021;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.4.2021;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (i), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

#### **Agenda Item 44**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/607      Proposed Temporary Shop for Retail and Wholesale of Food Products for a Period of 3 Years in “Government, Institution or Community”, “Village Type Development” and “Residential (Group B) 1” Zones, Lots 25 (Part), 26 RP, 27 RP, 28 RP (Part), 29 RP (Part) and 30 RP in D.D. 121, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/607)

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Presentation and Question Sessions

174. Mr Alexander W.Y. Mak, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary shop for retail and wholesale of food products for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not in line with the planning intention of the “Government, Institution or Community” (“G/IC”) zone, there was not yet any programme/known intention to implement the zoned use on the site. As such, temporary approval of the application for a period of three years would not jeopardise the long-term planning intention of the “G/IC” zone. The proposed development was not entirely incompatible with the surrounding uses. Concerned government departments had no objection to or no adverse comment on the application except the Director of Environmental Protection (DEP). DEP did not support the application as there were sensitive uses in the vicinity and environmental nuisances were expected. To address the concerns on potential environmental nuisances and other technical requirements, appropriate approval conditions were recommended. As the Committee had approved a previous application for similar use at the site, approval of the application was in line with the previous decision of the Committee.

175. Members had no question on the application.

**Deliberation Session**

176. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing boundary fencing of the site shall be maintained at all times during the planning approval period;
- (e) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.10.2020;
- (f) in relation to (e) above, the existing drainage facilities 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 10.1.2021;

- (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 10.4.2021;
- (i) the implementation of the accepted landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 10.1.2021;
- (j) if any of the above planning conditions (a), (b), (c), (d) 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; and
- (k) if any of the above planning conditions (e), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

[Mr Philip S.L. Kan left the meeting at this point.]

### **Agenda Item 45**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/608      Proposed Temporary Public Vehicle Park for Private Cars for a Period of 3 Years in “Residential (Group B) 1” Zone, Lots 123 (Part), 126 RP (Part), 130 (Part), 131 (Part), 132 RP (Part) and 135 RP (Part) in D.D. 121, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/608)

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Presentation and Question Sessions

178. Mr Alexander W.Y. Mak, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary public vehicle park for private cars for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments were received. A Yuen Long District Council member objected to the application while an individual raised 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. Whilst the proposed use was not entirely in line with the planning intention of the “Residential (Group B) 1” (“R(B)1”) zone, there was no known development proposal at the site and the applied use could help meet such demand for the residents nearby. As such, approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “R(B)1” zone. The proposed use was not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. To minimise any potential environmental nuisances and to address the technical requirements, appropriate approval conditions were recommended. As the Committee had approved a previous application at the site and similar applications within the same “R(B)” zone, approval of the current application was in line with the previous decisions of the Committee. Regarding the public comments, the comments of government departments

and planning assessments above were relevant.

179. Members had no question on the application.

#### Deliberation Session

180. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) only private cars as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter/be parked on the site at all times during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site at all times during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle repairing, dismantling, car beauty, car washing or other workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing boundary fencing of the site shall be maintained at all times during the planning approval period;

- (h) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.10.2020;
- (i) in relation to (h) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (j) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.10.2020;
- (k) in relation to (j) 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 10.1.2021;
- (l) the implementation of the accepted landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 10.1.2021;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (h), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

## **Agenda Item 46**

### **Section 16 Application**

[Open Meeting]

A/YL-TYST/1000    Temporary Warehouse for Storage of Construction Materials and Household Materials with Ancillary Office for a Period of 3 Years in “Undetermined” Zone, Lot 1162 RP (Part) in D.D. 119 and Adjoining Government Land, Kung Um Road, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1000A)

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182.       The Committee noted that the applicant’s representative requested on 24.6.2020 deferment of consideration of the application for two months so as to allow time 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 responses to departmental comments, a revised drainage proposal and a fire service installations proposal.

183.       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 47**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1011 Proposed Temporary Logistics Centre and Warehouse for Storage of Recycle Materials for a Period of 3 Years in “Industrial (Group D)” Zone, Lots 2008 S.B RP, 2008 S.C ss.1, 2008 S.E RP and 2008 S.F ss.1 RP in D.D. 121, Tong Yan San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1011A)

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### **Presentation and Question Sessions**

184. Mr Steven Y.H. Siu, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary logistics centre and warehouse for storage of recyclable materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication periods, one public comment from a Yuen Long District Council member providing views on the application was received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the proposed development was not entirely in line with the planning intention of the “Industrial (Group D)” (“I(D)”) zone, it could provide logistical support to industrial uses in the area. While the site mainly fell within an area zoned “Other Specified Uses (Storage Use)” and

partly fell within an area shown as ‘Road’ on the Revised Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD and Project Manager (West), Civil Engineering and Development Department had no objection to the application. As such, approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The proposed development was generally not incompatible with the surrounding uses and was in line with the Town Planning Board Guidelines No. 13F. There was no adverse comment on the application from concerned government departments, except the Director of Environmental Protection (DEP). DEP did not support the application as there was a sensitive receiver in the vicinity and environmental nuisances were expected. Relevant approval conditions were recommended to minimise any potential environmental nuisances and other technical requirements. Approval of the current application was in line with the Committee’s previous decision on a similar application in the subject “I(D)” zone. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

185. Members had no question on the application.

#### Deliberation Session

186. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 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) no workshop activities and storage or handling (including loading and

unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) and any type of electronic waste, as proposed by the applicant, are allowed on the site at any time during the planning approval period;

- (d) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the provision of boundary fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 10.1.2021;
- (g) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.1.2021;
- (h) in relation to (g) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.4.2021;
- (i) the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.1.2021;

- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.4.2021;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (f), (g), (h), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

## **Agenda Item 48**

### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1024 Proposed Temporary Logistics Centre and Open Storage of Building/Recycling Materials, Construction Machinery, Used Electrical/Electronic Appliances and Parts with Ancillary Workshop Activities for a Period of 3 Years in “Undetermined” Zone, Various Lots in D.D. 119 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long

(RNTPC Paper No. A/YL-TYST/1024)

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### Presentation and Question Sessions

188. Mr Steven Y.H. Siu, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary logistics centre and open storage of building/recycling materials, construction machinery, used electrical/electronic appliances and parts with ancillary workshop activities for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual providing views was received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The proposed use was generally not in conflict with the planning intention of the “Undetermined” zone. While the site mainly fell within an area zoned “Residential - Zone 2 (with Commercial)” and an area shown as ‘Road’ on the Revised Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD and the Project Manager, Civil Engineering and Development Department had no objection to the application. As such, approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The proposed development was generally not incompatible with the surrounding uses and was in line with the Town Planning Board Guidelines No. 13F. There was no adverse comment on the application from concerned government departments, except the Director of Environmental Protection (DEP). DEP did not support the application as there was a sensitive receiver in the vicinity and environmental nuisances were expected. Relevant approval conditions were recommended to minimise any potential environmental nuisances and other technical requirements. Approval of the current application was in

line with the Committee's previous decisions. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

189. Members had no question on the application.

#### Deliberation Session

190. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 9:00 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 dismantling/other workshop activities involving used electrical/electronic appliances and parts and storage/handling of cathode-ray tubes and any other types of electronic waste, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) all existing trees within the site shall be maintained at all times during the planning approval period;
- (f) free public access to the existing footpath within the site, as proposed by the applicant, shall be allowed at all times during the planning approval period;

- (g) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.10.2020;
- (j) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 21.8.2020;
- (k) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.1.2021;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.4.2021;
- (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.”

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

## **Agenda Item 49**

### **Section 16 Application**

[Open Meeting]

A/YL-TYST/1025      Temporary Warehouse for Storage of Vehicle Parts for a Period of 3 Years in “Undetermined” Zone, Lot 1231 S.B ss.1 (Part) in D.D. 119, Pak Sha Tsuen, Yuen Long  

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192.      The Committee noted that the applicant requested on 26.6.2020 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.

193.      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 50**

### **Section 16 Application**

[Open Meeting]

A/YL-TYST/1026      Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Green Belt” Zone, Lots 772 (Part), 810 RP (Part) and 811 RP (Part) in D.D. 121, Tong Yan San Tsuen, Yuen Long  

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194. The Committee noted that the applicant's representative requested on 7.7.2020 deferment of consideration of the application for two months so as to allow time to reinstate the application site in response to departmental comments. It was the first time that the applicant requested deferment of the application.

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

### **Agenda Item 51**

#### Section 16 Application

[Open Meeting]

A/YL-TYST/1027      Temporary Warehouse for Storage of Recyclable Material and Ancillary Workshop for a Period of 3 Years in "Industrial (Group D)" and "Government, Institution or Community" Zones, Lot 1117 S.A (Part) in D.D. 121 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long

(RNTPC Paper No. A/YL-TYST/1027)

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196. The Committee noted that the applicant's representative requested on 25.6.2020 deferment of consideration of the application for two months so as to allow time to prepare fire service installations proposal. It was the first time that the applicant requested deferment of the application.

197. 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 52**

#### Section 16 Application

[Open Meeting]

A/YL-TYST/1028    Temporary Open Storage of Sundries for a Period of 3 Years in  
                      "Undetermined" and "Village Type Development" Zones, Lot 319 in  
                      D.D. 119, Shan Ha Tsuen, Yuen Long  
                      (RNTPC Paper No. A/YL-TYST/1028)

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198. The Committee noted that the applicant requested on 6.7.2020 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.

199. 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 53**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1029    Proposed Temporary Shop and Services for a Period of 3 Years in  
“Residential (Group B) 1” Zone, Lots 1023 S.B RP, 1033 S.C, 1034  
S.A RP (Part) in D.D. 121 and Adjoining Government Land, Tong Yan  
San Tsuen, Yuen Long

(RNTPC Paper No. A/YL-TYST/1029)

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

200.        Mr Steven Y.H. Siu, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the 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;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not entirely in line with the planning intention of the “Residential (Group B) 1” (“R(B)1”) zone, it could help meet such demand in the area. Whilst the site fell within an area shown as ‘Road’ on the Revised Recommended Outline Development

Plan of Yuen Long South, the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD and the Project Manager, Civil Engineering and Development Department had no objection to the application. As such, approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The proposed development was considered not incompatible with the surroundings. Concerned government departments had no objection to or no adverse comment on the application. Relevant approval conditions were recommended to minimise any potential environmental nuisances and other technical requirements. Approval of the application was in line with the Committee's previous decisions.

201. Members had no question on the application.

#### Deliberation Session

202. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 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 medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing trees and landscape plantings on the site shall be maintained at all times during the planning approval period;

- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of the records of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.10.2020;
- (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 10.1.2021;
- (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 10.4.2021;
- (i) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning conditions (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

203. 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 Simon P.H. Chan, Ms Jessica Y.C. Ho, Ms Bonnie K.C. Lee, Mr Alexander W.Y. Mak and Mr Steven Y.H. Siu, STPs/TMYLW, for their attendance to answer Members' enquiries. They left the meeting at this point.]

**Agenda Item 54**

Any Other Business

204. There being no other business, the meeting was closed at 6:25 p.m.