

TOWN PLANNING BOARD

Minutes of 652nd Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 21.8.2020

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

Dr Lawrence K.C. Li

Miss Winnie W.M. Ng

Mr L.T. Kwok

Mr K.W. Leung

Dr Jeanne C.Y. Ng

Mr Ricky W.Y. Yu

Dr Venus Y.H. Lun

Mr Conrad T.C. Wong

Mr Y.S. Wong

Chief Traffic Engineer/New Territories West,
Transport Department
Mr B.K. Chow

Chief Engineer (Works), Home Affairs Department
Mr Gavin C.T. Tse

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

Assistant Director/Regional 3,
Lands Department
Mr Alan K.L. Lo

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

Secretary

In Attendance

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

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

Town Planner/Town Planning Board
Mr Ryan C.K. Ho

Opening Remarks

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

Agenda Item 1

Matters Arising

[Open Meeting]

2. The Secretary reported the following:
 - (a) in the light of the situation of COVID-19 and the special work arrangement for government departments, the regular RNTPC meetings originally scheduled for 24.7.2020 and 7.8.2020 had been re-scheduled;
 - (b) Members agreed on 22.7.2020 and 3.8.2020 by circulation to adjourn the consideration of seven s.12A applications (No. Y/ST/45, Y/NE-KTS/13, Y/YL-KTS/5, Y/YL-NTM/4, Y/YL-PN/9, Y/I-LWKS/3 and Y/YL-NSW/5) under section 12A(20) of the Town Planning Ordinance, and to defer consideration of 80 s.16 applications (No. A/SK-HC/318, A/MOS/125, A/ST/979, A/NE-LT/685, A/NE-LT/686, A/NE-HLH/44, A/NE-LK/129, A/NE-LYT/727, A/NE-LYT/728, A/NE-LYT/729, A/NE-TKL/641, A/NE-KLH/584, A/NE-KLH/587, A/NE-PK/139, A/NE-SSH/136, A/NE-TK/678, A/NE-TK/684, A/NE-TK/685, A/NE-TK/686, A/YL-SK/280, A/YL-KTN/714, A/YL-KTN/715, A/YL-KTN/716, A/YL-KTN/717, A/YL-KTS/850, A/YL-PH/846, A/YL-PH/847, A/YL-NSW/274, A/YL-ST/574, A/TM-LTYYY/401, A/TM-SKW/108, A/HSK/230, A/HSK/231, A/HSK/232, A/YL-HTF/1106, A/YL-LFS/365, A/YL/264, A/YL-TT/491, A/YL-TT/497, A/YL-TT/498, A/YL-TT/499, A/YL-TYST/1005, A/YL-TYST/1030, A/YL-TYST/1032, A/YL-TYST/1034, A/YL-TYST/1035, A/YL-TYST/1036, A/YL-TYST/1037, A/YL-TYST/1038, A/SK-HH/75, A/NE-TK/680, A/NE-KLH/582, A/NE-KLH/588, A/NE-SSH/137, A/NE-TKL/634,

A/NE-TKL/642, A/ST/980, A/FSS/276, A/KTN/71, A/YL-KTN/678, A/YL-KTN/679, A/YL-KTN/718, A/YL-KTS/851, A/YL-KTS/852, A/YL-MP/295, A/YL-MP/296, A/YL-NTM/405, A/YL-ST/575, A/TM-LTYT/402, A/HSK/233, A/TM/545, A/TM-SKW/106, A/YL/261, A/YL/263, A/YL-TT/500, A/YL-TT/501, A/YL-TT/502, A/YL-TYST/1017, A/YL-TYST/1039 and A/YL-TYST/1040) as requested by the Planning Department to another date. The respective applicants/agents of the applicants had been informed of the RNTPC's decision, and a meeting date would be fixed to consider the applications; and

- (c) the draft minutes of the 651st RNTPC meeting were confirmed on 24.7.2020 by circulation without amendments.

Sha Tin, Tai Po and North District

Agenda Item 2

Section 12A Application

[Open Meeting]

Y/MOS/5

Application for Amendment to the Approved Ma On Shan Outline Zoning Plan No. S/MOS/22 to amend the Notes of “Other Specified Uses” annotated “Hotel” Zone to include ‘Flat (in wholesale conversion of an existing building only)’ as a Column 2 use, 29 On Chun Street, Ma On Shan
(RNTPC Paper No. Y/MOS/5)

3. The Secretary reported that the application was submitted by Towerich Ltd., which was a subsidiary of CK Hutchison Holdings Limited (CKHH). Mr K.K. Cheung had declared an interest for his firm having current business dealings with CKHH.
4. 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.

5. The Committee noted that the applicant's representative requested on 10.8.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/FSS/16 Application for Amendment to the Approved Fanling / Sheung Shui Outline Zoning Plan No. S/FSS/24 to rezone the application site from "Village Type Development" to "Residential (Group B)1", Lots 834 and 838 RP in D.D. 52, Tin Ping Road, Sheung Shui
(RNTPC Paper No. Y/FSS/16)

7. The Committee noted that the applicant requested on 3.8.2020 deferment of

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

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

Sai Kung and Islands District

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

[Mr K.W. Leung and Dr Lawrence Li joined the meeting at this point.]

Agenda Items 4 and 5

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/319 Temporary Private Garden for a Period of 3 Years in “Village Type Development” Zone and an area shown as ‘Road’, Lot 2063 (Part) in D.D. 244 and adjoining Government Land, Ho Chung New Village, Sai Kung
(RNTPC Paper No. A/SK-HC/319)

A/SK-HC/320 Temporary Private Garden for a Period of 3 Years in “Village Type Development” Zone and an area shown as ‘Road’, Lots 1067 RP (Part) and 1074 S.B (Part) in D.D. 244 and adjoining Government Land, Ho Chung New Village, Sai Kung
(RNTPC Paper No. A/SK-HC/320)

9. The Chairman drew Members’ attention that the two s.16 applications could be considered together as they both applied for temporary private garden, and the application sites were located in close proximity to each other and within the same “Village Type Development” (“V”) zone. The Committee agreed to consider the two s.16 applications together.

Presentation and Question Sessions

10. Ms. Jane W.L. Kwan, STP/SKIs, presented the applications and covered the following aspects as detailed in the Papers :

- (a) background to the applications;
- (b) temporary private garden for a period of three years at each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Papers;
- (d) during the first three weeks of the statutory publication period, two public

comments from the Village Committee of Ho Chung Village (with 4 signatures) and an individual expressing objection were received for each application. Major grounds of objection were set out in paragraph 9 of the Papers;

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the proposed temporary use at each site for a period of three years based on the assessments set out in paragraph 10 of the Papers. Whilst the applied use was not in line with the planning intention of the area designated as 'Road' to reserve land for road access to serve the local residents and as emergency vehicular access, the Commissioner for Transport and Chief Highway Engineer/New Territories East, Highways Department advised that there was no implementation programme for the planned road in the area. Approval of the applications on a temporary basis for three years could be tolerated and would not frustrate the long-term planning intention of the sites. The applied use was considered not incompatible with the surrounding land uses which were predominantly village type houses. Each site was the subject of a previously approved application for the same use submitted by the same applicant. In view of the small scale of the private gardens, they were not anticipated to have adverse traffic, landscape, environmental, fire safety and infrastructural impacts on the surrounding areas. Concerned government departments had no objection to or no adverse comment on the applications. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

11. Two Members raised the following questions:

- (a) whether the temporary structures within the application sites were permitted; and
- (b) the reason for rejecting the previous application No. A/SK-HC/236 (for application No. A/SK-HC/320).

12. Ms. Jane W.L. Kwan, STP/SKIs, made the following responses:
- (a) those were permitted structures mainly for storage purposes and planters;
and
 - (b) the concerned application was for a permanent use and it was rejected by the Committee mainly on the ground of not in line with the long-term planning intention of the area designated as ‘Road’.

Deliberation Session

13. After deliberation, the Committee decided to approve the applications on a temporary basis for a period of 3 years until 21.8.2023, each on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition :

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

Application No. A/SK-HC/319

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

Application No. A/SK-HC/320

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

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

[Mr Y.S. Wong joined the meeting at this point.]

Sha Tin, Tai Po and North District

Agenda Item 6

Proposed Amendments to the Approved Ma On Shan Outline Zoning Plan No. S/MOS/22
(RNTPC Paper No. 4/20)

16. The Secretary reported that the proposed amendment items involved public housing developments by the Hong Kong Housing Authority (HKHA), which were supported by the Engineering Feasibility Study (EFS) conducted by the Civil Engineering and Development Department (CEDD) where Black & Veatch Hong Kong Ltd. (B&V) was one of the consultants of the study. The following Members had declared interest on the item:

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| Mr Gavin C.T. Tse
(as Chief Engineer
(Works), Home Affairs
Department) | - | being a representative of the Director of Home Affairs as member of the Strategic Planning Committee and Subsidised Housing Committee of the HKHA; |
| Mr K.K. Cheung | - | his firm having current business dealings with HKHA and B&V; |
| Mr Conrad T.C. Wong | - | his firm having current business dealings with HKHA; |
| Mr L.T. Kwok | - | his serving organisation openly bid a funding from HKHA; and |
| Dr C.H. Hau | - | currently conducting contract research projects with CEDD. |

17. The Committee noted that according to the procedure and practice adopted by the Town Planning Board (the Board), as the proposed amendments, including that for public housing development, were the subject of amendments to the outline zoning plan (OZP) proposed by the Planning Department (PlanD), the interests of Members in relation to HKHA mentioned above on the item only needed to be recorded. As Mr K.K. Cheung and Dr. C.H. Hau had no involvement in relation to the amendment items, the Committee agreed that they could stay in the meeting.

Presentation and Question Session

18. The following representatives from PlanD, CEDD, Housing Department (HD) and the consultants were invited to the meeting at this point:

PlanD

- Ms Jessica H.F. Chu - District Planning Officer/Shu Tin, Tai Po and North (DPO/STN);
- Ms Hannah H.N. Yick - Senior Town Planner/Shu Tin, Tai Po and North (STP/STN);
- Mr Adrian H.C. Lee - Town Planner/Shu Tin, Tai Po and North (TP/STN);

CEDD

- Mr Gabriel Woo Project Team Leader/Housing (PTL/H), CEDD;
- Mr Patrick Cheng Senior Engineer/2 (SE/2), CEDD;
- Mr Jack Lui Engineer/3 (E/3), CEDD;

HD

- Ms Elim Wong Senior Planning Officer/6 (SPO/6) (Atg), HD
- Ms. Amy Ho Senior Architect/20 (SA/20), HD

The Consultants

- Mr Edwin Lo
 - Ms Eunice Lee
 - Mr Tony Lee
- } B&V
- Mr Y.H. Hui - Ramboll Hong Kong Limited

19. With the aid of a PowerPoint presentation, Ms Jessica H.F. Chu, DPO/STN, presented the proposed amendments as detailed in the Paper and covered the following main points :

Background

- (a) to meet the pressing need for housing land supply and associated supporting Government, institution and community (GIC) facilities, seven “Green Belt” (“GB”) sites at the fringe of Ma On Shan New Town had been identified. The two sites near the Cheung Muk Tau Village were proposed for public housing developments (Items A and B1). As for the other five sites along Ma On Shan Tsuen Road (MOST Road) (Items C to G), one at the lower end of the MOST Road was proposed for another public housing development with two nearby sites reserved for GIC uses to accommodate a water pumping station and a primary school, and the one at the upper end of the MOST Road was for private housing development with a nearby site for service reservoir use;
- (b) the proposed housing developments would provide a total of about 6,180 public housing units and 1,040 private housing units to accommodate about 20,430 people;

Proposed Amendments to Matters shown on the OZP

- (c) Amendment Item A (about 1.46 ha) which involved rezoning of an area to the east of the Cheung Muk Tau Village, Sai Sha Road from “GB” to “Residential (Group A)11” (“R(A)11”) for public housing development with a maximum plot ratio (PR) of 6.8 and a maximum building height (BH) of 165mPD;
- (d) Amendment Items B1 (about 1.38 ha) and B2 (about 0.4 ha) involved rezoning of an area to the west of the Cheung Muk Tau Village, Sai Sha Road from “GB” to “R(A)11” to facilitate public housing development with a maximum PR of 6.8 and a maximum BH of 165mPD, and rezoning of a piece of land to the immediate west of Site B1 from “GB” to an area shown as ‘Road’ to reflect the existing as-built condition;
- (e) Amendment Item C (about 0.45 ha) involved rezoning of an area at the

lower end of MOST Road from “GB” to “Government, Institution or Community” (“G/IC”) with a maximum BH of 1 storey for a water pumping station;

- (f) Amendment Item D (about 2.26 ha) involved rezoning of an area at the lower end of MOST Road from “GB” to “R(A)11” with a maximum PR of 6.8 and a maximum BH of 225mPD for public housing development;
- (g) Amendment Item E (about 0.73 ha) involved rezoning of an area at the lower end of MOST Road from “GB” to “G/IC” with a maximum BH of 8 storeys for a 30-classroom primary school;
- (h) Amendment Item F (about 0.66 ha) involved rezoning of an area at the upper end of MOST Road from “GB” to “G/IC” with a maximum BH of 2 storeys for a fresh water service reservoir and a salt water service reservoir;
- (i) Amendment Item G (about 2.73 ha) involved rezoning of an area at the upper end of MOST Road from “GB” to “Residential (Group B)6” (“R(B)6”) with a maximum PR of 3.6 and a maximum BH of about 250mPD mainly for private housing development; and
- (j) Amendment Item H (about 0.49 ha) involved rezoning of an area along Mui Tsz Lam Road to the south of Chevalier Garden from “GB” to “Other Specified Use” annotated “Sewage Treatment Works” to rationalize the whole development boundary of the Sha Tin Cavern Sewage Treatment Works.

Proposed Amendment to the Notes and Explanatory Statement (ES) of the OZP

- (k) corresponding revisions to the Notes and ES had been proposed to take into account the proposed amendments and to follow the revised Master Schedule of Notes to Statutory Plans promulgated by the Board;

Technical Assessments

- (l) an EFS with technical assessments had been conducted by CEDD to assess the potential impacts arising from the seven proposed housing and GIC sites on traffic, environmental, water supply, drainage, sewerage, landscape, visual, air ventilation and other aspects. According to the findings, there was no insurmountable technical problem for development of the seven proposed housing and GIC sites;

GIC Facilities and Open Space

- (m) the existing and planned provision of GIC facilities and open space were generally adequate to meet the demand of the overall planned population in accordance with the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG);
- (n) according to HKPSG, there would be shortfalls in the area in community care services facilities, residential care homes for the elderly (RCHE) and child care centres in the area. Relevant facilities had been incorporated into the proposed public and private housing developments. The actual provision would be subject to the consideration of the Social Welfare Department (SWD) in the planning and development process as appropriate;

20. Ms Jessica H.F. Chu, DPO/STN, also briefed Members on the consultation with the local communities. CEDD and PlanD jointly consulted the Sai Kung North Rural Committee (SKNRC) on 23.6.2020, the Development and Housing Committee (DHC) of the Sha Tin District Council (STDC) on 30.6.2020 and 3.7.2020, and the Planning, Housing and Works Committee (PHWC) of the Tai Po District Council (TPDC) on 14.7.2020 on the findings of the EFS and the proposed amendments to the Ma On Shan OZP. At the request of a STDC member, a meeting with the representatives of Ma On Shan Tsuen was held on 13.7.2020. Their main concerns were detailed in paragraph 11 of the Paper. DHC of STDC and PHWC of TPDC passed motions objecting to Amendment Items C to G and Amendment Items A and B1 respectively.

21. As the presentation by PlanD's representative had been completed, the Chairman invited questions from Members.

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

Development Intensity

- (a) whether the proposed PR for the public and private housing developments, in particular the private housing development at Site G which was located at some distance from the town centre area was appropriate and comparable to other housing developments in Ma On Shan area;
- (b) whether Sites A and B1 could be linked up to maximize the site efficiency for development, and whether the area of both sites could be further enlarged to provide additional gross floor area;
- (c) whether the rezoning exercise would cause any impact on the function of "GB" zone, and whether there were other "GB" sites in the area that had been identified for rezoning in the next stage;

Traffic Aspect

- (d) noting that there was grave concern from district council members on the adverse traffic impact arising from the proposed housing developments, whether the proposed traffic improvement works were sufficient to cater to the increase in traffic flow;

Environmental and Ecological Aspects

- (e) whether ecological impact assessment (EcoIA) had been conducted in support of the proposed developments, and whether any species of conservation interest had been identified in the area;
- (f) details of Wildlife Crossing System Plan at MOST Road which was

mentioned in the Paper;

- (g) noting that about 2,780 trees would be removed and about 2,900 new trees were proposed in the compensatory planting under the current proposal to achieve a ratio of at least 1:1 in terms of number, whether the replanted trees had included the trees in the woodland compensation area;
- (h) whether temporary access road would be constructed during the construction stage, and whether such construction works had been included in the environmental studies;
- (i) whether the proposed developments would constitute a designated project under the Environmental Impact Assessment Ordinance (EIAO);

GIC Provision

- (j) noting that there would be shortfall of RCHE in the area, why the Integrated Family Service Centre, instead of RCHE, was proposed in Site D;
- (k) noting that a site was reserved for a primary school, whether the provision standard of schools was on a district/cluster basis; and

Heritage Aspect

- (l) whether the proposed developments would have impact on the existing heritage resources, and what the condition of the heritage resources in the vicinity of the development sites was.

23. In response, Ms Jessica H.F. Chu, DPO/STN, PlanD, and Mr Gabriel Woo, PTL/H, CEDD, made the following main points:

Development Intensity

- (a) the PR of the existing developments in Ma On Shan ranged from 1 to 5 generally descending from the town centre towards the waterfront to the north. As announced in the 2014 Policy Address, the government considered that except for the north of Hong Kong Island and Kowloon Peninsula, it was feasible to generally increase the maximum domestic PR by around 20% as appropriate in order to optimize land use. Furthermore, in view of the increasing acute demand for public housing, the Executive Council agreed in December 2018 to allow further increase of domestic PR for public housing sites by 10% (i.e. up to 30% in total) where technically feasible. Taking into account the policy directive and with due consideration of traffic and infrastructural capacity, the domestic PR of 6.5 and 3.6 were proposed for the public and private housing developments respectively, notwithstanding that the proposed housing sites were located at the fringe of the New Town. The current rezoning proposal for public housing sites had the highest PR amongst the existing public housing developments in the Ma On Shan area. The proposed private housing development with a PR of 3.6 at Site G was comparable to the medium-density development in the Ma On Shan town centre area;

- (b) the boundaries of Sites A and B1 were limited by the ‘village environs’ (‘VE’) of the Cheung Muk Tau Village to the north and the Permitted Burial Ground to the south. Extensions of the sites were also constrained by the 7.3m wide single 2-lane carriageway reserved to serve the future development to the north of Sites A and B1. Furthermore, there was a knoll situated between the two sites. To improve the permeability and air ventilation, a building separation of about 130m was proposed between Sites A and B1. The current site boundaries had already been maximized;

- (c) the “GB” zone in the area provided a buffer between built-up areas and the adjacent Ma On Shan Site of Special Scientific Interest and Ma On Shan Country Park, which were designated in 1976 and 1979 respectively. The subject sites were located at the fringe of the “GB” zone. Upon the

rezoning exercise, the overall area of “GB” zone on Ma On Shan OZP would be reduced from 405 ha to 394 ha (from about 49% to 48.4% of the Planning Scheme Area). There were no other “GB” sites identified for rezoning at the moment;

Traffic Aspect

- (d) a Preliminary Traffic and Transport Impact Assessment (PTTIA), covering the whole Ma On Shan area, had been conducted to assess the traffic and transport impact arising from the proposed housing developments. With the implementation of the proposed improvement works, including (i) provision of a new 7.3m wide single 2-lane carriageway to Sites A and B1; (ii) re-aligning and upgrading of the existing MOST Road to a 7.9m/7.3m wide single 2-lane carriageway; (iii) provision of new on-street lay-bys for bus/Green Minibus/taxi to cater to extra public transport services; (iv) implementing road improvement works on critical junctions including altering Chak Cheung Street/Science Park Road roundabout to a signalized-controlled junction, enhancing the method of control at the junction of Sai Sha Road/Kam Ying Road by providing an additional traffic island, widening the approaching arms to the junction of Sai Sha Road/Nin Wah Road/Nin Fung Road, and widening the exit arm at the junction of MOST Road and Hang Hong Street; and (v) widening a section of Tate’s Cairn Highway (South of Ma On Shan Road) from three lanes to four lanes, except for the Tate’s Cairn Highway across Shing Mun River (i.e. T6 Bridge) where traffic queue might occur at AM peak, it was anticipated that the proposed developments would not induce insurmountable problem to the traffic network from traffic point of view. For T6 bridge, the Government would investigate the improvement measures and would consult the public in due course. Furthermore, the on-going widening of Tai Po Road (Sha Tin Section) and the planned Trunk Road T4 would also improve the traffic conditions in the area;

Environmental and Ecological Aspects

- (e) an EcoIA for the proposed housing sites and their surrounding areas had been conducted to assess the ecological impact. The ecological value was relatively low as compared with the Ma On Shan Country Park located further uphill. Together with the implementation of the proposed mitigation measures and good site management, the overall ecological impact was considered insignificant;
- (f) the proposed upgrading works of MOST Road would be mainly confined to the existing road to minimize the adverse ecological impact as far as practicable. As advised by the Agriculture, Fisheries and Conservation Department (AFCD), Wildlife Crossing System Plan would be adopted at MOST Road to reduce the risk of road kill. The layout and arrangement would be further examined at the detailed design stage for AFCD's agreement;
- (g) to compensate for the loss of woodland, compensatory planting works would be arranged both on-site and off-site where appropriate. Various sizes of compensatory trees would be planted in various locations including the woodland compensation area, with a relatively long establishment period (i.e. 3 to 5 years) to allow time for the trees to grow. The number of replanted trees had included those planted in the woodland compensation areas. Further review and confirmation on the trees to be affected by the proposed developments would be conducted at the investigation and detailed design stage;
- (h) the provision of temporary access road near the MOST Road would be required and all related works would be undertaken within the proposed works area. The potential environmental impact during the construction stage had been taken into account in the Preliminary Environmental Studies (PES);
- (i) it is anticipated that the proposed development would not constitute a

designated project under the EIAO. Subject to a more comprehensive review on the design proposal in the detailed design stage, the Environmental Protection Department (EPD) would be consulted in respect of the implications of the proposed development under the EIAO;

GIC Provision

- (j) the government had adopted a multi-pronged approach to provide social welfare facilities. SWD had been maintaining close communication with departments concerned to identify suitable sites for social welfare facilities. One RCHE would be provided at Yan On Estate. SWD had proposed one RCHE at Site A and an Integrated Family Service Centre at Site D based on the anticipated need of the future households, while the actual provision of the type of facilities would be subject to SWD's review in the planning and development process as appropriate;
- (k) while the provision for schools formulated by the Education Bureau was based on a school net basis, the demand for and supply of primary schools was estimated by PlanD based on the coverage of OZP. For the Ma On Shan OZP, one primary school was required and it was proposed at Site E to serve the additional population in the area; and

Heritage Aspect

- (l) the majority of the heritage resources including Shun Yee San Tsuen (part of Site Structures at Mining Settlement, Ma On Shan Iron Mine (Grade 3 historic buildings)), structures at the 110ML portal (part of Exterior Wall of Mines 110ML and 240ML, Ma On Shan (Grade 2 historic buildings)) and most of the Mineral Preparation Plant structures (Grade 3 historic buildings) would not be affected as they were excluded and separated by a buffer zone from the engineering works areas for the proposed housing developments. Although a pier (part of the Mineral Preparation Plant (Grade 3 historic buildings)) might be affected by the proposed upgrading works of MOST Road according to the preliminary design, effort would be made by CEDD

to minimize the adverse impacts on it as far as practicable at the detailed design stage. Since the closure of the iron mine in 1976, the concerned structures had been abandoned and they were generally in poor conditions.

24. The Chairman then invited Members to give views on the proposed amendments to the Ma On Shan OZP.

25. A Member indicated support to all proposed amendment items, including Amendment Item G, in view of the persistent shortfall in both public and private housing units in Hong Kong. Nothing that the concerned sites were all within “GB” zone instead of country park area, the rezoning sites only accounted for a very small portion of the total area of “GB” zone on the OZP, and the Ma On Shan area was supported by existing and planned infrastructure, it was justified to rezone the sites for provision of more housing units and supporting GIC facilities.

26. Other Members in general supported Amendment Items A, B1, and D which would provide a total of about 6,180 public housing units to meet the pressing need for housing land supply. They considered that Sites A, B1 and D, being located at the fringe of the “GB” zone and in the proximity to existing roads, were suitable sites for public housing developments as technical assessments had been conducted, which showed that there was no insurmountable technical problem for housing developments on those sites. Two Members opined that it would be desirable to have Sites A and B1 be linked up and enlarged to maximize the site efficiency so as to provide more public housing units.

27. In response to a Member’s question on Amendment Item G, Ms Jessica H.F. Chu, DPO/STN said that according to the indicative scheme under the EFS, the proposed private housing development at Site G would provide about 1,040 flats in nine residential towers of about 18 to 27 storeys high. The proposed maximum PR was 3.6 and the maximum BH was 250mPD. The site was located at the upper end of MOST Road and dotted with buildings/structures. A Member noted that the site was located in the midst rather than at the fringe of “GB” zone. Another Member pointed out that the scale of the proposed development with a maximum PR of 3.6 and BH with about 18 to 27 storeys was in fact similar to the medium-density development in the Ma On Shan town centre area, and such development scale was considered not compatible with the surrounding environment at the

upper end of MOST Road. A Member was of the view that adverse visual and environmental impact would be envisaged and rezoning of the site for private development might set an undesirable precedent for similar housing proposal in the “GB” zone. Another Member expressed that in view of the visual concern, consideration could be given to enlarging the site to reduce the BH while maintaining the same development intensity, and that might result in a development were blending into the surrounding environment.

28. A Member asked if there were examples of other rezoning of “GB” sites similar to the site context of Site G. Ms Jessica H.F. Chu, DPO/STN said there was no such example in the Shatin and Tai Po district while she did not have information in hand regarding other districts. Another Member opined that in considering a rezoning proposal of a specific site, it would be important to ensure that the proposal would fit into the overall planning framework of a wider area. A Member said it was understandable that there was a need to identify suitable sites for housing development but there was concern on the overall impact of rezoning more and more “GB” sites. The same Member opined that the government should consider whether there would be a sunset clause for the current policy on rezoning of “GB” sites and maximizing development intensity to the meet the housing demand.

29. Noting that the proposed developments would not constitute a designated project under the EIAO, a Member had concern on the monitoring mechanism over the proposed environmental mitigation measures including the provision of Wildlife Crossing System and woodland compensation. The same Member advised that the government might consider establishing a committee to monitor the implementation of the proposed environmental mitigation measures, similar to the one set up under the Lok Ma Chau Spur Line project. In response, Mr Terence S.W. Tsang, Assistant Director (Environmental Assessment), EPD pointed out that although the proposed developments might not constitute designated projects under the EIAO, the project proponents would still be required to carry out necessary environmental assessments and design the projects in accordance with the Hong Kong Planning Standards and Guidelines and to implement mitigation measures identified therein. For private development, relevant requirements could be included in the lease conditions as appropriate. In response to the same Member’s enquiry on whether detailed tree survey at the development sites had been conducted, Mr Gabriel Woo, PTL/H, CEDD, said that broad brush tree group surveys were conducted in the EFS for the proposed developments, whilst

the individual tree survey would be carried out in the subsequent design and construction stage. The same Member was of the view that the information related to environmental assessment in the subject EFS, as compared with other EFS such as that for the proposed amendments to Tseung Kwan O OZP, was obviously insufficient.

30. Noting that there was strong local objection to the proposed amendment items including that from STDC, during the consultation process, a Member opined that the government should provide some benefit to the local residents to address their concerns, such as provision of more GIC facilities, in order to gain their support. A Member considered that opportunity should be taken to including RCHE in the new housing developments as far as practicable. Another Member suggested that the government should take the opportunity of the rezoning exercise to better preserve the heritage buildings/structures related to the previous mining activities in the vicinity of the rezoning sites.

31. The Chairman summed up Members' discussion and concluded that Members generally supported the proposed amendment items for public housing development (Amendment Items A, B1, and D), had no adverse comments on the proposed amendment items for water pumping station, primary school and service reservoir (Amendment Items C, E and F), and had no objection to Amendment Items B2 and H to reflect an existing road and to rationalize the boundary of the Sha Tin Cavern Sewage Treatment Works. However, some Members raised concerns on Amendment Item G in respect of its relatively high development intensity in the midst of "GB" zone near the Ma On Shan Country Park and the likely precedent effect on other similar proposals in the context of the overall planning framework of the Ma On Shan OZP.

32. The Chairman then sought Member's view on two possible way forward: (a) to proceed with all proposed amendment items for exhibition under section 5 of the Town Planning Ordinance (the Ordinance) for public inspection with a view to obtaining the public's views on the amendment items including Amendment Item G and to confirm or vary the amendments upon consideration of the representations and comments; or (b) to defer exhibition of the proposed amendments under the Ordinance pending the provision of supplementary information in relation to Amendment Item G from relevant government departments on how the rezoning would fit into the overall planning framework of the Ma On Shan OZP and examples of similar rezoning proposals within "GB" zone in other areas for

the Committee's consideration.

33. A Member opined that the government should take forward all proposed amendments, and considered that Amendment Item G would not set an undesirable precedent. The rezoning should proceed in view of the pressing demand for both public and private housing. Some Members, however, considered that the Committee should defer a decision on Amendment Item G pending submission of supplementary information for the Committee's consideration.

34. After deliberation, the Committee agreed that the proposed Amendment Items A, B1, B2, C, D, E, F and H to the approved Ma On Shan OZP No. S/MOS/22 as shown on the draft Ma On Shan OZP No. S/MOS/22A at Attachment II and its Notes at Attachment III were suitable for exhibition for public inspection under section 5 of the Ordinance, while the Committee decided to defer a decision on the proposed Amendment Item G pending submission of supplementary information from relevant government departments on how the proposed development at Site G would fit into the overall planning framework of the Ma On Shan OZP and examples of similar rezoning proposals within "GB" zones in other areas for its consideration. The Committee also decided to defer exhibition of the proposed amendments to the approved Ma On Shan OZP No. S/MOS/22 for public inspection under the Ordinance pending a decision on the proposed Amendment Item G.

[The Chairman thanked Ms Jessica H.F. Chu, DPO/STN, Ms Hannah H.N. Yick, STP/STN, Mr Ardian H.C. Lee, TP/STN, Mr Gabriel Woo, PTL/H, CEDD, Mr Patrick Cheng, SE/2, CEDD, Mr Jack Lui, E/3, CEDD, Ms Elim Wong, SPO/6, HD (Atg), Ms Amy Ho, SA/20, HD, Mr Edwin Lo, Ms Eunice Lee, Mr Tony Lee and Mr Y.H. Liu, for their attendance to answer Members' enquiries. They left the meeting at this point.]

[A short break of 5 minutes was taken at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting]

A/ST/982 Proposed Shop and Services\ Eating Place\ Motor-vehicle Showroom on Ground Floor\ Art Studio\ Information Technology and Telecommunications Industries\ Office\ Research, Design and Development Centre (Wholesale Conversion of Existing Industrial Building) in “Industrial (1)” Zone, Nos. 8-14 Siu Lek Yuen Road, Sha Tin (Sha Tin Town Lot Nos. 196 & 276)
(RNTPC Paper No. A/ST/982A)

35. The Secretary reported that T.K. Tsui & Associates Limited (TKTAL) was one of the consultants of the applicant. Mr K.K. Cheung had declared an interest on the item as his firm had current business dealings with TKTAL.

36. 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.

37. The Committee noted that the applicant’s representative requested on 6.8.2020 deferment of consideration of the application for a period of two months so as to allow time to prepare further information in response to 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.

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

Agenda Item 8

Section 16 Application

[Open Meeting]

A/NE-KLH/578 Proposed Public Utility Installation (Solar Energy System) in
“Agriculture” Zone, Lot 95 in D.D. 16, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-KLH/578A)

39. The Committee noted that the applicant requested on 28.7.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to support the application. It was the first time that the applicant requested deferment of the application.

40. 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 9

Section 16 Application

[Open Meeting]

A/NE-TK/687 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Filling of Land in “Agriculture” Zone and an area shown as ‘Road’, Lots 222 RP (Part), 223 RP, 224, 225, 226, 227 RP (Part), 228 (Part), 245 S.A, 251, 252, 253 RP, 254 RP in D.D. 17, Ting Kok, Tai Po
(RNTPC Paper No. A/NE-TK/687)

41. The Committee noted that the applicant’s representative requested on 6.8.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

42. 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 10

Section 16 Application

[Open Meeting]

A/NE-LYT/730 Proposed Temporary Recyclable Collection Centre with Ancillary Office for a Period of 3 Years in “Residential (Group C)” Zone, Lots 870 RP (Part), 871 (Part) and 2141 RP (Part) in D.D. 83, Ma Liu Shui San Tsuen, Fanling
(RNTPC Paper No. A/NE-LYT/730)

43. The Committee noted that the applicant’s representative requested on 10.8.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 11

Section 16 Application

[Open Meeting]

A/NE-WKS/14 Proposed Public Utility Installation (Telecommunications Radio Base Station and Antenna) and Excavation of Land in “Green Belt” Zone, Government Land in D.D. 79, Lung Mei Teng, Ta Kwu Ling
(RNTPC Paper No. A/NE-WKS/14)

45. The Secretary reported that the application was submitted by China Mobile Hong Kong Co. Ltd. (CMHK). Mr K.K. Cheung had declared an interest for his firm having current business dealings with CMHK.

46. 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.

47. The Committee noted that the applicant’s representative requested on 12.8.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

48. 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.

- (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. Whilst the proposed development was not in line with the planning intention of the “Green Belt” (“GB”) zone, it generally complied with the assessment criteria of the Town Planning Board Guidelines No. 10 in that the proposed NTEH development was in close proximity to an existing village and in keeping with the surrounding uses, and was to meet the demand from an indigenous villager. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, the site was entirely within the village ‘environ’ of Tsung Pak Long Village. There was sufficient land within the subject “Village Type Development” (“V”) zone to meet the 53 outstanding Small House applications, though the 10-year Small House demand forecast could not be fully met. Nevertheless, the Site was the subject of a previously approved planning application No. A/FSS/243 for the same use submitted by the same applicant. As advised by the Lands Department, there was a Small House grant application at the site approved in principle by his office in October 2018 pending execution of licence document. Since the processing of the Small House grant was already at an advanced stage, according to the Interim Criteria, sympathetic consideration might be given to application for Small House with planning permission lapsed. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

50. Members had no question on the application.

Deliberation Session

51. 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 21.8.2024, 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 provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB; and
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/283 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Lot 1644 S.C in D.D. 112, Shui Tsan Tin, Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/283)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary place of recreation, sports or culture (hobby farm) for a period of five years and filling of land;
- (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, 49 public

comments from two Village Representatives, Village Committee Chairperson and 43 residents of Shui Tsan Tin Tsuen, Hong Kong Bird Watching Society and two individuals objecting to the application were received. Major grounds of objection were set out in paragraph 10 of the Paper;

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for five years based on the assessments set out in paragraph 11 of the Paper. The proposed use was generally not in conflict with the planning intention of the “Agriculture” (“AGR”) zone, and the majority of the Site (about 92%) would not involve filling of land and would remain unpaved for farmland and footpath. The Director of Agriculture, Fisheries and Conservation had no strong view on the application from the agricultural point of view. Approval of the application on a temporary basis for a period of five years would not frustrate the long-term planning intention of the “AGR” zone. Concerned government departments had no adverse comments on or no objection to the application. Appropriate approval conditions were recommended to minimise the potential environmental impacts on the surrounding areas and address the technical requirements of the concerned departments. There were two similar applications submitted by the same applicant of the current application approved by the Committee and approval of this application was in line with the previous decisions of the Committee. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

54. Members had no question on the application.

Deliberation Session

55. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 21.8.2025, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the Site at any time during the planning approval period;
- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.2.2021;
- (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 21.5.2021;
- (e) in relation to (d) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (f) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 21.2.2021;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 21.5.2021;
- (h) if any of the above planning condition (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 without further notice;
- (i) if any of the above planning condition (c), (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

- (j) upon 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.”

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

Agenda Items 14 and 15

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/702 Temporary Eating Place (Outside Seating Accommodation) for a Period of 3 Years in “Village Type Development” Zone, Lot 216 S.U (Part) in D.D. 103, Yuen Long
(RNTPC Paper No. A/YL-KTN/702 and 703A)

A/YL-KTN/703 Temporary Eating Place (Outside Seating Accommodation) for a Period of 3 Years in “Village Type Development” Zone, Lot 216 S.A ss. 1 RP (Part) in D.D. 103, Yuen Long
(RNTPC Paper No. A/YL-KTN/702 and 703A)

57. The Committee noted that the applied use for the two applications was the same (outside seating accommodation (OSA)) and the application sites were located in close vicinity within the same “Village Type Development” (“V”) zone, and agreed that they could be considered together.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the temporary eating place (outside seating accommodation (OSA)) for a period of three years at each of the sites;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Papers. The subject OSAs were extension to existing eating places on the ground floor of NTEHs. The applied uses were considered not entirely in line with the planning intention of the “Village Type Development” (“V”) zone. Nevertheless, the Lands Department advised that there was no Small House application approved or under processing at the sites. Approval of the applications on a temporary basis for three years would not jeopardize the long-term planning intention of the “V” zone. The developments were considered not incompatible with the surrounding land uses. The applications were generally in line with the Town Planning Board Guidelines No. 15A in that the developments were located at the fringe of the “V” zone and residential cluster of Ko Po Tsuen. The sites were also readily accessible from Ying Ho Road via a very short local track and would unlikely cause inconvenience to the residents nearby. Concerned government departments had no objection to or no adverse comment on the applications. Appropriate approval conditions were recommended to minimise the potential environmental impacts on the surrounding areas and address the technical requirements of the concerned departments. Since six similar applications for eating place (OSA) (with or without shop and services/ancillary parking spaces) in the same “V” zone were approved with conditions by the Committee between 2011 and 2020, approval of the current two applications were in line with the previous decisions of the Committee.

59. Members had no question on the applications.

Deliberation Session

60. After deliberation, the Committee decided to approve the applications on a temporary basis for a period of 3 years until 21.8.2023, each on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 10:00 p.m. and 11:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) 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 21.2.2021;
- (c) in relation to (b) 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 21.5.2021;
- (d) in relation to (c) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (e) 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 21.2.2021;
- (f) in relation to (e) 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 21.5.2021;
- (g) if any of the above planning condition (a) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning condition (b), (c), (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.”

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

Agenda Item 16

Section 16 Application

[Open Meeting]

A/YL-KTN/719 Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 5 Years in “Village Type Development” Zone, Lots 554 S.A, 555 S.A ss.1, 1435 S.A and 1451 (Part) in D.D. 109, Kam Tin, Yuen Long

(RNTPC Paper No. A/YL-KTN/719)

62. The Committee noted that the applicant’s representative requested on 14.8.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/720 Renewal of Planning Approval for Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lots 3 S.D and 8 S.K in D.D. 110, Tai Kong Po, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/720)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) renewal of planning approval for temporary place of recreation, sports or culture (hobby farm);
- (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, two public comments from individuals objecting to the application were received. Major objection grounds were set out in paragraph 11 of the Paper;
- (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 application was in line with the Town Planning Board Guidelines No. 34C in that there had been no major change in planning circumstances since the last approval. Concerned government departments had no adverse comments on or no objection to the application. Appropriate approval conditions were recommended to minimise the potential

environmental impacts on the surrounding areas and address the technical requirements of the concerned departments. Approval of the application was in line with the previous decisions of the Committee. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

65. Members had no question on the application.

Deliberation Session

66. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 9.9.2020 to 8.9.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 10:00 p.m. and 7:00 a.m., as proposed by the applicants, is allowed on the Site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the Site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (e) the submission of a 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 9.12.2020;
- (f) the existing fire service installations implemented on the Site shall be

maintained in efficient working order at all times during the planning approval period;

- (g) if any of the above planning condition (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;
- (h) if the above planning condition (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
- (i) 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.”

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

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/853 Temporary Open Storage of Construction Machinery, Materials, Equipment and Containers with Ancillary Office for a Period of 3 Years in “Agriculture” Zone, Lots 504 RP and 512 S.A - S.E in D.D. 113, Kam Tin South, Yuen Long
(RNTPC Paper No. A/YL-KTS/853)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary open storage of construction machinery, materials, equipment and containers with ancillary office 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, six public comments from Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited, World Wide Fund for Nature Hong Kong and individuals objecting to the application were received. Major grounds of objection were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone. The Director of Agriculture, Fisheries and Conservation did not support the application from the agricultural point of view as the site possessed potential for agricultural rehabilitation. No strong planning justification had been given in the submission to justify a departure from the planning intention, even on a temporary basis. The development was not in line with the Town Planning Board Guidelines No. 13F in that there was no previous approval for open storage use granted at the site and there were adverse departmental comments on the application. The Director of Environmental Protection did not support the application as there were sensitive receivers, i.e. residential dwellings/structures in the vicinity of the site and the development involved the use of heavy vehicles, and hence environmental nuisance was expected. The Chief Town Planner/Urban Design & Landscape, Planning Department had reservation on the application as approval of the application would set an undesirable precedent of unauthorized site alteration within the area. Approval of the application would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such similar

applications would result in a general degradation of the rural environment of the area. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

69. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. This zone is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the application does not comply with the Town Planning Board PG-No. 13F in that there is no previous approval granted at the Site and there are adverse departmental comments on the application; and
- (c) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such similar applications would result in a general degradation of the rural environment of the area.”

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/298 Temporary Shop and Services (Real Estate Agency) for a Period of 3
Years in “Open Space” Zone, Lot 2873 in D.D. 104, Mai Po, Yuen
Long
(RNTPC Paper No. A/YL-MP/298)

71. The Secretary reported that the application site was located in Mai Po. Mr K.W. Leung had declared an interest for owning a property in Mai Po.

72. 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.

Presentation and Question Sessions

73. 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) temporary shop and services (real estate agency) for a period of 3 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, three public comments from San Tin Rural Committee and individuals objecting to the application were received. Major grounds of objection were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper.

Although the applied use was not entirely in line with the planning intention of the “Open Space” (“O”) zone, there was no development programme for implementing the proposed open space at present, as advised by the Director of Leisure and Cultural Services. Approval of the application on a temporary basis would not frustrate the long term planning intention of the “O” zone. The applied use was considered not incompatible with the surrounding land uses. Although the site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No. 12C, the Director of Agriculture, Fisheries and Conservation had no comment on the application. Other concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. The site was the subject of 11 previous applications approved for similar/same uses and approval of the current application was in line with the previous decisions of the Committee. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

74. Members had no question on the application.

Deliberation Session

75. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.8.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 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) the existing fencing on the Site should be maintained at all times during the planning approval period;
- (c) the existing trees and vegetation on the Site should be maintained at all times during the 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 implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (f) the submission of an as-built drainage plan and photographic records of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.11.2020;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 21.2.2021;
- (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 Director of Fire Services or of the TPB by 21.5.2021;
- (i) if any of the above planning condition (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning condition (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.”

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

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/406 Proposed Flats in “Green Belt” Zone, Lot 127 (Part) in D.D. 104, Ngau
Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/406)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed flats;
- (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, 42 public comments from San Tin Rural Committee, World Wide Fund for Nature Hong Kong, Hong Kong Bird Watching Society, Kadoorie Farm & Botanic Garden Corporation, Designing Hong Kong Limited, and individuals including local villagers were received objecting to the application. Major grounds of objection were set out in paragraph 11 of the Paper;
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. According to the Town Planning Board Guidelines No. 10, development in the “Green Belt” (“GB”) zone would only be considered in exceptional circumstances and must be justified with very strong planning grounds. The proposed development at the site was not in line with the planning intention of the “GB” zone and the Guidelines. The applicant had not

provided strong justification to warrant a departure from the planning intention of the “GB” zone. The site was amid a large “GB” zone with dense vegetation to the east of the site, and some agricultural uses, residential dwellings, vacant and unused land in the surrounding areas. The Chief Town Planner/Urban Design & Landscape, PlanD, had reservation on the application from landscape planning perspective. There was no previous planning approval for house/flat development within the “GB” zone. Approval of the application would set an undesirable precedent for similar applications within the “GB” zone, and the cumulative effect of which would result in a general degradation of the environment of the “GB” zone. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

78. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone, which is to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) the approval of the application will set an undesirable precedent for similar applications within the “GB” zone. The cumulative effect of approving such similar applications would result in general degradation of the environment of the area.”

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/407 Proposed Temporary Eating Place (Restaurant) for a Period of 3 Years in “Residential (Group C)” Zone, Lots 1402, 1403 and 1405 in D.D. 105, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/407)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary eating place (restaurant) 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 periods, 10 public comments from individuals 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 had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed temporary restaurant was not entirely in line with the planning intention of the “Residential (Group C)” (“R(C)”) zone, approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “R(C)” zone as there was no immediate permanent development proposal for the site. The proposed development was not incompatible with the surrounding land uses. The site was located at the fringe of the “R(C)” zone with access

connection to San Tam Road and Ko Hang Road. In view of the nature and small scale of the proposed temporary restaurant, it would unlikely cause adverse traffic, nature conservation, environmental, drainage and landscape impacts on the area. Concerned government departments had no objection to or no adverse comment on the application. Appropriate approval conditions were recommended to minimise the potential environmental impacts on the surrounding areas and address the technical requirements of the concerned departments. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

81. Members had no question on the application.

Deliberation Session

82. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.8.2023, 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 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 21.2.2021;
- (c) in relation to (b) 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 21.5.2021;
- (d) the drainage facilities implemented for the development on the Site should be maintained properly at all times during the planning approval period;
- (e) 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 21.2.2021;

- (f) in relation to (e) 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 21.5.2021;
- (g) if any of the above planning conditions (a) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning conditions (b), (c), (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.”

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

Agenda Item 22

Section 16 Application

[Open Meeting]

A/YL-ST/576 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Green Belt” Zone, Lots 762, 764, 765, 766 and 767 in D.D. 96 and Adjoining Government Land, Ma Tso Lung, San Tin, Yuen Long

(RNTPC Paper No. A/YL-ST/576)

84. The Committee noted that the applicant’s representative requested on 3.8.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

85. 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 Patrick M.Y. Fung, Ms Ivy C.W. Wong and Ms Emily P.W. Tong, STPs/FSYLE, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Tuen Mun and Yuen Long West District

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

Agenda Item 23

Section 16 Application

[Open Meeting]

A/TM/551 Temporary Shop and Services for a Period of 4 Years in "Other Specified Uses" annotated "Business" Zone, Workshop No. 194, G/F, Hang Wai Industrial Centre, 6 Kin Tai Street, Tuen Mun
(RNTPC Paper No. A/TM/551)

86. The Committee noted that the applicant requested on 13.8.2020 deferment of consideration of the application for two months so as to allow time for preparation of further

information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTYYY/383 Proposed Residential Development (House) in "Comprehensive Development Area" Zone, Lot 2883 in D.D. 130, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTYYY/383)

Presentation and Question Sessions

88. 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) proposed residential development (house);
- (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, 125 public comments were received, with 102 submitted by individuals and a company supporting the application, and 23 submitted by a member of the Tuen Mun District Council, representatives of To Yuen Wai and Nai Wai, the management company of the Botania Villa, residents of Tuen Mun San Tsuen and other individuals raising objection to/expressing concern on 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 the “Comprehensive Development Area” (“CDA”) zone and complied with the development restrictions on the outline zoning plan. The proposed development at the site would not adversely affect the comprehensiveness of the subject “CDA” zone and was considered not incompatible with the surrounding area which was mainly dominated by residential use with planned comprehensive development to its immediate east (application No. A/TM-LTYT/249). Relevant technical assessments, including Environmental Assessment, Drainage Impact Assessment, Sewerage Impact Assessment and Traffic Impact Assessment together with a Master Layout Plan and tree preservation and landscape proposal including a Landscape Master Plan had been submitted in support of the application. Concerned government departments had no adverse comments on or no objection to the application. Regarding the adverse 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 the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 21.8.2024, 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 (h) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a revised Landscape Master Plan to the satisfaction of the Director of Planning or of the TPB;
- (c) the submission of a revised Traffic Impact Assessment and the implementation of the mitigation measures identified therein to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the design and provision of parking and loading/unloading spaces to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the design and provision of vehicular access for the proposed development to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB;
- (f) the submission of a Noise Impact Assessment and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Environment Protection or of the TPB;
- (g) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (h) the submission of a sewerage proposal and the implementation of the sewerage modification works identified therein to the satisfaction of the Director of Drainage Services 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 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/399 Temporary Public Vehicle Park (Private Cars Only) for a Period of 3 Years in “Residential (Group C)” Zone, Lot 827 RP (Part) in D.D. 130, Fuk Hang Tsuen, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/399)

Presentation and Question Sessions

92. 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) temporary public vehicle park (private cars only) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication periods, three public comments from the management company of the Botania Villa and individuals expressing views/concerns on the application were received. Major views were set out in paragraph 10 of the Paper;
- (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 development was not entirely in line with the planning intention of the “Residential (Group C)” (“R(C)”) zone, the development could provide car parking spaces to serve any such demand in the area and there was no known development programme of the site. Approval of the application on a temporary basis would not jeopardize the long-term

planning intention of the “R(C)” zone. The site was mainly surrounded by workshop, parking of vehicles, office, storage yards and residential dwellings and the applied use was not incompatible with the surrounding land uses. Concerned government departments had no adverse comments on or no objection to the application. Appropriate approval conditions were recommended to minimise the potential environmental impacts on the surrounding areas and address the technical requirements of the concerned departments. Four previous applications for the same use at the site were approved by the Committee and 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.

93. Members had no question on the application.

Deliberation Session

94. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.8.2023, 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) 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 only private cars as defined in the Road Traffic Ordinance are allowed to be parked/stored on the Site at all times during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on the Site at

any time during the planning approval period;

- (e) no right turn of vehicles into Fuk Hang Tsuen Road towards Castle Peak Road - Lam Tei, as proposed by the applicant, upon leaving the Site is allowed at any time during the planning approval period;
- (f) a 'Turn Left' traffic sign shall be erected at the junction of the access road with Fuk Hang Tsuen Road, as proposed by the applicant, at all times during the planning approval period;
- (g) no vehicle repair, 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;
- (h) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (i) the existing screen planting including trees and shrubs on the Site shall be maintained at all times during the planning approval period;
- (j) the submission of a run-in/out proposal 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 21.2.2021;
- (k) in relation to (j) above, the implementation of the run-in/out proposal 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 21.5.2021;
- (l) 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 21.11.2020;
- (m) in relation to (l) above, the implemented drainage facilities shall be

maintained at all times during the planning approval period;

- (n) 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 21.2.2021;
- (o) in relation to (n) 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 21.5.2021;
- (p) the existing boundary fencing shall be maintained at all times during the planning approval period;
- (q) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h), (i), (m) or (p) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (r) if any of the above planning conditions (j), (k), (l), (n) or (o) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 26

Section 16 Application

[Open Meeting]

A/TM-LTYYY/403 Proposed Temporary Shop and Services for a Period of 5 Years in
“Residential (Group B) 2” Zone, Lot 3055 in D.D. 124, Wo Ping San
Tsuen, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/TM-LTYYY/403)

96. The Committee noted that the applicant’s representative requested on 30.7.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/610 Temporary Eating Place and Shop and Services for a Period of 3 Years
in “Village Type Development” Zone, Lot 357 in D.D. 122, Ping Shan,
Yuen Long
(RNTPC Paper No. A/YL-PS/610)

Presentation and Question Sessions

98. 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) temporary eating place and shop and services 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, two public comments from individuals objecting to the application 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. Although the applied use was not in line with the planning intention of the “Village Type Development” (“V”) zone, the proposal was intended to serve the local residents and could meet any such demand in the area. According to the Lands Department, there was no Small House application approved or under processing at the site. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “V” zone. The site was located at the fringe of the “V” zone mainly

surrounded by residential dwellings, parking of vehicles, declared monument and Tin Shui Wai West Rail Station. The development under application was not incompatible with the surrounding land uses. The application was generally in line with the Town Planning Board Guidelines No. 15A in that eating place use in the “V” zone should not create any environmental nuisance or cause inconvenience to the residents nearby and should not have adverse traffic, drainage, sewerage or fire safety impacts on its surrounding areas. Concerned government departments had no objection to or no adverse comment on the application. Appropriate approval conditions were recommended to minimise the potential environmental impacts on the surrounding areas and address the technical requirements of the concerned departments. As one previous application for eating place and two similar applications for shop and services use had been approved in the same “V” zone, approval of the current application was in line with the Committee’s previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

99. Members had no question on the application.

Deliberation Session

100. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.8.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 10:00 a.m. for the shop and services, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation between 11:00 p.m. and 4:00 p.m. for the eating place, as proposed by the applicant, is allowed on the Site during the planning approval period;

- (c) no operation on Mondays for the eating place, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (d) 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 21.2.2021;
- (e) in relation to (d) 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 21.5.2021;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.2.2021;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.5.2021;
- (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) if 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
- (j) if any of the above planning conditions (d), (e), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 28

Section 16 Application

[Open Meeting]

A/YL- LFS/366 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Green Belt” Zone, Lots 626, 710 and 712 in D.D. 129 and adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/366)

102. The Committee noted that the applicant’s representative requested on 12.8.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

103. 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 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PN/61 Proposed Filling of Land for Permitted Agricultural Use (Except Plant Nursery) in “Coastal Protection Area” Zone, Lot 47 in D.D.135, Nim Wan Road, Sheung Pak Nai, Yuen Long
(RNTPC Paper No. A/YL-PN/61)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed filling of land for permitted agricultural use (except plant nursery);
- (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, four public comments from the Hong Kong Bird Watching Society, World Wide Fund for Nature Hong Kong, 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 filling of land was not in line with the planning intention of the “Coastal Protection Area” (“CPA”) zone, and there was no strong planning justification in the submission for a departure from such planning intention. The applicant had not provided strong justification in the

submission on why paving of tiles was required for site formation for the erection of greenhouses. The extensive paving area was not compatible with the surrounding natural environment. The Chief Town Planner/Urban Design & Landscape, PlanD had reservation on the application from the landscape planning perspective. There was no previous application within the site nor similar application within the “CPA” zone on the outline zoning plan. Approval of the application would set an undesirable precedent for similar applications within the “CPA” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

105. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed land filling is not in line with the planning intention of the “Coastal Protection Area” (“CPA”) zone, which is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment with a minimum of built development. There is no strong planning justification in the submission for a departure from such planning intention, and the applicant fails to justify the need for land filling; and
- (b) approval of the application would set an undesirable precedent for similar applications within the “CPA” zone, the cumulative effect of which will result in a general degradation of the rural environment of the area.”

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PN/62 Renewal of Planning Approval for Temporary Recreation Use (Fishing Ground) for a Period of 3 Years in “Coastal Protection Area” Zone and area shown as ‘Road’, Lot 19 in D.D.135 and adjoining Government Land, Nim Wan Road, Sheung Pak Nai, Yuen Long
(RNTPC Paper No. A/YL-PN/62)

Presentation and Question Sessions

107. 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) renewal of planning approval for temporary recreation use (fishing ground) 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 objecting to the application was received. Major objection grounds were set out in paragraph 11 of the Paper;
- (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 application was generally in line with the Town Planning Board Guidelines No. 34C in that there had been no material change in planning circumstances since the granting of the previous approval, the applicant had complied with all the approval conditions, and the 3-year approval period sought was of the same time frame as the previous approval. Concerned

government departments had no adverse comments on or no objection to the application. Appropriate approval conditions were recommended to minimise the potential environmental impacts on the surrounding areas and address the technical requirements of the concerned departments. Approval of the application was in line with the previous decisions of the Committee. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

108. Members had no question on the application.

Deliberation Session

109. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 9.9.2020 to 8.9.2023, 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 vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (d) the submission of a condition record of 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 9.12.2020;
- (e) all existing trees on the Site shall be maintained in good condition at all times during the planning approval period;

- (f) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.3.2021;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.6.2021;
- (h) if any of the above planning conditions (a), (b), (c) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning conditions (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.”

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

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/503 Filling of Land for Permitted Agricultural Use (Apiary) in “Green Belt” Zone, Lots 1391 and 1393 in D. D. 117, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/503)

Presentation and Question Sessions

111. 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) filling of land for permitted agricultural use (apiary);
- (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, three public comments from the Kadoorie Farm and Botanic Garden, World Wide Fund for Nature Hong Kong and an individual objecting to the application were received. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The filling of land was not in line with the planning intention of the “Green Belt” (“GB”) zone, and there was no strong planning justification in the submission for a departure from such planning intention. The applicant had not provided strong justifications to substantiate why hard paving the entire site by concrete was needed to facilitate the proposed apiary. The Chief Town Planner/Urban Design and Landscape, PlanD had reservations on the application from landscape planning perspective as the vegetated area within the site had been cleared and filling of land had taken place over the years. Approval of the application would set an undesirable precedent to encourage other similar applications to carry out vegetation clearance and site formation works prior to obtaining planning permission. The subject filling of land was thus generally not in line with the Town Planning Board Guidelines No. 10. There was no previous application within the site nor similar applications for filling of land within the subject “GB” zone. Approval of the application would set an undesirable precedent for similar applications within the “GB” zone. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

112. Members had no question on the application.

Deliberation Session

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

- “(a) the filling of land is not in line with the planning intention of the “Green Belt” (“GB”) zone, which is primarily to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is no strong planning justification in the submission for a departure from such planning intention and the applicant also fails to justify the need for land filling; and
- (b) approval of the application would set an undesirable precedent for similar applications within the “GB” zone, the cumulative effect of which will result in a general degradation of the rural environment of the area.”

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1041 Temporary Warehouse for Storage of Home Appliance and Furniture for a Period of 3 Years in “Other Specified Uses” annotated “Sewage Treatment Works” Zone, Lots 1937 (Part), 1945 (Part), 1946 (Part), 1947 (Part), 1948, 1954 (Part), 1955, 1956 (Part) and 1957 (Part) in D.D. 117 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long

(RNTPC Paper No. A/YL-TYST/1041)

Presentation and Question Sessions

114. 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) temporary warehouse for storage of home appliance and furniture 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 periods, three public comments from a member of Yuen Long District Council and individuals 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 considered that the temporary warehouse for storage of home appliance and furniture could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the development was not in line with the planning intention of the “Other Specified Use” annotated “Sewage Treatment Works” (“OU(STW)”) zone, the Project Manager (West), Civil Engineering and Development Department had no objection to the proposed temporary use for three years as the site was not expected to be resumed within the next three years for Stage 2 Phase 2 Yuen Long South Development. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the site. The surrounding areas comprised predominantly warehouses and open storage/storage yards. Although there was a residential structure nearby, the development was generally not incompatible with the surrounding uses. DEP did not support the application as there were sensitive receivers of residential use in the vicinity of the site. However, there had been no environmental complaint concerning the site received in the past three years. Appropriate approval conditions were recommended to minimise the potential environmental impacts on the surrounding areas and address

the technical requirements of the concerned departments. Given that three previous approval for warehouse uses had been granted to the site and seven similar applications had been approved within or straddling the subject “OU(STW)” zone, approval of the current application was generally in line with the Committee’s previous decisions. The previous application was revoked due to non-compliance with time-limited approval conditions requiring implementation of landscape and fire services installations proposals. Shorter compliance periods were recommended for the subject application in order to closely monitor the progress on compliance with associated approval conditions. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

115. In response to a Member’s enquiry related to the proposed shorter compliance periods, Mr Steven Y.H. Siu, STP/TMYLW, said that, as a general practice, the compliance periods for submission and implementation of technical proposal would be reduced from six to three months and from nine to six months respectively, in order to closely monitor the progress on compliance with the approval conditions.

Deliberation Session

116. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.8.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no workshop activities, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;

- (d) no 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 submission of a revised landscape and tree preservation proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 21.11.2020;
- (g) in relation to (f) above, the implementation of the 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 21.2.2021;
- (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 21.11.2020;
- (j) 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 21.2.2021;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have

effect and shall on the same date be revoked without further notice.”

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

[Dr Venus Lun left the meeting at this point.]

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1042 Temporary Open Storage of Building Materials, Construction Machinery, Recycling Materials (Metal, Plastic and Paper) and 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, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1042)

Presentation and Question Sessions

118. 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) temporary open storage of building materials, construction machinery, recycling materials (metal, plastic and paper) and 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, two public comments from individuals expressing concern 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 considered that the temporary open storage with ancillary workshop could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was generally not in conflict with the planning intention of the “Undetermined” (“U”) zone which was intended for open storage use but was designated with this zoning mainly due to concerns of the capacity of Kung Um Road. While the site did not comply the zonings on the Revised Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD and the Project Manager (West), Civil Engineering and Development Department had no objection to the application. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The proposal was generally not incompatible with the surrounding uses in the subject “U” zone. The application was generally in line with the Town Planning Board Guidelines No. 13F in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up use. The Director of Environmental Protection did not support the application as there were sensitive receivers of residential use in the vicinity of the site. However, there had been no environmental complaint concerning the site received in the past three years. Appropriate approval conditions were recommended to minimise the potential environmental impacts on the surrounding areas and address the technical requirements of the concerned departments. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

119. In response to a Member's enquiry on the reason for rejection of a previous application (No. A/YL-TYST/297), Mr Steven Y.H. Siu, STP/TMYLW, explained that the application was rejected by the Committee mainly on the considerations that there were potential adverse drainage and environmental impacts; and the proposal did not comply with

the then Town Planning Board Guidelines No. 13 in that no previous approval had been granted to the site.

Deliberation Session

120. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.8.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 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 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) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities on

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 21.11.2020;

- (i) 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 2.10.2020;
- (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 21.2.2021;
- (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 21.5.2021;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1043 Renewal of Planning Approval for Temporary Public Vehicle Park for Private Car and Light Goods Vehicle and Shop and Services (Real Estate Agency) for a Period of 3 Years in “Village Type Development” Zone, Lots 1567 RP (Part), 1568 (Part) and 1570 (Part) in D.D. 121, Shan Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1043)

Presentation and Question Sessions

122. 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) renewal of planning approval for temporary public vehicle park for private car and light goods vehicle and shop and services (real estate agency) 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, two public comments from individuals expressing concerns/providing views on the application were received. Major views were set out in paragraph 11 of the Paper;
- (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 application was generally in line with the Town Planning Board Guidelines No. 34C in that there had been no material change in planning

circumstances since the granting of the previous approval; the approval conditions under the previous application (No. A/YL-TYST/855) had been complied with; and the 3-year approval period sought was reasonable and of the same timeframe as the previous approval. Concerned government departments had no adverse comments on or no objection to the application. Appropriate approval conditions were recommended to minimise the potential environmental impacts on the surrounding areas and address the technical requirements of the concerned departments. 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.

123. Members had no question on the application.

Deliberation Session

124. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 23.9.2020 to 22.9.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation for the real estate agency 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 vehicle without valid licences issued under the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on the Site at any time during the planning approval period;
- (c) no medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;

- (d) a notice should be posted at a prominent location of the Site at all times to indicate that only private car and light goods vehicle not exceeding 5.5 tonnes, as defined in the Road Traffic Ordinance, are allowed to be parked on the Site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle repairing, dismantling or other workshop activities, 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 trees within the Site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (i) the submission of records of the existing drainage facilities on the Site within 3 months from the date of the commencement of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.12.2020;
- (j) the existing fire services installations 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; and
- (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.”

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

Agenda Item 35

Section 16 Application

[Open Meeting]

A/YL-TYST/1044 Proposed Temporary Public Vehicle Park (excluding Container Vehicle and Heavy Goods Vehicle) for a Period of 3 Years in “Residential (Group D)” Zone, Lots 955 S.B (Part), 961 (Part), 962 (Part), 963 (Part), 964 (Part), 965 (Part) and 969 (Part) in D.D. 121 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1044)

126. The Committee noted that the applicant’s representative requested on 6.8.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/236 Temporary Warehouse with Ancillary Site Office for a Period of 3 Years in “Commercial (5)”, “Open Space” and “Residential (Group B) 2” Zones, Various Lots in D.D. 129 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/236)

Presentation and Question Sessions

128. 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) temporary warehouse with ancillary site office 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 from individuals raising concern on the application were 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 warehouse and ancillary office could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not in line with the planning intention of the concerned land use zones, the implementation programme for that part of new development area was still being formulated and the Project Manager (West), Civil Engineering and Development Department (PM/W, CEDD) did not envisage that clearance of the site would be arranged before 2024.

PM/W, CEDD and the Director of Leisure and Cultural Services had no objection to the temporary use for a period of 3 years at the site. The temporary warehouse under application was not incompatible with the surrounding land uses which were predominantly used for open storage yards, vehicle parks, warehouses and logistics centres. The Director of Environmental Protection (DEP) did not support the application because there were sensitive uses in the vicinity and environmental nuisance was expected. However, there had not been any environmental complaint pertaining to the site in the past three years. Whilst the previous permission (application No. A/HSK/25) was revoked due to non-compliance with the approval condition on the provision of fire services installations (FSI), a FSI's proposal was submitted under the current application. Sympathetic consideration might be given to the application and shorter compliance periods were recommended in order to closely monitor the progress on compliance with the relevant approval conditions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

129. Members had no question on the application.

Deliberation Session

130. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.8.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

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

- (d) the existing trees and landscape planting on the Site shall be maintained at all times during the planning approval period;
- (e) the existing drainage facilities on the Site should be maintained at all times during the planning approval period;
- (f) 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 21.11.2020;
- (g) 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 21.11.2020;
- (h) in relation to (g) 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 21.2.2021;
- (i) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning conditions (f), (g) or (h) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/237 Proposed Temporary Eating Place (Canteen) for a Period of 3 Years in
“Village Type Development” Zone, Lots 67 (Part), 68 (Part) and 69
(Part) in D.D. 124, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/237)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary eating place (canteen) 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, four public comments from individuals were received objecting to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the temporary eating place use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could provide catering service to meet any such demand in the area. The Lands Department advised that there were no Small House applications approved/under processing within the site. Approval of the application on a temporary basis of three years would not jeopardize the long-term development of the site. The applied use was not incompatible with the

surrounding land uses with open storage yards, residential dwellings, logistics centres and workshops. The application was generally in line with the Town Planning Board Guidelines No. 15A in that the eating place was located at the “V” zone and readily accessible from Tin Ha Road via a vehicular track to its south. Concerned government departments had no objection to or no adverse comment on the application. Appropriate approval conditions were recommended to minimise the potential environmental impacts on the surrounding areas and address the technical requirements of the concerned departments. Part of site was subject to a previous planning permission and approval of the application was in line with the Committee’s previous decision. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

133. Members had no question on the application.

Deliberation Session

134. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.8.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 7:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from the 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 21.2.2021;
- (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 21.5.2021;

- (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 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 21.2.2021;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 21.5.2021;
- (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 planning conditions (c), (d), (f) or (g) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

135. 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/HSK/238 Temporary Open Storage of Construction Materials and Construction Machinery, Warehouse and Container Vehicle Park for a Period of 3 Years in “Residential (Group A) 3” Zone and an area shown as ‘Road’, Lots 844 RP (Part) and 845 (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/238)

136. The Committee noted that the applicant requested on 7.8.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

137. 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 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/239 Temporary Open Storage of Recyclable Materials (Including Metal and Plastics) for a Period of 3 Years in “Open Space” Zone and an area shown as ‘Road’, Lots 280 (Part), 282 (Part) and 285 (Part) in D.D.125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/239)

Presentation and Question Sessions

138. 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) temporary open storage of recyclable materials (including metal and plastic) 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 from individuals raising concern/objecting to the application were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary open storage of recyclable materials (including metal and plastics) could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not in line with the planning intention, the implementation programme for that part of New Development Area (NDA) was still being formulated,

and Project Manager (West), Civil Engineering and Development Department (PM/W, CEDD) and the Director of Leisure and Cultural Services had no objection to the temporary use for a period of three years at the site. Approval of the application on a temporary basis of three years would not jeopardize the long-term development of the site. The applied use was not incompatible with the surrounding land uses which were predominantly used for open storage yards, warehouses, logistics centre and vehicle repair workshops. The applied use was generally in line with the Town Planning Board Guidelines No. 13F in that the site fell within the Hung Shui Kiu/Ha Tsuen NDA and previous planning approvals had been given under the previous outline zoning plans. While the planning permissions under two previous applications were revoked due to non-compliance with approval conditions on the implementation of drainage and fire services installations (FSI) proposals, the applicant had recently resolved the issue on provision of drainage channel at the adjoining lots and had submitted a FSIs proposal in the current application. Concerned department had no in-principle objection to the application. Sympathetic consideration might be given to the application and shorter compliance periods were recommended in order to closely monitor the progress on compliance with the relevant approval conditions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

139. Members had no question on the application.

Deliberation Session

140. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.8.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

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

- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no cutting, dismantling, cleaning, compacting or other workshop activity, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (d) no goods vehicles exceeding 5.5 tonnes, including medium/heavy goods vehicles, container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is 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 the public road at any time during the planning approval period;
- (f) the existing trees and landscape planting on the Site shall be maintained at all times during the planning approval period;
- (g) 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 21.2.2021;
- (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 provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.9.2020;
- (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 21.11.2020;
- (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 21.2.2021;

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

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

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/240 Temporary Public Vehicle Park for Private Cars for a Period of 3 Years
in “Residential (Group A) 3” and “Open Space” Zones, Lot 812 RP in
D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/240)

Presentation and Question Sessions

142. 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) 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, three public comments from individuals raising concern/objecting to the application were received. Major views were set out in paragraph 10 of the Paper;
- (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 applied use was not in line with the planning intention of “Residential (Group A)3” and “Open Space” zones, the public vehicle park could serve the needs of the local residents in meeting the necessary demand. Besides, the implementation programme for that part of New Development Area was still being formulated, and Project Manager (West), Civil Engineering and Development Department had no objection to the applied use for a period of three years at the site. Approval of the application would not jeopardize the long-term development of the site. The public vehicle park for private cars under application was not incompatible with the surrounding land uses which were predominantly used for logistics centre and warehouse, open storage, vehicle service centre, and parking of vehicles. Concerned government departments had no adverse comments on or no objection to the application. Appropriate approval conditions were recommended to minimise the potential environmental impacts on the surrounding areas and address the technical requirements of the concerned departments. Although the planning permission under the last previous application (No. A/YL-HT/271) was subsequently revoked some years ago, it was noted that the current application was submitted by a different applicant for a public vehicle park for private cars only, and heavy goods vehicles would not be allowed. Sympathetic consideration might be given to the current application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

143. Members had no question on the application.

Deliberation Session

144. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.8.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle without valid licenses issued under the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on the Site at any time during the planning approval period;
- (c) no light, medium and heavy goods vehicles, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (d) a notice shall be posted at a prominent location of the Site at all times to indicate that only private car, as defined in the Road Traffic Ordinance, is allowed to enter/be parked on the Site, as proposed by the applicant, during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.2.2021;
- (g) in relation of (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 21.5.2021;

- (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 21.2.2021;
- (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 21.5.2021;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (f), (g), (i) or (j) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/241 Temporary Logistics Centre for a Period of 3 Years in “Government, Institution or Community” Zone, Lots 1968 (Part), 1970 (Part), 1971 RP (Part), 1973 (Part), 1975 RP (Part), 1978 (Part) and 1979 (Part) in D.D. 125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/241)

Presentation and Question Sessions

146. 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) temporary logistic 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 from individuals raising concern/objecting to the application were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary logistics centre could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use is not in line with the planning intention of the “Government, Institution or Community” zone, the implementation programme for that part of new development area was still being formulated, and Project Manager (West), Civil Engineering and Development Department had no

objection to the temporary use for a period of three years at the site. Approval of the application on a temporary basis of three years would not jeopardize the long-term development of the site. The applied temporary logistics centre was not incompatible with the surrounding land uses which were predominantly used for open storage yards and vehicle repair workshops and there was no residential dwelling in the surrounding area. The applied use was generally in line with the Town Planning Board Guidelines No. 13F in that the site fell within Hung Shui Kiu and Ha Tsuen New Development Area (NDA) and previous planning approvals had been given. The planning permission under the last approved application (No. A/HSK/73) was valid until 16.5.2021. All except one time-limited approval condition had been complied with. Approval of the subject application was in line with the Committee's previous decisions. Concerned government departments had no adverse comments on or no objection to the application. Appropriate approval conditions were recommended to minimise the potential environmental impacts on the surrounding areas and address the technical requirements of the concerned departments. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

147. Members had no question on the application.

Deliberation Session

148. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.8.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;

- (c) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (d) all existing trees within the Site shall be maintained in good condition at all times during the planning approval period;
- (e) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (f) the submission of a condition record of the existing drainage facilities on Site within 3 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.11.2020;
- (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 21.2.2021;
- (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 21.5.2021;
- (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 above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/242 School (Tutorial School) in “Residential (Group B) 3” Zone, Shop 30,
G/F, Tak Cheung Building, No. 1 Hung Shui Kiu Main Street, Yuen
Long
(RNTPC Paper No. A/HSK/242)

Presentation and Question Sessions

150. 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) school (tutorial school);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applications based on the assessments set out in paragraph 12 of the Paper. The tutorial school serving the public including the nearby residents was generally in line with the planning intention of the “Residential (Group B)3” zone. The use under application was considered not incompatible with the existing uses of the subject building and the surrounding areas. The application was considered in line with the Town Planning Board Guidelines No. 40 in that the premises was located on the G/F within the non-domestic portion of a composite building (Tak Cheung Building) which was separated from the residential portion on upper floors of the

building. The subject tutorial school was small in scale, which would unlikely cause any significant adverse impacts on the surroundings. Concerned government departments had no objection to or no adverse comment on the application.

151. Members had no question on the application.

Deliberation Session

152. After deliberation, the TPB decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition :

“the provision of fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

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

Agenda Item 43

Any Other Business

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